



Important Message to our fellow Business Owners, Clients and Communities

We are closely following the latest guidance from the Centers for Disease Control (CDC), the World Health Organization (WHO), local governments, and public health agencies and are prepared to navigate these challenging circumstances with everyone's safety in mind.

Like all of you, we are closely following the latest guidance from the Centers for Disease Control (CDC), the World Health Organization (WHO), local governments, and public health agencies and are prepared to navigate these challenging circumstances with everyone's safety in mind.

Our physical office remains open to continue to serve our clients during this evolving situation. Social distancing protocols, class size limitations, and pre-entry screening have become a part of our daily lives.

Due to heightened health and safety measures recommended by the CDC and implemented by state and local health departments, we have enacted the following:

- Capacity is limited to not more than 10 people at a time in one area.
- Our staff disinfects all common surfaces after each class
- Masks may be required when social distancing cannot be maintained
- 1st Aid/CPR courses will require each student utilize their own mannequin. There will be no sharing of supplies of mannequins during class.
- Respiratory fit tests, drug test collections, and alcohol breath collections will be conducted according to the current best practices.

Our sincerest gratitude for your business and the opportunity to serve you. Considering the current global situation surrounding the Coronavirus (COVID-19) pandemic, we wanted to reach out and share the actions [MJS Safety LLC](#) is taking to keep your operations up and running.

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Because information regarding COVID-19 and its widespread effects is ever-changing, articles in this month's newsletter referring to COVID-19 will show the release date of the information. We will do our best to pass along the most current information. However, if an article relates to you or your industry directly, you may want to check for any updates that might affect you.

Here are some of the many helpful Resource links:

- [CDC – Centers for Disease Control – Important info re: 2020-2021 Flu Shots](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [Water and COVID-19 Frequently Asked Questions](#)
- [OSHA Guidance on Preparing Workplaces for COVID-19](#)
- [OSHA Alert — Prevent Worker Exposure to Coronavirus \(COVID-19\)](#)
- [DOL Resources to help Workers and Employers Prepare for the COVID-19 virus](#)
- [Colorado Works — Temporary Assistance for Needy Families \(TANF\) program](#)
- [Colorado PEAK - Medical, Food, Cash, and Early Childhood Assistance programs](#)
- Covid19.colorado.gov



Best Wishes this Holiday Season ❖ from all of us at MJS Safety



Important Updates from the State of Colorado/ Colorado Department of Revenue

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

➔ Please see the Home page for detailed information on what will be required prior to visiting one of the locations. Here's the [link](#) for complete details.

Nov 20, 2020

→ The **Colorado Department of Revenue – Division of Motor Vehicles** has [posted updated restrictions](#) for their locations, listed by county and effective dates.

In this issue – DEC 2020

▶ **MJS SAFETY TRAINING ANNOUNCEMENT**

MJS SAFETY LLC is proud to continue offering Operator Qualifications through a variety of programs such as NCCER and O.Q.S.G. to our OQ Services.

MJS SAFETY LLC is an "Authorized Assessment Center" for Proctoring Final Assessments and completing Performance Evaluations for O.Q.S.G. and NCCER – as well as other OQ disciplines such as MEA-EnergyU, Veriforce & EnergyWorldNet. [call to schedule](#) [read more...](#)

▶ **Training Summary / Class Schedule** • *TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543* • [read more...](#)

→ **Distance Learning & Video Conference classes:** *We are excited to announce that PEC will be allowing us to temporarily offer Safeland and the PEC H2S Clear courses via video conferencing until the end of May. 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.**

OSHA / CONSTRUCTION NEWS SUMMARY

▶ **COVID-19 Q&A** [read more...](#)

▶ **Visit OSHA's COVID-19 Frequently Asked Questions page** [read more...](#)

▶ **EPA and Environmental Priorities in the Biden Era**

Source: Lisa Whitley Coleman, SaferNation

President-Elect Joe Biden has claimed victory in the 2020 presidential election and declared "it is time for America to unite". [read more...](#)



▶ **OSHA Issues Guidance for Use of Tight-Fitting Respirators**

The guidance follows President Donald Trump's memorandum on making general use respirators available for health care providers. [read more...](#)

▶ **NFPA Launches Video Campaign to Support Worker Safety**

The Faces of Fire/Electrical Campaign has, so far, featured interviews with two real electrical utility workers who were injured on the job. [read more...](#)

▶ **COVID-19 Guidance on Ventilation in the Workplace**

Ensuring adequate ventilation throughout the work environment can help to maintain a safe and healthy workplace. [read more...](#)

▶ **Frequently Cited Standards Related to COVID-19 Inspections**

The U.S. Department of Labor's **Occupational Safety and Health Administration** (OSHA) has issued [guidance](#) and an accompanying [one-pager](#) to help employers understand which standards are most frequently cited during coronavirus-related inspections. [read more...](#)

▶ **OSHA Updates Frequently Asked Questions To Address Cloth Face Coverings as Personal Protective Equipment**

The **Occupational Safety and Health Administration** has published an update to its [Frequently Asked Questions](#) (FAQ) to address whether OSHA considers cloth face coverings to be personal protective equipment. [read more...](#)

CLICK IT OR TICKET

There's No Good Excuse



No matter what type of vehicle you drive, one of the safest choices drivers and passengers can make is to buckle up. [read more...](#)

▶ **As this crazy year comes to a close, let's remember to take care of ourselves.** [read more...](#)

▶ **Omnitracs, EROAD Partner to Address Inconsistencies in CV Inspections**

New Inspection Bulletin update aims to provide more clarity around ELD data transferred to enforcement to ensure consistency and efficiency. [read more...](#)

▶ **DOT Redefines Ag, Livestock for Hours of Service Regs**

The U.S. DOT will soon publish an interim final rule that clarifies agricultural commodity and livestock definitions in federal hours of service regulations... [read more...](#)

▶ **Early ELD Analysis Shows Uptick in Certain HOS Violations Since New Regs, Dip In 30-Min. Break Flags**

A recent before-and-after analysis of driver logbook data by EROAD shows the preliminary impacts of the Federal Motor Carrier Safety Administration's revised hours-of-service (HOS) rule on fleets and drivers. [read more...](#)

▶ **PSP Reports and Their Value to Fleets**

Source: Dave Elniski, trucking/transportation safety professional

There are regulations for minimum requirements for hiring new drivers, and it's important to make sure legislated requirements are met... [read more...](#)

▶ **Misdiagnosis and Manual Adjustment Still a Problem With Auto Slack Adjusters**

They're called automatic slack adjusters for a reason, and the manufacturers that make them want to keep it that way. [read more...](#)



▶ **Looming Mandate Will Impact Composition of Brake Friction Material**

Effective with the coming year, brake manufacturers will be required to reduce the amount of copper used in their friction material to meet the copper-free brake pad agreement reached in 2015 between the U.S. [read more...](#)

▶ **Top 15 Most Intense States for Maintenance, Brake Violations**

Even with the long-underway priority drift toward an emphasis on traffic enforcement in the truck-enforcement community writ large, violations of the Federal Motor Carrier Safety Regulations as captured on inspection reports remained dominated by vehicle-related violations. [read more...](#)

MSHA NEWS SUMMARY

▶ **U.S. Department of Labor Announces Proposed Rule Adopting Standards for Electric Motor-Driven Mine Equipment and Accessories**

The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) announced a proposed rule incorporating national and international voluntary consensus standards related to electric motor-driven mine equipment and accessories. [read more...](#)



▶ **August 18, 2020 Fatality - Final Report**

OVERVIEW

On August 18, 2020, at 6:15 a.m., a 21-year-old Laborer/Equipment Operator with over one year of mining experience, entered the cone crusher and falling material entrapped him beneath the feed hopper. [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ **Workplace Eye Diseases**

There are a number of eye diseases that can be caused or exacerbated by the workplace environment. [read more...](#)



MJS SAFETY LLC is proud to offer NCCER, OQSG, Energy Worldnet, MEA EnergyU, and Veriforce Operator Qualifications.

MJS SAFETY LLC is an "Authorized Assessment Center" for Proctoring and Testing for ENERGY worldnet, Inc., as well as OQ Performance Evaluation Services.

MJS SAFETY LLC continues to offer 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.

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.

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](#).

MJS Safety OFFERS DRUG & ALCOHOL TESTING to comply with DOT/FMCSA, PHMSA & Non-DOT requirements.

We offer an in-house drug testing consortium pool with customer service that cannot be beat.

We also provide assistance with 3rd party Drug Testing Compliance Auditing through NCMS, TPS Alert & Veriforce, as well as DISA account management.

“Training Spotlight”

(there will be a different course featured monthly)

NUCA CONFINED SPACE ENTRY TRAINING - ENTRANT, ATTENDANT, SUPERVISOR & COMPETENT PERSON

The National Utility Contractor Association Confined Space Entry Course has been developed to meet the OSHA Confined Space for Construction standard. This course is a 1 day course covering the responsibilities of the Entrant, Attendant and Supervisor as well as the Competent Person, Air Monitoring personnel, and covers the requirements of each role. Our course includes both classroom training and hands-on practical training with the equipment employees will utilize to safely conduct confined space operations. This course is available in both English and Spanish.

