

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 2025...

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.



Here are some details about **OSHA civil penalty amounts for 2025:**

- **Repeat violations:** The maximum penalty for a repeat violation is \$165,514.
 - **Serious, Other-Than-Serious Posting Requirements:** \$16,550 per violation.
 - **Failure to Abate:** \$16,550 per day beyond the abatement date.
 - **Employer size:** Employers with 50 or fewer employees are eligible for a civil penalty reduction based on size.
- 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.

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Employers must post their most recent **Summary of Work-Related Injuries and Illnesses (Form 300A)** [read more...](#)
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...the Homeless Veterans' Reintegration Program seeks to reduce and prevent veterans' homelessness [read more...](#)
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Ongoing monitoring and maintenance are crucial to all areas of equipment safety. [read more...](#)
- ▶ **Working Safely in Cold Weather**
Follow these work practices to stay safe in cold weather: [read more...](#)



▶ **Requiring Employers to Keep Employees Informed**

A new topic every month.....

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- > **Whistleblower: PROTECTION FROM RETALIATION FOR ENGAGING IN SAFETY AND HEALTH ACTIVITY UNDER THE OSH ACT **REVISED** FACT SHEET** [read more...](#)

Your Right to Know

TRANSPORTATION NEWS SUMMARY

▶ **Reminder - Federal Drug Testing Custody and Control Form Mandatory...** [read more...](#)

▶ **DOT 2025 Regs Violation Penalty Increases** [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...](#)

▶ **FMCSA Revokes Certifications of 6 Additional ELD's, effective Jan. 8** [read more...](#)



TRANSPORTATION NEWS SUMMARY cont'd

- ▶ **Driverless Trucking Company Takes FMCSA To Court in War Over Warning Triangles**
...suit filed over denial of a rule exemption request related to the placement of warning devices. read more...
- ▶ **Human Trafficking Prevention**
...program seeks to reduce human trafficking throughout North America within the CMV industry. read more...
- ▶ **Truck History Reports** — *Look up reported accidents, inspection violations, insurance claim, owner history and more.* 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...
- ▶ **To Combat Mounting Cargo Theft, Verisk Launches - CARGONET® ROUTESCORE API**
2024 is projected to record 25 percent more losses than 2023 read more...
- ▶ **ATA, TMC Hail FMCSA Exemption to Cut Technician Training Red Tape**
The groups thanked FMCSA for granting an exemption to alleviate the technician shortage. read more...
- ▶ **FMCSA Panel Calls for Solutions to Truck Parking Crisis**
COMMITTEE SEEKS INPUT FROM STATES, TRADE GROUPS, PRIVATE SECTOR read more...
- ▶ **Colo. Law: Move Over for Me ~ IT'S THE LAW ~** read more...
- ▶ **Phishing Scam Alert: FMCSA NOTIFIED OF A PHISHING SCAM TARGETING TRAINING PROVIDERS.** read more...
- ▶ **Out-of-Service Criteria Updates – download the App** read more...

- ▶ **MSHA is now on FACEBOOK and INSTAGRAM!** read more...

MSHA NEWS SUMMARY

- ▶ **Another Year Prioritizing Miners' Safety and Health and Mining Communities** read more...
- ▶ **Mine operators are required to Report Accidents & Hazardous Conditions immediately** read more...



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

- ▶ **Flipping the Script on Health and Wellness: PRIORITIZING PREVENTION** 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)

> CONFINED SPACE ENTRY RESCUER TRAINING

This course is designed to train your employees to perform the duties of the designated rescuer for confined space entry operations. This 2 day hands-on course will take employees through a variety of scenarios, equipment use, and rescue techniques. Additional training for respiratory protection, medical evaluation & fit testing, and 1st Aid / CPR is needed to complete the rescuers credentials.

STUDENTS MUST HAVE COMPLETED THE INITIAL CONFINED SPACE TRAINING PRIOR TO TAKING THIS COURSE

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

Schedule of classes February 2025: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND**: Feb 10, 21; 8 – 4:30;
- *First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): Feb 11, 28; 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]: Feb 11, 28; 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
FMCSA
ISHN
US DOL
CDC
MSHA
NHTSA
Transport Topics
CVSA
Trucker News
Freight Waves
The Globe & Mail
Road Legends
CDLLIFE
ATA

► 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!**

Did You Know?

OSHA inspectors often take samples when evaluating worker exposure to chemical and physical hazards. Sampling information from 1984-2024 [available on OSHA's website](#).



¿Sabías?