For all of our Course Offerings visit the [MJS Safety website](#)

► *MJS Safety also offers custom classes to fit the needs of your company* ◀

SOURCES FOR THIS ISSUE INCLUDE:
 OSHA
 FMCSA
 MSHA
 Overdrive
 CCJ
 CDOT
 NHTSA
 OccuSafe
 OH&S
 EHS Daily Advisor
 Lisa Whitley
 Coleman,
 SaferNation
 CVSA
 Fleet Owner

Schedule of classes Dec 2020: • *TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543*

• *SEE MORE INFORMATION FOR Distance Learning & Video Conference classes*

- ***PEC Safeland Basic Orientation: December 15, 30; 8 – 4:30;**
This class is available through video conference instructor led distance learning through 12/31/2020 - only upon request
- ***First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDICFIRST AID): December 11, 29; 8 — noon;**
This class available for blended learning (online) with remote or in-person skills assessment
- ***Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: December 11, 29; 12:30 – 4:30;**
This class available via Instructor Led video conference

[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** ◀

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
- Competent Person for Excavations
- HAZWOPER 8, 24 & 40 hr Courses

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

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, and Storm Water & ISO

or you can

Need Help With

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

CALL US!!!

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



OSHA / CONSTRUCTION

COVID-19 Q&A



Will employers have additional time to complete annual training requirements because of mandated social distancing and other restrictions enacted during the coronavirus pandemic?



OSHA issued [interim guidance](#) on using discretion in enforcement when employers make good faith efforts to comply with OSHA standards during the pandemic.

▶ **MJS Safety can help guide you through the requirements. Call us!** ◀

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

(questions are grouped by topic)

EPA and Environmental Priorities in the Biden Era

Source: Lisa Whitley Coleman, SaferNation

President-Elect Joe Biden has **claimed victory** in the **2020 presidential election** and declared "it is time for America to unite." Based on **many statements** from Biden, it is apparent he **will reverse** many of the Trump administration's **environmental regulations**, place **higher tax rates** on businesses and **investments**, rejoin the *Paris Climate Accord*, and commit to **scientific approaches** to begin to resolve **climate change** issues.

Whoever Biden **picks** to lead the EPA will have the **challenging task** of dismantling Trump's aggressive **deregulation agenda**. "Trump's EPA has been planning to implement a **new rule** by the end of this year that would **curtail its use** of studies lacking accessible **datasets**, which would make it **harder to justify** new regulations and **renew old ones**," according to the *American Institute of Physics*. "Should the rule be implemented, undoing it would require a lengthier process than if it is left by the wayside."

Business expects a more "**predictable**" relationship with the White House when **Biden takes office**, according to *The Wall Street Journal*. Many **corporate leaders** view Mr. Biden as a centrist on **business issues** and foresee a quieter, less **publicly turbulent** relationship with the *White House* over the next four years—even if they **don't always agree** with the administration's **policies**."



Immediate Steps

The Biden Harris Transition website lists four immediate priorities:

- **COVID-19**
- **Racial equity**
- **Economic recovery**
- **Climate change**

"The current **COVID-19 pandemic** reminds us how **profoundly** the energy and **environmental policy decisions** of the past have **failed communities**—allowing **systemic shocks**, persistent stressors, and **pandemics** to disproportionately impact **communities** of color and low-income communities," according to the **transition website**. "At this moment of profound **crisis**, we have the opportunity to build a **more resilient**, sustainable **economy**—one that will put the United States on an **irreversible path** to achieve **net-zero emissions**, economy-wide, by no later than **2050**."

Biden plans to create new jobs in sustainable and clean energy industries and commits to investing in:

- **Rebuilding America's infrastructure**
- **Creating 1 million new jobs in the American auto industry, from parts to materials to electric vehicle charging stations**
- **Building zero-emission public transportation options in every American city with 100,000 or more residents**
- **Achieving a carbon pollution-free power sector by 2035 by generating clean, American-made electricity**
- **Upgrading existing buildings and homes and incentivizing the "building retrofit and efficient-appliance manufacturing supply chain by funding direct cash rebates and low-cost financing to upgrade and electrify home appliances and install more efficient windows, which will cut residential energy bills."**
- **New construction on 1.5 million sustainable homes and housing units**
- **New technology in battery storage, negative-emission technologies, the next generation of building materials, renewable hydrogen, and advanced nuclear**
- **New jobs in the smart agriculture industry and "plugging abandoned oil and natural gas wells," as well as reopening "abandoned coal, hardrock, and uranium mines"**
- **Ensuring environmental justice is considered in new construction and reducing pollution in the communities**

Republican-Controlled Senate



With the **Senate** still **controlled** by Republicans, Biden has a **challenging course** ahead to obtain the **necessary legislation** to achieve his **objectives**. The 2022 Senate **elections** will place 34 seats **up for grabs**, with 22 of those seats currently held by **Republicans**.

Whether Biden **gains support** in the Senate, there are **several actions** Biden can take to **enact** the comprehensive **changes** he envisions to **positively impact** climate change.

“One of the **most significant** steps Biden could take to reduce **greenhouse gas emissions** would be to **reinstate** tough nationwide rules for **auto emissions** and mileage standards that were **put in place** under the Obama administration and that **essentially mirrored** regulations already in effect in **California**,” according to the *Los Angeles Times*.

California’s **authority** to enforce stricter **auto emissions** standards were **revoked** under Trump’s administration. “Biden has **promised to reinstate** the Obama standards and make them **tougher**, expanding them beyond **passenger vehicles** and SUVs into the most **polluting trucks**,” according to the *Los Angeles Times*. “He’s also **likely** to grant California a **new waiver**, allowing it and the **13 other states** that have adopted its **standards** to crack down **even more on tailpipe pollution**.”

Biden has been firm in his **position** that **no new fracking leases** will be granted for lands **owned** by the **federal government**. The president has **authority** to determine what happens on **federal land**. This could be **achieved** with an *Executive Order* mandating that the *Interior Secretary* stop **issuing** permits for **oil and gas leases**, which is the same **strategy** Obama used for **coal mining**. This strategy will **promote** the transition from **natural gas** to cleaner **energy**.

“A Biden *Interior Department* could also impose **new requirements** on oil companies operating on **federal land**, such as a **rule mandating** the capture of **methane** from wells and other **infrastructure**,” according to the *Los Angeles Times*. “**Methane emissions** are a major **contributor** to global **warming** and have been **rising sharply**.”

Another option for Biden is to **cancel existing leases** on federal lands where **development** has not yet started or **buy back** those **leases**, which could derail the Trump **administration’s plans** to auction **4,000 federal acres** located in **California** in **December**.

Updated Clean Power Plan

Obama’s *Clean Power Plan* was **expected** to reduce **greenhouse gas** emissions by **30%**. The Trump administration **replaced** that plan with one that was **more favorable** to the **coal industry**.

Environmentalists hope Biden will go further than **simply reinstating** Obama’s previous **clean energy plan** with strategies that will **prevent** the **litigation** holds the Obama plan has seen **through legal challenges**.

The energy **industry supports** a move to **clean energy**. “We congratulate and look **forward** to working with **President-elect Biden**, Vice President-elect Harris and the next **Congress** to support America’s **economic recovery**, which will be built on **affordable** and reliable **American energy**,” according to a press release issued by the *American Petroleum Institute*. “Our **country** has made **dramatic progress** over the past decade, leading the **world** in both **emissions reductions** and in the safe and **responsible development** of American energy. America’s **natural gas** and oil **companies** haven’t waited for governments to **act on climate**—we have driven **progress** through technology, **innovation**, and constant reinvention, and we’ll **support bipartisan** policies that **build on that progress**.”

Climate Change

With or without **Senate support**, Biden is known for his **diplomatic skills**. Besides rejoining the *Paris Agreement*, he can **positively impact** climate change through **foreign policy**.

“A **report** from *Brown University’s Climate Solutions Lab* lays out a **series of steps** that include creating a ‘**climate club**’ of countries that volunteer to **reduce emissions** by agreeing to set a **minimum price** on carbon and penalize **high-emitting countries** through trade measures such as **tariffs**,” according to the *Los Angeles Times*. “Another **proposal outlined** in the report calls for Biden to **work with the European Union**—the **largest importer** of natural gas—as well as **Canada** and Mexico to **curb methane emissions**.”

Biden has one other **powerful tool** at his disposal: He could **declare** a national **emergency** regarding **climate change** to gain emergency **authority**. Environmental **advocates** will certainly push for this **step**, but Biden may be **unwilling** to take it due to the large **risks involved**.

“Under **emergency authority**, a Biden administration could use **military funding** to quickly move the **country away** from coal and **gas-powered plants** and toward renewable **energy**,” according to the *Los Angeles Times*. “He could also **increase the number** of electric-vehicle **charging stations**, require **automakers** to produce more **electric vehicles**, and accelerate the **expansion** of clean-energy **technology**—all without having to ask Congress to **approve new funding**.”

Trump used this strategy for **funding** to build a **border wall**, and it’s been battled in the **legal system** since he made the **decision**. Biden may want to avoid a **similar result** for climate **change measures**.

Scientists around the world are **breathing easier** over Biden’s win, according to *Scientific American*.

“Once Biden **takes office** on 20 January, he will have an **opportunity** to reverse many **policies introduced** by the Trump administration that were **damaging to science** and public health,” according to *Scientific American*. “**Researchers** are hopeful that much of the **damage** can be repaired. With Trump out of the **picture**, says Pervez Hoodbhoy, a physicist and **nuclear-proliferation** specialist based in **Islamabad** [in the *Scientific American* article], ‘instead of **dog-eat-dog**, maybe we will have a **modicum** of international cooperation, **greater adherence** to laws and **treaties**, more civility in **politics** across the globe, less “**fake news**,” more smiles and **less anger**.”

It’s important to **keep in mind** that Biden’s win was by a **narrow margin**, signaling the **fact** that America **remains divided politically**. Changes are **definitely ahead**, and it will be **interesting** to see how Biden **navigates** the turbulent **political climate** to achieve his **goals**.



OSHA Issues Guidance for Use of Tight-Fitting Respirators

The guidance follows President Donald Trump's memorandum on making general use respirators available for health care providers.

OSHA issued temporary guidance for enforcing initial and annual fit-testing requirements for tight-fitting powered air-purifying respirators on October 2.

This is the latest effort to ensure that respirators are available as needed for health care workers. It permits the use of NIOSH-approved respirators for protection against coronavirus in the event that annual fit testing isn't possible because of shortages.

Employers can use alternative respirators that provide protection on the level of N95 Filtering Facepiece Respirators, such as N99, N100 and other NIOSH-approved respirators. They can be either loose-fitting or tight-fitting.

The new guidelines do not apply to air-purifying respirators that are used by workers with low or medium exposure to coronavirus, for protection against airborne hazards other than coronavirus or are loose-fitting and don't require fit testing.

Current information about COVID-19 protocols can be found at [cdc.gov](https://www.cdc.gov).

NFPA Launches Video Campaign to Support Worker Safety

The Faces of Fire/Electrical Campaign has, so far, featured interviews with two real electrical utility workers who were injured on the job.

The National Fire Protection Association (NFPA) partnered with the Phoenix Society for Burn Survivors to produce a series of [videos](#) that highlight survivors of electrical incidents.

The first two videos in the Faces of Fire/Electrical were released on September 28. The videos in the series, told from the perspective of workers who experienced the damage that electrical or fire mishaps at work can cause, are intended to emphasize the need for workplace safety and education measures.

"Exposure to electricity poses a real injury risk to workers and the public," said Lorraine Carli, NFPA's vice president of Outreach and Advocacy. "Many people are not aware of electrical dangers and yet each year people are injured or killed from these hazards. The [Faces of Fire/Electrical campaign](#) helps better educate people about the true dangers of electricity and ways to prevent related tragedies from happening."

Nov 5, 2020

COVID-19 Guidance on Ventilation in the Workplace

OSHA is committed to protecting the health and safety of America's workers and workplaces during these unprecedented times. The agency will be issuing a series of alerts designed to keep workers safe.

Ensuring adequate ventilation throughout the work environment can help to maintain a safe and healthy workplace. Employers should work with a heating, ventilation, and air conditioning (HVAC) professional to consider steps to optimize building ventilation. An HVAC professional can ensure that the ventilation system is operating as intended.

The following tips can help reduce the risk of exposure to the coronavirus:

- Encourage workers to stay home if they are sick.
- Ensure all HVAC systems are fully functional, especially those shut down or operating at reduced capacity during the pandemic.
- Remove or redirect personal fans to prevent blowing air from one worker to another.
- Use HVAC system filters with a Minimum Efficiency Reporting Value (MERV) rating of 13 or higher, where feasible.
- Increase the HVAC system's outdoor air intake. Open windows or other sources of fresh air where possible.
- Be sure exhaust air is not pulled back into the building from HVAC air intakes or open windows.
- Consider using portable high-efficiency particulate air (HEPA) fan/filtration systems to increase clean air, especially in higher-risk areas.
- When changing filters, wear appropriate personal protective equipment. ASHRAE recommends N95 respirators, eye protection (safety glasses, goggles, or face shields), and disposable gloves.
- Make sure exhaust fans in restrooms are fully functional, operating at maximum capacity, and are set to remain on.
- Encourage workers to report any safety and health concerns.

For more information, visit <https://www.osha.gov/coronavirus> or call 1-800-321-OSHA (6742).

See a [pdf](#) of this **OSHA ALERT**

Nov 6, 2020

Frequently Cited Standards Related to COVID-19 Inspections

The U.S. Department of Labor's **Occupational Safety and Health Administration** (OSHA) has issued [guidance](#) and an accompanying [one-pager](#) to help **employers understand** which standards are most **frequently cited** during **coronavirus-related** inspections. **OSHA** based these **documents** on data from **citations issued**, many of which were the **result** of complaints, **referrals** and fatalities in **industries** such as **hospitals** and healthcare, **nursing homes** and long-term **care facilities**, and meat/poultry **processing plants**.

The one-pager and **guidance document** provide available **resources** that address the **most frequently** cited standards, **including** *Respiratory Protection, Recording and Reporting Occupational Injuries and Illnesses, Personal Protective Equipment* and the *General Duty Clause*.

The **one-pager** provides examples of **requirements** employers **must follow**, such as:

- *Provide a medical evaluation before a worker is fit-tested or uses a respirator.*
- *Establish, implement, and update a written respiratory protection program with required worksite-specific procedures.*
- *Train workers to safely use respirators and/or other PPE in the workplace, and retrain workers about changes in the workplace that might make previous training obsolete.*
- *Store respirators and other PPE properly in a way to protect them from damage, contamination, and, where applicable, deformation of the facepiece and exhalation valve.*

- *Keep required records of work-related fatalities, injuries, and illness.*

OSHA is providing the **guidance** to help **employers protect** workers and **increase** compliance with **OSHA requirements**.

OSHA's [On-Site Consultation Program](#) offers **no-cost** and confidential **occupational safety** and health **services** to small- and **medium-sized** businesses to identify **workplace hazards**, provides advice for **compliance** with **OSHA** standards, and **assists** in establishing and **improving safety** and health **programs**. **On-Site Consultation** services are **separate** from **enforcement** and do not **result** in penalties or **citations**.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. **OSHA's** role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.

The mission of the Department of Labor is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

Nov 18, 2020

OSHA Updates Frequently Asked Questions

To Address Cloth Face Coverings as Personal Protective Equipment

The **Occupational Safety and Health Administration** has published an update to its [Frequently Asked Questions](#) (FAQ) to address whether **OSHA** considers cloth face coverings to be personal protective equipment. The agency is addressing the topic after the **Centers for Disease Control and Prevention** (CDC) recently determined that some cloth face coverings may serve as source control while also providing the wearer with some personal protection.

The **FAQ** states that **OSHA** does not believe enough information is currently available to determine if a particular cloth face covering provides sufficient protection from the coronavirus hazard to be personal protective equipment under **OSHA's standard**. **OSHA's** determination is consistent with statements made by the **CDC**, which has stated it needs more research on cloth facemasks' protective effects, particularly on the combination of materials that maximize blocking and filtering effectiveness.

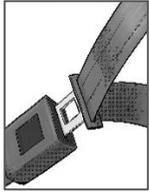
OSHA continues to **encourage workers strongly** to wear **face coverings** when in **close contact** with others to reduce the risk of **spreading the coronavirus**, if it is appropriate for the **work environment**.

CLICK IT OR TICKET

There's No Good Excuse

No matter what type of vehicle you drive, one of the safest choices drivers and passengers can make is to buckle up.

If you headed out around the Thanksgiving holiday, you likely saw more law enforcement on the roads as part of **Click It or Ticket**. This campaign, from November 16-29, was aimed at enforcing seat belt use to help keep drivers and passengers safer on our roads.



Always Remember to Buckle Up

In 2019, 9,466 unbuckled passenger vehicle occupants were killed in crashes in the United States. While that was a decrease from 2018, an early study for 2020 suggests that during the COVID-19 public health emergency, driving patterns and behaviors changed significantly. Of those drivers who remained on the roads, there was more risky behavior, including people not wearing seat belts.

SEAT BELTS ARE SAVING LIVES

91%

SEAT BELT USE RATE IN 2019

2%

INCREASE IN SEAT BELT USAGE BETWEEN 2015 AND 2019

15,000

NUMBER OF LIVES SAVED BY SEAT BELTS IN 2017 CRASHES

Seat Belt Safety Starts With You

Your kids are watching

Children whose parents or caregivers buckle up are much more likely to buckle up themselves.

[Learn more about children and tween seat belt safety.](#)

***As this crazy year comes to a close,
let's remember to take care of ourselves.***

A few of the critical things we have total control over is
Drunk Driving, Drugged Driving and Distracted Driving.

Any of those acts have a high risk of not ending well for you, friends or family
who might be riding with you, and other drivers on the road.

► **Please Drive Responsibly** ◀

Let someone else take the keys if you're impaired in any way.
And set your phone aside when you're behind the wheel.

Omnitracs, EROAD Partner to Address Inconsistencies in CV Inspections

New Inspection Bulletin update aims to provide more clarity around ELD data transferred to enforcement to ensure consistency and efficiency.