Los inspectores de OSHA suelen tomar muestras cuando evalúan la exposición de los trabajadores a peligros químicos y físicos. La información sobre el muestreo entre 1984 y 2024 [está disponible en el sitio web de OSHA](#).

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.](#)

IMPORTANT UPDATE: PHMSA Random Drug Testing Rate Increase for 2025

There is an important regulatory update from the Pipeline and Hazardous Materials Safety Administration (PHMSA) that may impact your compliance obligations.

Effective January 1, 2025, PHMSA has increased the minimum annual random drug testing rate for covered employees from 25% to 50%. This change applies to operators of gas, hazardous liquid, and carbon dioxide pipeline facilities, as well as liquefied natural gas (LNG) plants and underground natural gas storage facilities.



The updated testing rate reflects data from PHMSA's Drug and Alcohol Management Information System (DAMIS), which showed a positive random drug testing rate exceeding 1% for the calendar year 2023. As a result, the higher rate is being implemented to further enhance workplace safety and compliance across the industry.

Key Takeaways:

- Starting in 2025, you must ensure that at least 50% of your safety-sensitive employees are randomly selected for drug testing annually.
- Review your current random drug testing processes and adjust to meet this requirement.
- Ensure accurate recordkeeping of your drug testing program for compliance and audits.

Additionally, PHMSA will continue to enforce Multi-Factor Authentication (MFA) for DAMIS reporting, so please ensure your team is equipped to meet this requirement.



2025 Fees for Student Course Completion Cards for Outreach Training Program

Fees for new course completion cards is \$10 per card. Fees for replacement cards are established by the Authorizing Training Organizations.

OSHA has created 10- and 30-hour basic safety courses tailored to construction, maritime and general industry, as well as 7.5- and 15-hour classes for disaster site workers. These courses cover the basics of worker rights and OSHA protections. They also describe how to identify, avoid and prevent workplace hazards. OSHA does not require these courses but some municipalities, unions, employers and other organizations do. In fiscal year 2022, the program trained more than one million students.

To obtain copies of course completion documents, such as student course completion cards, students must contact the original training provider. **Please note**, replacement student course completion cards for OSHA Outreach Training Program classes cannot be issued for training completed more than five years ago. Only one replacement card may be issued per student per class.

[Authorized outreach trainers and online providers](#)

[More about OSHA's voluntary Outreach Training Programs](#)

MJS Legacy Safety

is an Authorized Outreach Trainer.

We offer the OSHA 10 & 30 hour courses for students.

WE CAN HELP WITH REPLACEMENT STUDENT COURSE COMPLETION CARDS IF THE COURSE WAS TAKEN WITH CARRIE AND IS LESS THAN 5 YEARS OLD.

Give us a call!

DEADLINE IS MARCH 2ND

.... Collecting data on workplace injuries and illnesses is an important element of the **Occupational Safety and Health Administration's** mission to **improve workplace safety and health.**



Establishments in [certain industries](#) **Must Submit Required Injury And Illness Data** for each calendar year by **March 2** of the following year using Form 300A.

OSHA's Form 300A (Rev. 04/2004)
Summary of Work-Related Injuries and Illnesses

Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(a)	(b)	(c)	(d)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
0	0
(e)	(f)

Injury and Illness Types

Employers must post their most recent Summary of Work-Related Injuries and Illnesses (Form 300A) from February 1 through April 30 in a visible location for their employees' awareness.

OSHA provides a [secure website](#) that offers three options for injury and illness data submissions. If your establishment is required to submit this data, you must use OSHA's [Injury Tracking Application](#), or ITA. At this link you'll find detailed information on the following:

- Launch the Application
- Who is covered by this reporting requirement?
- What must covered establishments submit?
- FAQs
- When must covered establishments submit their completed Form 300A?
- Job Aids (How-To)
- How do I submit my establishment data?

All current and new account holders must connect your ITA account to a [Login.gov account](#) with the same email address in order to submit your data.

Need more assistance? Use the [help request form](#).

To report safety and health violations, file a complaint, or ask safety and health questions, call 800-321-6742 or visit [osha.gov/ContactUs](#).

DOL Announces \$17M Funding Opportunity to Support Services for Homeless Veterans, Those at Risk

The U.S. Department of Labor recently announced the availability of \$17 million in grant funding to support organizations working to help homeless veterans and those at risk of homelessness by providing training and employment services.

Administered by the department's **Veterans' Employment and Training Service**, the [Homeless Veterans' Reintegration Program](#) seeks to **reduce and prevent veterans' homelessness** by assisting them in **overcoming obstacles** and **successfully reentering** the workforce.