Omnitracs and EROAD announced the completion of a newly updated **Commercial Vehicle Safety Alliance (CVSA) Inspection Bulletin** on **U.S. Electronic Logging Devices (ELDs)**.

Both companies identified a need to revamp the current **Inspection Bulletin on U.S. Electronic Logging Devices** that was penned in 2017, concurrent with the implementation of the **ELD Mandate**.

Inspection Bulletins are used by **law enforcement** to ensure consistency during **inspections** and determining **regulatory violations**, so this comprehensive **update** by **Omnitracs** and **EROAD** aims to **alleviate common pain points** around enforcement actions for both drivers and **law enforcement officials**.

“Our goal in **updating** this bulletin is to **promote clarification** of the regulatory **requirements** for **ELD enforcement**,” said Michael Ahart, vice president of **regulatory** affairs at **Omnitracs**. “Enforcement **officials** and drivers have been **confronted** with the **requirement** to employ **complex technology** to manage a driver’s **Records of Duty Status**, so we felt it was our **duty** to come together as an **industry** and eliminate **common points of frustration** for everyone involved in the **inspection** process.”

As **ELDs** have become **mainstream**, new opportunities for **improvement** have emerged around **enforcement**. According to **Omnitracs** and **EROAD**, customers have **expressed** that confusion around **ELD data transfers** is often a point of **frustration** for **drivers** and requires **additional time** and resources spent submitting **DataQs** to the **Federal Motor Carrier Safety Administration (FMCSA)** to overturn **invalid** or incorrect **violations**.

The **standardized data files** from **ELDs** are **transferred** and decoded in the **FMCSA’s Electronic Records of Duty Status (eRODS)** system, and the **format** for how **eRODS** data is **displayed** has been difficult for **law enforcement** to interpret. **Data** displayed in **eRODS** sometimes produces **issues** and presents **different results** than on the **ELD**, which appear to be **citable offenses**. For example, when there are **co-drivers** or multiple drivers **switching vehicles** without **powering off** the vehicle, **shipping** documents or trailer numbers may **not be** captured on **eRODS** due to **missing power-cycle** events.

When **improperly deciphered**, the **eRODS** may display **ELD** data in a way that leads to **invalid violations**, longer inspections and **stress** for drivers and fleet managers. As **compliance** and **ELD** experts, **Omnitracs** and **EROAD** have the technical **knowledge** and deep regulatory **understanding** to eliminate these **pain points** for law enforcement and **drivers**. The updated **bulletin** contains added **clarification** around the proper **approach** to interpreting **data** on **eRODS**, as well as **recommendations** for **alternative** methods for

verifying **mandatory data** elements. The **collaboration** also provided more transparency around **specific errors** that may occur, for **instance** when reviewing **odometer jumps**, missing vehicle identification numbers, and **miles driven**, in **addition** to clarifying **ELD exemptions** as part of this **effort**.

“There are cases where – for **no fault** of the **driver**, carrier or the **inspector** – the **ELD data transferred** to **eRODS** does not show the **complete** picture,” said Soona Lee, director of **regulatory** compliance at **EROAD**. “In supporting our **drivers** and customers with **inspection DataQs**, we’ve been able to identify the most common **technical limitations** an inspector may find with **ELD data transferred** to **eRODS** and provide guidance through this **refreshed inspection** bulletin.”

Both companies sought **additional insight** from other **ELD providers** in order to have a more **comprehensive** perspective that **reflects** most customers.

The document was **also shared** with the **FMCSA** for their **input** before it was **adopted** by the **Driver-Traffic Enforcement Committee** during the **2020 CVSA Virtual Fall Conference**, held in late September. This **convergence** of **information sharing** across the transportation industry was **notable**, given all **parties** were instrumental in helping to streamline the **inspection** process while **eliminating** frustration **points** for the industry.

“This **inspection bulletin** sets an **exciting** precedent for the **industry**, as it’s the result of **ELD providers** coming together to **collaborate** across company lines while working in **conjunction** with **CVSA** and **law enforcement**,” said Kerri Wirachowsky, director of **roadside inspection** program at **CVSA**. “Working in this **unified manner** has allowed us to eliminate **common areas** of **confusion** around **ELDs** for both **drivers** and **law enforcement**, improving driver **quality** of life and **overall efficiency** on the road.”

DOT Redefines Ag, Livestock for Hours of Service Regs

The **U.S. Department of Transportation** will soon publish an **interim final rule** that clarifies **agricultural commodity** and **livestock** definitions in **federal hours of service** regulations to make **enforcement** of the regs more **consistent**. Specifically, the **rule clarifies** the **definition** of the terms **“any agricultural commodity,” “livestock,”** and **“non-processed food,”** as the terms are used in the **definition** of **“agricultural commodity”** for **HOS** regs.

For the definition of **“livestock,”** the **Federal Motor Carrier Safety Administration** is keeping the **current definition**, but also **expanding** it to include **insects** and **“all other living animals,”** including **aquatic animals**. The definition of **“agricultural commodity”** is being **clarified** to include **horticultural products** at **risk of dying** or **degrading** during transport.

“Our **nation’s farmers** and **agriculture haulers** will benefit from this **clarification** of the rules and will be able to **deliver** their products in a **safer** and **more efficient** manner,” said **Federal Motor Carrier Safety Administration** Deputy Administrator Wiley Deck. “These **improved** rules will help farmers move **commodities** and get food to our **grocery stores**. We have heard the **concerns** from our farmers and **ag haulers** and we’ve worked closely with **USDA** and the industry to provide **regulatory clarity** and craft this **new rule.**”

Under current **FMCSA** regulations, drivers **transporting** **agricultural commodities** from their **source** to a location within **150 air miles** of the source, during **harvest** and **planting seasons** as **defined** by each state, are **exempt** for **hours of service** regs. Additionally, **livestock haulers** are exempt from the **30-minute break** provision while **livestock** are being **hailed**.

The existing definition of **“agricultural commodity”** that was **adopted** by Congress and used until now by **FMCSA** included **“any agricultural commodity, non-processed food, feed, fiber or livestock.”**

Under the **interim final rule** to be **published** in the coming days, **“any agricultural commodity”** will be defined as **“horticultural products at risk of perishing, or degrading in quality, during transport by commercial motor vehicle, including plants, sod, flowers, shrubs, ornamentals, seedlings, live trees and Christmas trees.”**

The existing definition of **“livestock,”** from the **Emergency Livestock Feed Assistance Act** of 1988 as amended by the **2018 farm bill**, included **“cattle, elk, reindeer, bison, horses, deer, sheep, goats, swine, poultry (including egg-producing poultry), llamas, alpacas, live fish, crawfish, and other animals that are part of a foundation herd (including dairy producing cattle) or offspring.”**

FMCSA will now interpret **“livestock”** to include those animals, as well as **“insects, and all other living animals cultivated, grown or raised for commercial purposes, including aquatic animals.”**

Finally, the **agency** also **clarified** the definition of **“non-processed food”** as follows:

“Non-processed food means food commodities in a raw or natural state and not subjected to significant post-harvest changes to enhance shelf life, such as canning, jarring, freezing or drying. The term ‘non-processed food’ includes fresh fruits and vegetables, and cereal and oilseed crops which have been minimally processed by cleaning, cooling, trimming, cutting, chopping, shucking, bagging or packaging to facilitate transport by commercial motor vehicle.”

The **interim final rule** has been **published** in the **Federal Register**. **FMCSA** is asking for **public comment** on the revised **definitions** above, including **answers** to the **following questions**:

1. Will the clarifications of the terms **“any agricultural commodity,” “non-processed food,”** and **“livestock”** result in more consistent application of the **HOS** exemptions? Why or why not?
2. Will the clarifications impact the number of drivers who would use the exemptions? If so, how and to what extent? For example, how, if at all, will including all living animals cultivated, grown, or raised for commercial purposes, including aquatic animals, within the definition of **“livestock”** impact the number of drivers?
3. Will any of the clarifications result in higher or lower costs for the transportation of agricultural commodities and livestock?
4. Will any of the clarifications result in other benefits to stakeholders, including consumers and State enforcement personnel?

Early ELD Analysis Shows Uptick in Certain HOS Violations Since New Regs, Dip In 30-Min. Break Flags

A recent **before-and-after analysis** of driver logbook data by **EROAD** shows the preliminary impacts of the **Federal Motor Carrier Safety Administration's** revised hours-of-service (**HOS**) rule on **fleets** and drivers.

EROAD, an **electronic logging device (ELD)** and **fleet management** software provider, shared the **analysis** during a **session** at its virtual user **conference** held recently with **commentary** from Soona Lee, **EROAD** director of regulatory **compliance**; Joe DeLorenzo, **FMCSA's** acting associate **administrator** of enforcement; and Kerri Wirachowski, director of the **roadside inspection** program for **CVSA**.

The **analysis** by **EROAD** compared log **violations** from a sample of **approximately** 30,000 drivers for **30 days** before and **after** the rule took **effect** on **Sept. 29**.