While **veteran homelessness** has reached an [all-time low nationwide](#) since measurement began in 2009, down more than **55 percent** since 2010 and down **7.5 percent** since 2023, further progress through initiatives such as **HVRP** must be made.

HVRP grants will provide each recipient up to **\$500,000 annually** for up to **\$1.5 million over a three-year period**. Award recipients will be chosen to **deliver workplace skills training**, **support participation in Registered Apprenticeship programs** or other types of **on-the-job training** and supply **employment placement assistance**.

The initiative is a collaboration between the DOL, the [Interagency Council on Homelessness](#), the Department of Housing and Urban Development's [Continuum of Care Program](#), and the Department of Veterans Affairs' [Homeless Programs Office](#).

Eligible applicants include state and local **Workforce Development Boards**; federally recognized **Native American governments**; **Native American organizations**; state agencies; **for-profit entities** and non-profit **organizations**, including community- and **faith-based organizations**; and public, **state, and private institutions** of higher education.

To provide information about the **grant program** and **assist prospective applicants**, **VETS** is offering **two webinars in February**. Participants will be able to learn more about the **funding opportunity** and ask **questions about the application process** on the following dates:

- [Register to attend the webinar on Feb. 5, 2025 at 2 p.m. EST](#)
- [Register to attend the webinar on Feb. 11, 2025 at 3 p.m. EST](#)
- [Apply for this funding opportunity by March 17, 2025.](#)



Updating Procedures to Protect Female Federal Firefighters and Their Families

SOURCE: Christopher J. Godfrey, Director, Office of Worker Compensation Programs



Under my leadership, the Department of Labor's Office of Workers' Compensation Programs (OWCP) has just taken a transformative step forward in addressing the unique challenges faced by female federal firefighters. These brave individuals, especially those serving as Wildland Firefighters, put their lives and health on the line each year to protect communities from dangerous wildfires. Recognizing the gender-specific health risks they face, OWCP has recently introduced groundbreaking changes to the Federal Employees' Compensation Act (FECA), setting a new standard for inclusivity and equity in workers' compensation policies.

In 2022 I worked to establish a “high-risk employment” special claims handling unit to streamline the processing of claims for heart, lung and cancer conditions linked to fire protection employment activities. This initiative, documented in [FECA Bulletin 22-07](#), laid the groundwork for subsequent legislative action that same year. The Fairness for Federal Firefighters (FAA) provision, enacted in the James M. Inhofe National Defense Authorization Act of 2023, codified OWCP's policies and recognized specific cancers as occupational risks for federal firefighters and others engaged in fire protection activities. However, it did not initially include certain cancers that disproportionately affect women firefighters – highlighting the need for further action. As OWCP's director, I understood this meant that we had more work to do to accomplish our goals of equitable protection of all federal fire protection workers.

To address this gap in coverage, I worked with the National Institute for Occupational Safety and Health and engaged Dr. Steven Moffatt, a leading medical expert on firefighter health, to evaluate evidence that could help us expand coverage. After consultation, Dr. Moffatt has now concluded that female firefighters, more likely than not, face heightened risks for breast, uterine and ovarian cancers – conditions not previously covered by the FAA provision – due to the toxic exposures they face in their work. Additionally, he confirmed that basal cell carcinoma presents an increased risk for all firefighters.

As one of my final acts as OWCP's director, I have administered the issuance of a new FECA Bulletin expanding the list of presumptive conditions to include these new cancers. This policy change acknowledges the unique occupational hazards faced by women firefighters and ensures they receive the care and support they deserve. This advancement represents a transformative shift toward equity and recognition of women's contributions and the protections they deserve given the risks they take and the exposures they face.

This policy is transformative for U.S. workers' compensation, but the impact of this change extends beyond our nation's borders. By sharing these findings and policy advancements with international health and safety bodies, including the International Labor Organization, OWCP is influencing global standards for firefighter health and safety and driving equity coverage for female fighters around the globe. This initiative underscores the importance of addressing gender-specific health risks in high-risk professions and serves as a model for other nations to follow.

I hope my legacy is defined by a steadfast commitment to equity, innovation and the well-being of federal workers. This new policy exemplifies OWCP's mission to protect injured workers and their families while ensuring a fair and just system for all. As OWCP continues to uphold these principles, the advancements for female firefighters stand as a testament to the power of thoughtful leadership and the importance of addressing the unique challenges faced by those who serve our nation selflessly.

Is Your Facility at Risk Due to Inadequate Electrical Testing?



Ongoing monitoring and maintenance are crucial to all areas of equipment safety. However, some inspections are easier to overlook or make errors in than others. Industrial electrical testing is a common culprit.