Nearly all **HOS rule violations** that were flagged by **EROAD** under the **previous rule**, between Aug. 29 and Sept. 28, were for the **30-minute rest break**. The rule **required** that drivers take a **30-minute break** within the first **eight hours** of on-duty time and record it as **off-duty time**.

Under the **new rule**, from Sept. 29 to Oct. 28, the number of **30-minute rest break** violations dropped by **80%**. The reason? Drivers can now **record** the break within the **first eight hours** of drive time, rather than **on-duty time**, and log it however they **wish** — as on duty, **off duty** or **sleeper berth**.

The decline in **30-minute break** violations is "something we **expected** and hoped to see," DeLorenzo said, noting the **rule change** "made it a lot easier by **changing** when drivers need a **30-minute break** and how they **manage it**."

Lee said the **data** shows drivers using the **on-duty status** to record **30-minute breaks** after Sept. 29, but most **continued** to record their **breaks** in the off-duty or **sleeper berth** status as before.

The **analysis** also looked at how **drivers** were using the new **split-sleeper berth** option. **EROAD** found **noticeably** more drivers were taking **advantage** of a rule change that allows the **splits**, including the **shorter period**, to not count against their **14-hour clock**. Before, if a driver used the more **limited 8/2 split**, the two-hour split counted against the **driver's 14-hour on-duty clock**.

EROAD data shows that, **after Sept. 29**, the number of **drivers** who began using the **split sleeper berth** increased by 33% and the total number of usages of the **splits** nearly **doubled**.

Previously, **one segment** of the **10-hour split** had to be at least **eight hours long** and would effectively pause the **on-duty clock**. The smaller segment, of up to **two hours**, counted against drivers' **14-hour on-duty clock**. Once **drivers** completed the **second break segment**, they still had to go off-duty for **10 hours** to reset their **14- and 11-hour clocks**.

Additionally, if **drivers** took splits in **consecutive sequence** (a "rolling split"), they only would **regain** a portion of their daily **available 14 hours** after each **break**.

The **new 7/3 (or 3/7) split-sleeper berth** gives drivers one more **hour** of flexibility over the **8/2 (or 2/8) split**, since the **longer segment** only needs to be at least **seven hours** in duration. However, the **data showed** that drivers made **no change** in their patterns of **usage** after Sept. 29. **Drivers** rarely used the **7/3 or 3/7 split** after Sept. 29, or any other **combination**, such as **7/6, 7/5 or 7/4**.

The four most common **split combinations** for drivers carried over. The "**3-7**" **split** came in **fifth place**. This, Lee said, seems to **indicate** that "drivers **haven't fundamentally** changed their **shift schedules**, but are **benefitting** from the **shorter period** being **excluded** from the **14**."

EROAD also studied **whether** or not drivers changed their **habits** of using a **rolling split** or a "**one-off**" split. As an example, a **rolling split** could have a sequence over **two days** of **8-2-8-2** or **7-3-7-3**. A "**one off**" split means that drivers would **split** once for **8/2** or **7/3**, for example, before they take a **normal 10-hour break**.

The percentage of **drivers** who used a **rolling split** or **one-off split** remained the same at **30%** and **70%** **respectively**, before and after Sept. 29.

Another finding was that **14-hour, 11-hour and violations** for the **60 hours** in 7 days (**60-7**) and the **70-8 duty cycles** increased after Sept. 29. **Violations** for exceeding the **14-hour limit** went up by **6%**; **11-hour** by **11%**; and **duty-cycle** by **15%**.

Lee **attributed** the increases to **drivers possibly** using the new **flexibility** in the **rules** to try and **squeeze** in more loads. "It may be **indicating** that drivers and **carriers** are pushing the **boundary** a little bit," she said.

Another **possible contributor** to these **violations** being flagged is that some drivers are **continuing** to operate under the **FMCSA's emergency declaration** for **HOS rules** during the **COVID-19 pandemic**. Overall, "it is not significant enough to be **worried**," DeLorenzo said. It shows, he said, that **drivers** and **fleets** are "**still trying** to get adjusted to the **new rules** and how they are going to **fit with their schedule**."

Violations also surfaced as a result of the HOS rule changes to the short-haul exemption, which increased the operating radius for carriers who are not required to keep a record of duty status from 100 to 150 air miles. The new rule also allows fleets to increase their drivers' maximum on-duty limit from 12 to 14 hours. Additionally, fleets and their drivers that qualify for the new exemption do not have to take 30-minute breaks.

As would be expected, the EROAD study found the rule change resulted in a significant drop-off after Sept. 29 (65%) in the number of drivers who had violations for exceeding the air-mile limits, since those limits expanded from 100 to 150 miles. The data shows that 47% more short-haul carriers began allowing their drivers to use the exemption.

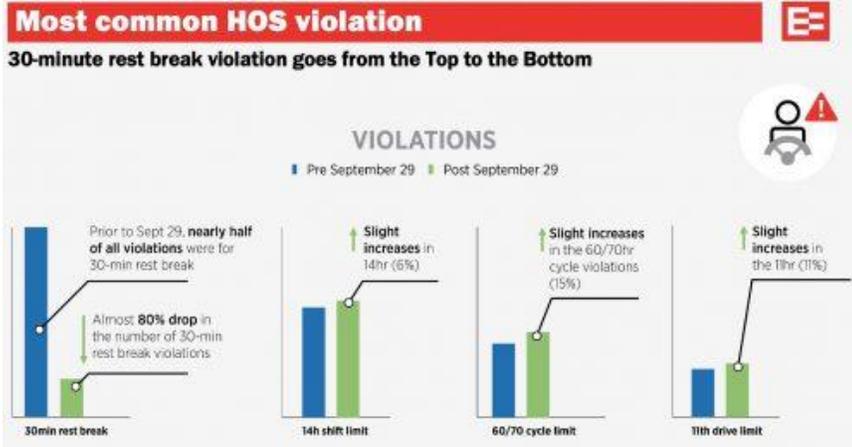
With more drivers using the exemption, 34% fewer drivers breached the new 14-hour limit. However, the analysis found an increase of 84% in the number of 11-hour driving violations, which were already low to begin with, Lee said.

More 11-hour violations are a possible indicator that short-haul drivers are trying to squeeze in an extra run in their shifts, Lee said, since they now have 14 hours of on duty instead of 12. The violations were nominal, however, with a median time duration of around 12 to 20 minutes over, Lee said.

Short-haul drivers have always tended to think that being exempt from logbooks makes them exempt from hours of service, commented CVSA's Kerri Wirachowsky.

When drivers were bound by 12 hours of on duty, "the odds of them going over the 11-hour drive limit were slim," she said. "If they are now bound by 14 hours of on duty, they do not think they have to worry about 11 hours of drive time."

During the session, the FMCSA shared inspection data for 30 days before and after



the Sept. 29 rule change. The numbers show the agency is "probably" back to the same levels of inspections as before COVID-19, which is about 260,000 per month, DeLorenzo said.

Before and after Sept. 29, violations from roadside inspections show "very little change," he said. "We do expect that over time we will see shifts in those changes, but it is still so early in the transition period."

"The real conclusion is that folks are still making the adjustment," DeLorenzo added. He estimated it will take another three to nine months for drivers and enforcement officers to figure out how the new rules work.

Until then, FMCSA is focused on continuing outreach training, he said. The agency has a new educational tool on its HOS webpage. The tool helps to explain the split sleeper berth using pre-populated examples as well as allowing drivers to enter different scenarios to see how the rule works with their day, he said.

PSP Reports and Their Value to Fleets

Source: Dave Elniski, trucking/transportation safety professional

There are regulations for **minimum requirements** for hiring new drivers, and it's important to make sure legislated requirements are met, but the **Federal Motor Carrier Safety Administration's Pre-Employment Screening Program (PSP)** is a great add-on to even **stellar hiring processes** and should be considered a trucking industry best practice for hiring drivers.

Pulling **PSP reports** is an affordable way to go above and beyond what is **required for safety**, and while it may seem like enough of a challenge to simply keep up with the minimum requirements for compliance, I try my best to go the **extra mile** when possible to keep our safety record in **good condition**.

The **PSP** was developed in response to a mandate from Congress to construct a system that provides **electronic access** to safety information for commercial drivers. The **24-hour PSP** allows for access to a driver's past five years of eligible crashes and past three years of roadside inspection data. This information does not come from **state-specific databases**, but rather from the **FMCSA's Motor Carrier Management Information System (MCMIS)**. As of this writing it costs **\$10 per report** to use the system.

A state can provide information concerning a driver's past driving behavior, and the **MCMIS data** in the **PSP report** supplements this information. It is not a **redundant safety measure**. Any motor carrier can enroll in the **PSP** and pull a **PSP report** on a potential **new hire** after obtaining specific written consent from the driver, which may only be done as part of the pre-screening process during hiring. Drivers may request their own **PSP report** separately from a motor carrier at any time they choose.

My PSP experiences

First, I found **technical support** via phone to be excellent and comprehensive. While the details needed for **enrollment** and administration are available online, I like to **talk to someone** when possible. I was pleasantly surprised at how easy it was to get a hold of **PSP representatives**, and they made setup a simple process.

Using the **PSP** is optional, but if you choose to add it to your **pre-screening process** there are specific rules for maintaining records. After all, these reports contain private information about drivers and need to be treated with the **same respect** as other parts of the **driver's file**. I keep special files just for my **PSP-related documents** so that I am prepared for a potential audit from the **FMCSA**.

Has using **PSP reports** helped me learn about potential new hires? **Yes**. Being a safety professional for a Canadian carrier, I require the **provincial driver's abstract** (*the Canadian version of an MVR*) for new hires. A problem with using such a document to verify past experience and potential problems is that **data transfer** between the USA and Canada **is not perfect**, so a Canadian abstract will not necessarily show all **relevant safety information** for someone who has **U.S. driving experience**. I have had a new driver with a clean Canadian abstract with out-of-service violations on their **PSP report**.

U.S. carriers can reap similar benefits from **PSP reports**. Remember, **PSP** information does not come from a **state database**, but comes from a **Federal source**. Not pulling a **PSP report** means that information may be missing from the picture you have of your **new hire**.

Is the PSP worth it?

I can answer this question with a **resounding "yes."** I'm glad that I made **PSP reports** a standard part of our hiring, and do not consider the **\$10 fee per report** to be a suitable excuse for not taking advantage of the program.

What I like the most about the **PSP** is that it gives me another opportunity – on top of abstracts and **previous employer safety checks** – to get to know a new driver's driving behavior. I like to review a new hire's abstract and **PSP report** with them, and I ask questions about any **violations**.

I'm not doing this from a place of **mistrust**. I simply want to have a good an understanding of a **new hire's professionalism** from the beginning. Plus, a **PSP report** showing lots of **violation-free inspections** allows me to compliment a driver on their great **past performance** at the scales.

Even if I am **hiring** a Canadian driver that says they have **never driven commercially** in the U.S., I still pull their **PSP report**. If they have any **information** on their report, then I have reason to question their **previous experience**. Additionally, if something should go to litigation, **PSP reports** are another way a carrier can **demonstrate** its **due diligence**.

I **strongly recommend** taking part in the **PSP**. It is a great way to get a little (*or possibly a lot*) more **information** about your new drivers, and really is **low-hanging fruit** in the world of fleet safety management. The **FMCSA** has put **tremendous effort** into gathering data about **commercial drivers** and we might as well **benefit from it**.

Misdiagnosis and Manual Adjustment Still a Problem With Auto Slack Adjusters

They're called automatic slack adjusters for a reason, and the manufacturers that make them want to keep it that way.



Still, despite years of warnings, **automatic slack adjusters (ASA)** continue to be **manually adjusted** by technicians who **may not know** any better or who may be eager to get a truck out of the shop and **back out** on the road.

"If a fleet is **manually adjusting** a slack adjuster **regularly** it can harm the **longevity** of the unit," says Chris Christiansen, warranty/technical **services coordinator**, Accuride Corporation.

"The **reasons behind** adjusting an **ASA outside** of a brake reline should be **investigated** such as alignments, **bushing wear**, wheel conditions, etc.," Christiansen says.

With **out-of-service brake** violations continuing to **top** the **annual Commercial Vehicle Safety Alliance (CVSA) International Roadcheck**, manually adjusting a **slack adjuster** can not only lead to more **brake problems** down the road, it can also lead to **accidents**.

"Despite being **standard** in the industry for **almost two decades**, there are still **veteran technicians** who will regularly put a **wrench** on an **ASA** to manually adjust it," Accuride states in an August safety and **performance report** for Gunitite ASAs. "**Overriding** the automatic adjustment method can cause **premature wear** on the internal **components** and eventually result in an **early end-of-life** condition. Accident **investigations** by the **National Transportation Safety Board (NTSB)** have shown worn and improperly **adjusted ASA's** to be a contributing **causal factor** in some **accidents**."

The push to **end manual adjustments** on **ASAs** is nothing new.

Following their **mandated use** on tractor-trailers in 1994 and trailers in 1995, the **NTSB** issued a **scathing report** in early 2006 **condemning** the practice of regularly **adjusting ASAs**.

NTSB ruled an **ASA adjustment** had led to a **runaway truck accident** in Pennsylvania in 2003 that **claimed** the life of the driver and an **11-year-old child** riding in a car that the **dump truck** had struck during its **descent** on a **steep** downgrade.

That **report**, in part, **reads**: "*The drivers and mechanics who manually adjusted the automatic slack adjusters on the trucks involved in the Glen Rock and El Cerrito accidents did not look for underlying problems with the adjusters or related foundation brake components; consequently, they misdiagnosed the brake problems, probably because they were not properly educated on the function and care of automatic slack adjusters and how they relate to foundation brake systems.*"

The **NTSB** went on to write that "**warnings** in existing **materials available** to owners, drivers, **mechanics** and inspectors of **air-braked vehicles** equipped with **automatic slack adjusters** have not been **successful** in communicating the **inherent dangers** of manually **adjusting automatic** slack adjusters to correct **out-of-adjustment** brakes."

That ruling **eventually** led to a **mandate**.

"**NTSB** sent a directive to the **manufacturers** of **automatic slack adjusters** regarding **ASA re-adjustment** in August 2007," says Jason Kraus, senior manager of **braking components**, Meritor.

According to Kraus, that **directive** requested a change to **service literature** on the topic of **ASA adjustment**.

"**ASAs** should not be **manually adjusted** to correct excess **brake stroke**, as doing so is a dangerous **practice** when a brake is only **out of adjustment** or over **stroke limitations**," he says. "Excess stroke is an **indication** of component **malfunction** that manual adjustment cannot fix. Manual adjustment or **de-adjustment** shortens **ASA life**, except **Meritor Stroke Sensing ASA** due to its unique pull pawl design. A **manual adjustment** gives drivers **false sense** that everything is working **correctly**."

Keith McComsey, Bendix Spicer Foundation brake director of **marketing** and **customer solutions**, says the name **speaks** for itself. "**Automatic slack adjusters** are just that ... they should act **automatically**," McComsey says. "If a **technician** feels the need to **adjust** an **automatic** slack adjuster, it is because there is some other issue within the **drum brake system** that should be **investigated**."

"Automatic **slack adjusters** should not be **manually adjusted** in an effort to correct **excessive pushrod stroke**," he adds, "because this **condition** indicates that a **problem exists** with the automatic adjuster, with the installation of the **adjuster**, or with related **foundation brake components**, which manual adjustment **will not fix**."

There may be **times**, however, when **manual adjustment** is required — like during **ASA installation** and when **brake repairs** and overhauls, such as **relines**, are performed.

“Haldex does not **recommend** or approve **manual adjusting** of the **automatic brake adjuster** except for emergency purposes when the **wheel-end** brakes cannot be **released** by air pressure, and when **routine brake/wheel-end** maintenance is **performed** like a brake reline,” says Randy Petresh, vice-president of **technical services**, Haldex Brake Products. “In addition, **manual adjustment** will mislead **diagnosis** of wheel-end **brake issues** during troubleshooting **investigations**.”

When **manual adjustments** are necessary, “never use an **air impact wrench** to adjust an **automatic slack adjuster** as this can **damage** the internal mechanism/adjuster,” McComsey says. “Use of **wrenches** and sockets or **ratchets** is **recommended**.”

Keeping Brakes in Check

Of the **67,072 vehicles** inspected in the U.S. and Canada during the 2019 **CVSA International Roadcheck**, 16,347 were parked because of **out-of-service** violations. **Brake-related issues** account for **45 percent** of those OOS infractions — making them once again the **top cause** for **inspection failures**.

Some of those **OOS violations** stem from **manual adjustments** made on automatic **slack adjusters**, which can lead to **ASA failures**.

“The most **common failure** of an automatic **slack adjuster** is when a mechanic or a **driver** continues to adjust them,” says Patrick Kealy, ZF North America OEM trailer **business leader**, CVCS division. “They are **automatic** and therefore **typically** only need to be **adjusted** when they are **installed** for the first time or every time a **brake job** is performed.”

However, **ASAs** may be targeted for **OOS violations** when other **brake hardware** is actually at **fault**.

“**ASAs** often get blamed during **CVSA** inspections for **OOS conditions**, but many times the other **foundation components** are **worn down** causing overstroke conditions,” says Jon Erickson, ASA product engineer, Gunite. “Changing the **ASA** in this **instance** may allow the system to **reset enough** to be compliant. **Replacing an ASA** due to an OOS may get your **vehicle** back on the **road** but the other **foundation components** should be studied at the **earliest** possible convenience to **verify** the braking system is in **acceptable condition**.”

ASAs have been in the **market** long before they were first mandated in 1994. For instance, Haldex **rolled out** its first **U.S. version** in 1980.

“The **basic design** has been very **stable** ever since that time except for **continuous improvement** initiated minor changes in material and **processing** like seal **improvement**,” Petresh says. “The only **significant change** occurred about **10 years ago** with the design, development and **production** of a new model, the **self-setting** automatic **brake adjuster**.”

Like many other **components** that hit the market, **ASAs** were designed to **improve safety** and lower **maintenance requirements** for fleets.

“A **truck owner** had to make **daily inspections** or adjustments to the **brakes** before the automatic **slack adjuster** was implemented on **trucks**,” says Eric Iott, product specialist, Meritor. “The inspection **expense** was large and the **potential for error** in the adjustment was **much greater** with manual **adjustment slacks**.”