High-powered industrial machinery introduces considerable electrical risks. Still, many facilities do not follow best practices when inspecting and maintaining machinery, leading to unnoticed and unmanaged hazards.

Risks of inadequate electrical testing

Like in all inspections, inadequate testing of electrical systems leads to complacency. Facilities believe they are safer than they are, opening the door to behavior they'd otherwise avoid if they knew something was wrong.

This oversight quickly becomes dangerous when managing high-voltage tools. There were [126 electricity-related workplace fatalities](#) in 2020 alone. Such cases are also the most common form of death stemming from exposure to hazardous substances or environments. They're among the top four causes of all workplace fatalities in the construction sector.

It's also worth noting that [70% of all electrical fatalities](#) (pdf) happen in nonelectrical occupations. While nonexperts may be more likely to make mistakes around high-powered equipment, this trend casts a troubling light on inspectors and electricians. Many of these incidents may result from a failure of electrical experts to perform their duty in ensuring circuitry is safe for others to use.

Common mistakes in industrial electrical testing

Preventing such consequences starts with recognizing where errors typically arise. Businesses should watch for a few common mistakes when optimizing industrial electrical testing.

Not inspecting frequently enough

One of the easiest electrical inspection errors to make is not performing it frequently enough. OSHA holds that energy control procedures [need inspection at least annually](#), but guidance over other powered equipment is less specific. The lack of firm regulatory guidance makes it all too easy to overlook testing for years on end.

Annual inspections are a good baseline for all electrical testing considerations but aren't strictly necessary for every system. Electricians should test building circuitry at least every three years, and frequently used power tools should have a basic review before each use.

Not considering all factors

When businesses perform industrial electrical testing, many don't consider all influencing factors. Ensuring proper voltage and gauging temperatures are among the most crucial considerations, so these are often the focus. However, less obvious steps like reviewing cable sizes and measuring insulation resistance may fly under the radar.

Employees often do not rush through inspections out of laziness or complacency. Rather, they forget about them or assume they may be less important due to high workloads and related stress. As understandable as the reasoning may be, such oversight is a dangerous error.

Not accounting for human error

Relatedly, some electrical inspectors may fail to account for errors in previous tests. Inspection records are necessary for any thorough examination, but taking them at face value is a mistake. Human error is far too common to assume a board schedule or previous test was entirely accurate.

Even professionals can make critical errors, as many missteps stem from overconfidence. Consider how more than [107,000 home improvement injuries](#) involve manual tools, not powered alternatives. People make hazardous mistakes when working with things they're more confident in. Consequently, businesses must perform specific tests each time instead of relying on the accuracy of an earlier report.

Industrial electrical testing best practices

In light of how easy it is to make mistakes in industrial electrical testing, organizations must practice greater care. Here are some best practices to embrace to prevent missteps and promote a higher standard of safety.

▪ [REVIEW APPLICABLE CODES](#)

The first step in better electrical testing is ensuring organizations understand the standards they must meet.

Requirements vary widely depending on the type of machinery, industry and local government regulations, so businesses must perform thorough research ahead of time.

[NFPA 70](#) is a reliable benchmark for general electrical guidelines, so inspectors can start with this code. Other potential applicable standards include NFPA 70E, NFPA 78 and ANSI C2. It's also important to consider state and city laws that may offer more specific guidance than federal or industry regulations.

▪ **USE THE RIGHT TOOLS FOR THE JOB**

Next, electrical inspectors must use appropriate equipment for each kind of inspection. Regulatory texts often outline the types of tools businesses should use for each test, but it's a good idea to look beyond such minimums.

Testers can gain a lot from using more sophisticated measuring devices than laws require. Igniter circuit testers are a great example, as their current *is 1,000 times lower* than conventional ohmmeters, offering far higher precision. Regulatory texts often outline the types of tools businesses should use for each test, but looking beyond such minimums is a good idea.

▪ **TEST EVERYTHING**

Given how easy it is to overlook some considerations, industrial electrical testing should include specific tests for every influencing factor. That means inspecting every component within a circuit along all lines, including voltage, impedance, temperatures and environmental hazards.

Some tools can perform multiple tests simultaneously, making thorough inspection less time-consuming. Even in cases requiring several pieces of equipment, inspectors must not rely on the guidance of previous records. This documentation should serve as proof of regular testing, not a source of absolute truth or indication of a circuit's current condition.

▪ **EMPHASIZE EMPLOYEE TRAINING**

As in many safety processes, electrical inspections also require extensive employee training. Formal certification *is not mandatory in all states*, but most licensing programs ensure compliance with codes like NFPA 70, so they're a good idea. Businesses can encourage workers to achieve such standards by providing complimentary access to these courses.