Regular **maintenance** and accurate **troubleshooting** remains key to a long, **safe service-life** devoid of **OOS infractions**.

“Lubrication is a **key element** in **maintaining** an automatic **slack adjuster** to keep it working properly for **years** to come,” McComsey says. “**Contaminants** like moisture, etc., work their way into the **slack adjuster** and may **damage** them if not regularly greased. So, cleaning the **purge slot** on the **boot**, and adding grease until the **old grease** is fully **purged** and you see **new grease** exiting the purge hole is a **requirement**.”

McComsey says to **refer** to “**manufacturer’s recommendations** for lubrication of the **adjuster**, noting the suggested **mileage**, frequency and **lubricant grade**.”

A **grade 2 lubricant** endorsed by the National Lubricating Grease Institute is **recommended** for **preventive maintenance** inspections on Bendix **ASAs** approximately every **three months** or **30,000 miles**.

And techs should be **careful** not to **over-grease**, which Kealy warns can **compromise** seals and allow **contaminants** to enter **ASAs** and **increase wear**.

Troubleshooting **ASAs** starts with a **stroke test** per “the **CVSA** to verify your **brakes** are out of **adjustment**,” Kealy says. “After **confirming** other **components** in the **foundation brake** are working **correctly** (*such as brake shoes, drums, S-Cam, S-Cam bushing, etc.*), look at the **ASA**.”

“Back off the **brakes** to check **operation** of the **ASA**,” he adds. “Place a **wrench** on the **adjustment screw** and apply the **service brakes**. You should see the **wrench** rotate in a **clockwise motion** which indicates the **ASA** is taking up the **clearance** between the **drum** and shoe. **Greasing** the S-Cam **spline** and **clevis pin** should also be included as part of this **maintenance** and will help with **ASA removal** the **next time**.”

And **technicians** should always follow **manufacturer service requirements** and instructions. If the **ASA** is diagnosed as **faulty**, replace it with a **new one**.

“It is **not recommended** to ‘**fix**’ an automatic **slack adjuster**,” McComsey says. “If it is **not adjusting** properly, or has other **damage** to it, it **should be replaced**.”

Looming Mandate Will Impact Composition of Brake Friction Material

Effective with the coming year, brake manufacturers will be required to reduce the amount of copper used in their friction material to meet the copper-free brake pad agreement reached in 2015 between the U.S. Environmental Protection Agency, California and Washington State, and industry representatives.

The agreement calls for reducing the amount of copper used in brake pads to less than 5% by weight (*B-Level*) on Jan. 1, 2021, and 0.5% (*N-Level*) by Jan. 1, 2025. The initiative also reduces mercury, lead, cadmium, asbestiform fibers and chromium-six salts in brake pads.

“Copper provides good thermal conductivity and heat dissipation to brake pads,” said Dhawal Dharaiya, engineering supervisor for Hendrickson Wheel End and Braking Systems. “In addition, copper plays an important role as a solid lubricant that helps generate a friction film during braking application to provide good wear characteristics. Materials that will eventually replace copper in brake pads must fulfill the complex properties that copper demonstrates in current formulations.”

ZF Commercial Vehicle Controls Systems Division Engineering Director Dirk Wohltmann added that since copper wears and oxidizes at high temperatures, it helps provide for better overall pad wear.

Because copper generally is softer, it impacts rotor wear to a lesser degree than other metals, said Keith McComsey, director of Air Disc Brake & Systems for Bendix. “The reduction in copper for future pad formulations will have to be replaced with other materials that do a similar job without adversely affecting the pad friction performance,” he said.

Joe Kay, director of Brake Engineering for Meritor, said a brake’s friction formula has many compounds that make up a sophisticated recipe. Copper replacement in brake pads remains a topic of ongoing research, and many of the replacement materials and approaches to formulations are proprietary.

“There is actually one metal that can act as a substitute for copper, and that is silver,” Wohltmann said, “but this is not a cost-effective solution.”

The one constant that all manufacturers face is that stopping distance laws have not changed. New materials with reduced or no copper must meet current laws, and those updates will need to come without sacrificing component life.

“Wear and life of new pad materials will be dictated by new ingredients replacing copper,” Dharaiya said. “Apart from formulations, wear life is always subject to a variety of factors, such as driving habits, environmental conditions, duty cycle and tractor-trailer brake combination, among others.”

Copper is typically substituted by iron, Wohltmann said, as it is the cheapest metallic material available with reasonably comparable physical properties. However, he said it is not a direct one-to-one substitution, as simply replacing the copper with iron provides insufficient performance in wear rates and stopping distances.

“To try to maintain the level of performance of copper-based friction, the entire formulation of a low- or no-copper brake pad must evolve, for instance, by also utilizing a more complex group of materials for the lubricants and modifiers,” he said. “In short, copper removal is a cocktail of complex problems and countermeasures.”

McComsey said Bendix is working to ensure the continual optimization of the friction's performance "relative to both the stopping performance as well as the pad and friction wear performance to maximize the life of the friction/rotor interface."

Kay said Meritor spent more than two years developing a formula to meet the new standards, progressing from laboratory to FMVSS test tracks to fleets. The company conducted comprehensive lab testing and more than 2.4 million miles of field testing. "In the end, the MA9300 friction demonstrated superior pad wear and similar rotor life compared to Meritor's current offering," he said.

Many commercial vehicle OEM formulations for drum brakes already meet 2025 requirements for reduced copper, Dharaiya said, adding that all Hendrickson drum brake offerings are copper-free.

"Drum brakes absorb and dissipate a much smaller amount of heat energy per unit area of available friction patch, which makes it more feasible for drum brake linings to be produced with little to no copper," he said.

Kay said Meritor's drum brake friction formulas already meet N-Level compliance, as drum brakes tend to operate at lower temperatures, which allowed non-copper formulas to be used.

"Drum frictions typically were classified as non-asbestos organic frictions (NAO), which came at a reduced copper level," McComsey added. "There are some semi-metallic frictions used to meet current levels, but [they] might need to be reformulated to meet the N-Level friction compliance for 2025."

Even though only two West Coast states are tied to the agreement, brake manufacturers will have to roll out compliant friction material nationwide to avoid having brakes that are compliant only in select states.

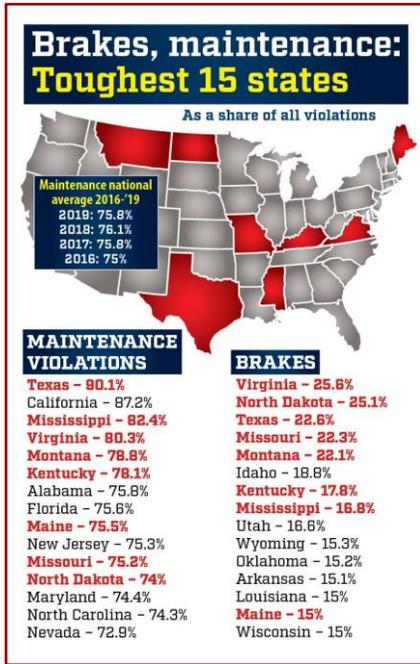
McComsey said Bendix air disc brake (ADB) pad offerings that meet the current mandate for B-Level friction will be used in all ADB configurations in North America, adding that "we will also support the aftermarket in the same manner." The A-Level frictions that once were available prior to Jan. 1, 2021, will be obsoleted and replaced with B-Level equivalent pads for both OES and AM replacement pad kits. The company also is actively developing friction material for its ADBs to meet N-Level friction by its implementation date four years from now.

Randy Petresh, vice president of technical services for Haldex, said the company will similarly introduce its revised material formulations on a national basis, not state-specific, and would meet both B- and N-Level deadlines.

N-level friction for all Meritor disc brake products – EX+LS, EX+L, EX+H and Quadraulic – will be 2025 copper-compliant by the end of this year, including MA9300, MA9500 and MA704, for truck and trailer applications.

"Meritor will convert to N-Level formulas as the only offering," Kay said. "Formulas meeting the N-Level friction make it simpler for the vehicle OEMs and also aftermarket parts. We prefer to make it easier for our customers to keep them compliant no matter where their vehicle is purchased, used and service conducted on them."

Top 15 Most Intense States for Maintenance, Brake Violations



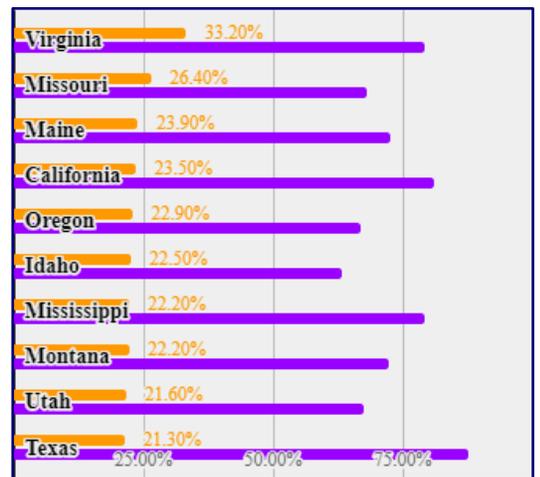
Even with the long-underway **priority drift** toward an **emphasis** on traffic enforcement in the **truck-enforcement community** writ large, violations of the **Federal Motor Carrier Safety Regulations** as captured on **inspection reports** remained dominated by **vehicle-related violations**. In 2019, as in **prior years**, more than 70% of all **violations** written nationally were for items that **contribute** to carriers' **scores/rankings** in the **Vehicle Maintenance Behavioral Analysis and Safety Improvement (BASIC)** category under **CSA**. Though lip service is continually paid to the **importance** of driver behavior in **crashes**, for inspectors the **vehicle** clearly remains a **priority** — the percentage share of **maintenance-related violations**, as shown in this chart, actually **rose between 2016 and 2018**, before **falling slightly** in 2019.