Regardless of whether an organization requires certification, it should test employees' knowledge at least annually. Regular retraining will prevent complacency and ensure inspectors keep best practices and important steps at the top of their minds.

▪ **CAPITALIZE ON AUTOMATION**

Automating as much of the industrial electrical testing process as possible is also often beneficial. Human errors are too common to rely on manual testing, even with expert employees.

Automation will also help organizations overcome the ongoing electrician shortage without sacrificing safety.

Smart meters and other Internet of Things (IoT) devices can monitor voltage, ohms and other electrical factors in real time. They then alert stakeholders as soon as any of these measurements exceed acceptable parameters. Consequently, inspections become faster and more reliable.

Getting electrical testing right is crucial

Extensive testing is important in many equipment considerations. However, the stakes are often higher in electrical systems than in other use cases.

Circuitry requires attention to multiple easy-to-miss considerations and can have dangerous consequences if testing is inadequate. That may be intimidating, but businesses that follow these best practices can ensure their employees' safety.

Working Safely in Cold Weather



Winter weather can expose outdoor workers to frostbite, hypothermia, and cold stress, all of which can be fatal. It is important to know the wind chill temperature to better prepare and perform the work safely. Follow these work practices to stay safe in cold weather:

- Know the symptoms of cold stress; reddening skin, tingling, pain, swelling, leg cramps, numbness, and blisters.
- Dress properly; wear at least three layers of loose-fitting clothing, insulated gloves and boots, and cover your head.
- Monitor your physical condition and that of your coworkers.
- Stay dry and pack extra clothes; moisture can increase heat loss from the body.
- Take frequent breaks in warm, dry areas.
- Drink warm liquids.

For more safety tips, visit [OSHA's Winter Weather page](#).

Take Care of your Mental Health!

A healthy mind is very important for a healthy body!

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.

Stop the Spread...ABOUT HAND HYGIENE AT WORK

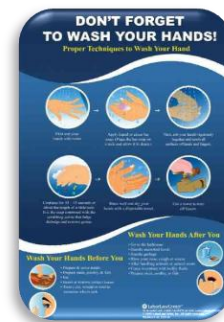
KEY POINTS

- Hand hygiene is an easy, affordable, and effective way to prevent the spread of germs and keep employees healthy.
- It eliminates viruses, germs and other microbes that cause illness.
- Keeping hands clean within your workforce can help improve the health of your employees, customers, workplace, and even your community.
- Promoting clean hands in the workplace can result in employees using fewer sick days.

Display the poster in employee restrooms, kitchens and break rooms to remind employees how to effectively wash their hands to reduce the rapid spread of colds or the flu which can also minimize employee sick time.

Good hand hygiene means regularly washing hands with soap and water for at least 20 seconds, and then drying them. It can also mean using an alcohol-based hand sanitizer with at least 60% alcohol if soap and water are not readily available.

[Wash Your Hands Poster](#) (pdf)



Whistleblower: Protection From Retaliation for Engaging in Safety and Health Activity under the OSH Act **Revised** Fact Sheet

(OSHA FS-3812 - 2025) (English: [PDF](#))

(OSHA FS-3841 - 2025) (Spanish: [PDF](#))

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 2025 Regs Violation Penalty Increases

The Department of Transportation published a [final rule](#) in the *Federal Register*, effective Monday, Dec 30, 2024, updating the civil penalty amounts that may be imposed in 2025 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)

FMCSA Revokes Certifications of 6 Additional ELDs

The **Federal Motor Carrier Safety Administration** recently removed six more electronic logging devices from the agency's list of registered ELDs, adding to a growing list of devices placed on the Revoked Devices list in recent months, bringing the total to 15 since mid-November.

The devices removed from the list, effective Jan. 8, are:

- Blue Star ELD
- United ELD
- Speed ELD
- TrackEnsure ELD (two different software versions)
- Road Star Solutions



FMCSA said the devices were placed on the Revoked Devices List “due to the companies’ failure to meet the minimum requirements established in [49 CFR part 395, subpart B, appendix A](#), specifying the functional specifications for ELDs.

TrackEnsure noted that it is “working on” addressing the issues to get the device reinstated. (*This story will be updated with any additional information from the ELD providers.*)

FMCSA said it will send an industry-wide email to inform motor carriers that all who use these revoked ELDs must stop using the revoked ELDs and revert to paper logs or logging software to record required hours of service data, and replace the revoked ELDs with compliant ELDs from the [Registered Devices list](#) before March. 9, 2025, 60 days from the effective date. Meanwhile, if the ELD providers correct all identified deficiencies for their devices, **FMCSA** will reinstate the ELDs back to the registered devices list and inform the industry of the update.

During the 60-day period, safety officials are encouraged not to cite drivers using these revoked ELDs for [395.8\(a\)\(1\)](#) (“No record of duty status”) or [395.22\(a\)](#) (“Failing to use a registered ELD”).

Instead, enforcement officers should request the driver’s paper logs or logging software, or use the ELD display as a back-up method to review the hours of service data.

Beginning March 9, however, carriers and drivers who continue to use the revoked devices will be considered as operating without an ELD.

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 was 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!

Driverless Trucking Company Takes FMCSA To Court in War Over Warning Triangles

An autonomous trucking company has filed suit against the **Federal Motor Carrier Safety Administration (FMCSA)** over the agency's recent decision to deny a rule exemption request related to the placement of warning devices.

On January 10, 2025, driverless truck maker Aurora [filed suit](#) against the U.S. Department of Transportation, Transportation Secretary Pete Buttigieg, the **FMCSA**, and FMCSA Administrator Vincent G. White in the Court of Appeals for the District of Columbia.

[The lawsuit comes as Aurora plans an April 2025 launch for its driverless trucking service in Texas.](#)



FMCSA Says No to Driverless Trucking Companies

The lawsuit seeks relief from a December 26, 2024, ruling issued by the **FMCSA** denying a petition from Aurora and fellow autonomous trucking company Waymo to use "**Cab-Mounted Warning Beacons**" (CMWBs) instead of the reflective triangles, fuseses, or liquid-burning flares required to be placed near stopped commercial vehicles by federal regulations.

The companies filed the request for exemption because placing the warning devices was "*not feasible for autonomous CMVs without a human on board.*"

The **FMCSA** denied the request for exemption, arguing that Waymo and Aurora did not provide enough details about the CMWBs, and they failed to demonstrate an equivalent level of safety for CMWBs.

Lawsuit Calls FMCSA Decision "Abuse of Discretion" and "Arbitrary"

In the complaint filed against the **FMCSA**, Aurora called the ruling "*arbitrary, capricious, an abuse of discretion and otherwise not in accordance with law.*"

From court documents:

Nearly two years after receiving the Application, without asking any additional clarifying questions as allowed under the law, and despite the Applicants' submission of extensive research confirming the safety benefits and efficacy of CMWBs as compared to the otherwise-specified human-placed warning devices, FMCSA arbitrarily and capriciously denied the Application contrary to record evidence and without adequate, reasoned explanation. FMCSA's decision stifles safety innovation and would impede the development of the autonomous trucking industry for no valid or lawful reason.

The suit points to two separate studies conducted by Virginia Tech Transportation Institute and Aurora that allegedly demonstrate "*that CMWBs are equally or more effective in enabling road users to detect, recognize and react to the hazard presented by a CMV parked on a roadway as compared to human-placed warning devices.*"

Aurora also pointed to the fact that **FMCSA** warning device regulations are decades old:

The arbitrariness of FMCSA's December 26 decision as to "equivalency" is rendered all the more glaring because when the applicable regulations were promulgated over 50 years ago, no actual safety data was presented to support the safety benefit of the specified human-placed warning devices.

Aurora also called into question safety issues caused by truck drivers getting out on the road to place the warning devices, stating that "*countless truck drivers have been killed by oncoming vehicles while placing these warning triangles.*"

"*We live in the greatest country in the world, and it is my firm belief that the revolution in automotive safety technology that has taken place since the current roadside warning system was put in place in 1972 should be reflected in today's trucking regulations,*" Aurora President Ossa Fisher [wrote in a blog post](#), also published January 10.

FMCSA Plans Warning Devices Study

Recently, [FMCSA proposed a study](#) to evaluate "*whether warning devices meaningfully influence crash-relevant aspects of human performance in the presence of a parked or disabled commercial motor vehicle (PDCMV), and if so, how and to what extent.*"

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.

Human Trafficking Prevention



CVSA's Human Trafficking Prevention program seeks to reduce human trafficking throughout North America through coordinated enforcement and investigative and educational awareness measures within the commercial motor vehicle industry.

According to the [United Nations](#), human trafficking is the recruitment, transportation, transfer, harboring or receipt of people through force, fraud or deception with the aim of exploiting them for profit. Men, women and children of all ages and from all backgrounds can become victims of this crime, which occurs in every region of the world, including North America. Human traffickers often use violence, fraudulent employment agencies and fake promises of education and job opportunities to trick and coerce their victims.