It's those **vehicle violations**, and the **brake-related** ones in particular, that **received special focus** during the annual **Brake Safety Week** inspection event, **Aug. 23-29**.

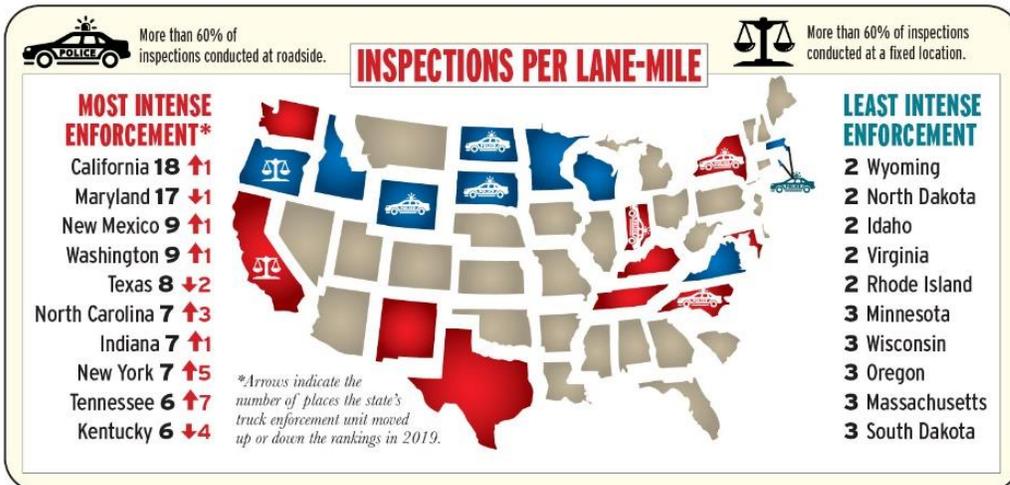
For many of the maintenance "**top performer**" states shown on the **chart** — **ranked according to the category of violations' share of total violations in a state** — brakes are also **prime priorities**. States shown in **red** and shaded on the map **rank in each top 15** for the **toughest states** when it comes to a close **focus on maintenance overall and brakes in particular**.

Source: Federal data for calendar year 2019 and previous years (where indicated).

In some ways, things have **changed little** when it comes to the **states on the list**. Compare the **brakes rankings for 2019 up top** with the **top 10 for brakes violations** (with **blue bars showing each state's relevant maintenance-violation percentage**) from **2014**. **Brake violation percentages** are indicated by the **small orange bar**.



Just two states, **California** and **Oregon**, are **no longer in the top 10** for the share of **brake violations** — **California, the number one performer of inspections** (with a **high percentage of clean inspections**) per lane-mile of **National Highway System** in the **recent analysis**, remains high on the **overall maintenance-violation list**. They're clearly **attentive to vehicle violations** — a part of the **broader inspections** that occurred with **Brake Safety Week**.



In addition to **California**, states who placed high for inspection intensity (indicating the likelihood of an inspection event in the state) with a **high maintenance and/or brakes focus** as well include **Kentucky, North Carolina, Texas and Maryland** — **probably were good bets for increased enforcement during Brake Safety Week**.

U.S. Department of Labor Announces Proposed Rule Adopting Standards for Electric Motor-Driven Mine Equipment and Accessories



The U.S. Department of Labor's **Mine Safety and Health Administration (MSHA)** announced a **proposed rule** incorporating **national** and **international voluntary consensus standards** related to **electric motor-driven mine equipment and accessories**.

Under the **proposed rule**, during a **one-year transition** period, mine operators could use **equipment and accessories** that meet either **14 voluntary consensus standards** or the existing **MSHA approval requirements**. After that period, **operators** would be required to use the **consensus standards** for equipment and accessories covered by consensus standards. The **proposed rule** would improve the **efficiency** and effectiveness of the **product approval** process, and **promote** the use of **innovative technologies** for improved **mine safety** and health.

The **Federal Register** published the **proposed rule** on Nov. 19, 2020. **Comments** may be **submitted** until **Dec. 21, 2020**. The **proposed rule** is available at this [link](#).

The mission of the Department of Labor is to foster, promote and develop the welfare of the wage earners, job seekers and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

August 18, 2020 Fatality - Final Report

OVERVIEW

On August 18, 2020, at 6:15 a.m., a 21-year-old Laborer/Equipment Operator with over one year of mining experience, entered the cone crusher and falling material entrapped him beneath the feed hopper. He was rescued and died the next day.



The accident occurred because the employer did not: 1) *establish safe procedures to clear blockages in feed hoppers or bins*, 2) *provide access to areas from which blockages could be cleared safely*, 3) *provide mechanical devices or other effective means to prevent and/or safely clear blockages*, and 4) *adequately train miners in entry to bins, hoppers, tanks or similar areas*.

Training and Experience

The Laborer/Equipment Operator had over one year of mining experience, all at this mine. He received initial new miner training and annual refresher training in 2019 in accordance with Part 46. Investigators determined that his annual refresher training was current, but identified contributory task training deficiencies.

Mine management did not train the victim or any other miners on how to safely clear blockages in the primary cone crusher and feed hopper. Additionally, even though mine management knew of the blockages, they did not develop procedures, mechanical devices, access points, or other effective and safe means to prevent and clear blockages. Due to numerous previous blockages, the mine operator had built an inspection door at the upper end of the chute.

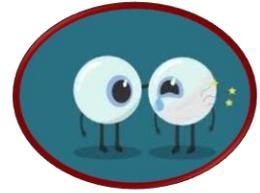
Examinations

Management did not perform workplace examinations of the crusher for two consecutive days. Management did not identify hazardous conditions and ensure miners initiated proper and safe corrective actions before work commenced, contributing to the accident.

Read the full Fatality Final Report, including Enforcement Actions, at this [link](#) (pdf)

Workplace Eye Diseases

There are a number of **eye diseases** that can be **caused** or **exacerbated** by the **workplace environment**. Irritation and **inflammation** of the eye (*conjunctivitis*) is the **most common** workplace eye **condition**. In office work, **complaints** can be caused by **heat**, humidity and **demanding** tasks. Using a **computer** for **extended periods** of time is also **associated** with pain and altered **vision**. In **manufacturing** facilities, **exposure** to vapors from **solvents**, gases, and **particulates** as well as **outdoor work** in bright **locations** can cause **irritation**.



Workplace **environments** can cause more **serious eye** diseases. Color **vision** can be affected by **exposure** to **solvents**, related to **concentration** and duration of **exposure**. Long-term exposure to styrene and **carbon disulfide** can have effects at **lower levels** and short-term **exposure** to styrene can also have **color effects** below occupational **exposure limits**. Exposure to **n-hexane** and perchloroethylene can also **negatively** impact **color vision**.

Factors causing **cataracts** include pollution, **age**, gender, and **smoking** in the general **population**. However, **increased** incidents of **cataracts** are also found in **welders** from exposure to **UV radiation**, glass blowers exposed to **infrared energy**, and those who **work** with **molten metals** and intense heat. Workers **exposed** to indoor fuels and **solvents** also have a **greater incidence** of cataracts.

Environmental **factors** such as sunlight, **cigarette smoke**, and air pollution **can affect** the retina. Greater **incidents** of retina **damage** can be traced to **carbon monoxide**, carbon disulfide, and **exposure** to exhaust **particles**. The **retina** can also be **affected** by intense light and **longer exposures** at less **intense** levels. Increased **incidents** of macular **degeneration** have been found in **laser workers**.

Employers should take steps to prevent occupational eye diseases. These may include:

- *Identify processes where employees are exposed to ultraviolet, lasers, and other non-ionizing radiation and where there is continuous exposure to solvents.*
- *Provide and maintain general and local exhaust ventilation.*
- *Decrease the levels of particles and solvent vapors in the workplace below occupational exposure limits.*
- *Investigate employee complaints about eye problems.*
- *Optimize illumination and humidity.*
- *Provide eye protection such as safety glasses and sunglasses, and specialized eyewear for ultraviolet light and laser exposures.*
- *Instruct computer users to take frequent breaks from monitors.*

Occupational eye diseases can be **painful** and in some cases **debilitating**. Employees and **employers** should be aware of **chemicals** and **environmental factors** that can **affect** vision and **ensure** that all **necessary controls** are in **place**.

Be Safe, Be Healthy, Be Six Feet Apart!