A global crime, human trafficking enslaves more than 40 million people in both labor and sex trafficking. Traffickers are motivated by greed, exploiting the most vulnerable among us to the tune of \$150 billion annually. This heinous crime is happening throughout North America and has been reported in every U.S. and Mexican state, and in all Canadian provinces. Beyond being trafficked within their own nation's borders, our citizens are also being used and exploited across national borders.

Human traffickers sell their victims in cities and rural areas, along our nation's roadways, and at numerous locations and events. Because traffickers use our transportation systems, including commercial motor vehicles, to transport victims, it's imperative that the law enforcement community and industry partners be involved in fighting this crime. These stakeholders need to learn to recognize the signs of human trafficking and how to report it, as their involvement is vital in assisting in victim recovery.

Beyond enforcement of anti-trafficking laws, law enforcement and all other members of the Alliance have a critical role to play in educating and equipping industry stakeholders about human trafficking and how to combat it. The U.S. Department of Transportation Advisory Committee on Human Trafficking issued a [report](#) citing the substantial role transportation industries, law enforcement and government agencies can play to close loopholes to traffickers, including forming private/public partnerships, adopting the [Iowa Motor Vehicle Enforcement Model](#) and implementing [industry-specific training](#), including for law enforcement officers.



WORKING TOGETHER, WE CAN PUT AN END TO HUMAN TRAFFICKING.

For more information and resources go to this [link](#)
Also, visit [TAT \(formerly know as Truckers Against Trafficking\)](#)
[Order Outreach Materials](#)

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.

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

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 is posted to the [CSA Prioritization Preview website](#).

To Combat Mounting Cargo Theft, Verisk Launches - CARGONET® ROUTESCORE API

Cargo theft losses in the U.S. continue to climb: 2024 is projected to record 25 percent more losses than 2023, a year that also reached all-time highs for reported incidents. Verisk (Nasdaq: VRSK), a leading global data analytics and technology provider, recently launched CargoNet® RouteScore API, a solution aimed at significantly minimizing the risk of cargo theft.

RouteScore API uses a proprietary algorithm to generate a cargo theft route risk score that provides a relative measure of probability that crime and loss will occur along any route in the U.S. and Canada.

Verisk CargoNet® is uniquely positioned to deliver an industry-leading cargo theft scoring algorithm that provides unparalleled accuracy and insight with the use of best-in-industry data and analytics.

RouteScore measures the probability of a loss for individual risks by assigning a score of 1 to 100 – with 1 representing the lowest likelihood. RouteScore is based on critical factors such as cargo type, value, length of haul, origin, destination, day of the week, and the theft history of truck stops. In addition to generating a score, the model also observes the key variables that most influenced the score and provides a list of the riskiest truck stops along the route.

“RouteScore exemplifies our commitment to helping the industry manage and mitigate risk,” said Ryan Shepherd, general manager of Verisk’s CargoNet®. “By providing actionable insights through advanced data analysis, Verisk is empowering the insurance and the transportation industry to protect their assets and ensure a safer delivery of goods.”

Empowering companies to protect their cargo proactively, a high-risk score of 98, for example, may prompt the implementation of additional security measures such as tracking devices, driver teams, relays, escorts or securing parking spots in advance and more.

Additionally, users can align high-risk lanes with best-in-class carriers, helping to ensure optimal security measures are in practice. This powerful solution is available in an API format, facilitating integration with third-party Transportation Management Systems (TMS) and proprietary systems. Additional third-party platforms, such as supply chain risk management, fintech, insurtech and telematics platforms, will also be able to source the solution and make it available for customers.

For more information about this cargo security solution, visit CargoNet’s website at: <https://www.cargonet.com/>



ATA, TMC Hail FMCSA Exemption to Cut Technician Training Red Tape

Recently the [American Trucking Associations](#) and ATA’s Technology & Maintenance Council thanked the [Federal Motor Carrier Safety Administration](#) for [granting an exemption](#) the groups had requested to alleviate the technician shortage. The waiver will cut the time new technicians need to spend preparing to enter the workforce while maintaining high standards for safety and competency.

Under the new policy, which [ATA](#) requested in 2020, technicians will be allowed to skip the federally required one-year of training or experience needed to conduct commercial vehicle inspections and brake-related repair and maintenance provided they received training based on TMC’s Recommended Practices.

“TMC, through its Study Groups and Task Forces, has developed a robust set of Recommended Practices, and these RPs form the backbone of the knowledge leadership the Council provides to its members and the industry,” said TMC Executive Director Robert Braswell. “This exemption recognizes that TMC’s RPs meet the industry standard for technical knowledge, and technicians who are trained on them are more than capable of performing essential work.”

The exemption applies to motor carriers, intermodal equipment providers and individuals, allowing them to self-certify that they have completed a training program based on TMC’s RPs. This RP-based training and certification, rather than the currently required year of additional training or work experience, “would likely achieve a level of safety equivalent to or greater than the level of safety provided by the regulatory requirements,” [FMCSA](#) said.

TMC has developed more than 500 RPs organized into 15 sections that outline individual procedures for inspecting, repairing or replacing components on commercial vehicles. These RPs are available in a document titled [TMC’s Recommended Practices Manual](#).

“We believe that by allowing technicians trained in programs based on TMC’s Recommended Practices, the industry can make it easier and more efficient for new technicians to enter the industry,” Braswell said. “The industry continues to face a persistent shortage of technicians, so anything we can do to cut red tape and get students and young people onto the shop floor quickly will help address it.”

For more on TMC’s Recommended Practices, please visit tmc.trucking.org.



FMCSA Panel Calls for Solutions to Truck Parking Crisis

COMMITTEE SEEKS INPUT FROM STATES, TRADE GROUPS, PRIVATE SECTOR

A **Federal Motor Carrier Safety Administration** advisory committee met for five hours Dec. 17 to recommend best practices to increase safe parking for truck drivers seeking rest.

But after struggling to identify the best solutions, the group concluded it would need another meeting to complete its work by engaging state officials, trade groups and the private sector to determine what the best practices are — beyond simply allocating more money for more parking spaces.

“Some states are doing it and doing it successfully, but without bringing those stakeholders in, it’s hard for me to identify what those best practices are,” said Adrienne Gildea, **deputy executive director** of the **Commercial Vehicle Safety Alliance** and vice chair of **MCSAC**. “Until we do that, I don’t know what those best practices are.”

“In the short term, there’s got to be some infrastructure out there that we can be leveraging while we wait on legislation that will fund the creation and maintenance of more truck parking.”

“Which is, at the end of the day, what we need. We need more parking spots. So how do you limp along until we can get more parking spots? We really need to figure out who’s doing it right and well, and then leverage that.”

The committee did conclude that truck parking plays an important role in safety, and that drivers need a degree of flexibility that reflects the realities of their jobs and their routes.

“Undoubtedly there are states that do it better than others,” said Todd Spencer, **president** of the **Owner-Operator Independent Drivers Association** and a **committee member**. “I can generally tell you that the worst corridor in the country is I-95. That’s going to be where the greatest need is going to be. There are just no places for trucks to park.”

“Currently, many drivers face the prospect of being unsure where to park. They find someplace that they think is safe, and some hours later they wake up to a tow truck or a cop giving them a ticket.”

Spencer said perhaps the best way to create more parking spaces is for existing parking areas to add spaces. “And from my perspective, there really shouldn’t be any excuse for a state that operates weigh stations not making certain that those facilities are opened up for drivers,” Spencer said.

The committee had some suggestions, including:

- Solutions should be long term, considering safety investments such as lighting that particularly affect female drivers.
- Drivers need a degree of flexibility that reflects the realities of their job and routes.
- It would be useful to have a “heat map” that shows where CMV freight traffic is heaviest and target solutions to the heaviest-trafficked areas.
- Keep weigh stations open for parking.
- Find a way to utilize parking for drivers at sports stadiums.

In a second day of meetings, MCSAC members deliberated for several hours on Dec. 18 on potential ways to persuade truck drivers to wear seat belts. FMCSA asked the committee to examine the crash data and information on seat belt usage.

Not only is it a regulatory violation to not buckle up, but a large number of fatal crashes are the result of drivers not wearing their seat belts, according to available data.

“I can tell you over the years I’ve heard drivers don’t want to wear seat belts because they don’t want someone telling them what they can and cannot do,” said Dan Horvath, **senior vice president** of regulatory affairs and safety policy for **American Trucking Associations** and a **committee member**. “I’ve even seen in TikTok and social media that we even have truck drivers who are trending on these sites building videos without wearing seat belts. What is the target audience for those that don’t wear seat belts? **How do we intervene?**”

There were 914 driver fatalities in accidents in 2022, the most recent number, according to the **National Highway Traffic Safety Administration Fatality Analysis Report System**. Of that total, 635, or 69% were not wearing their seat belts.

Spencer said that writing a driver a ticket for not wearing a seat belt is “nothing more than harassment” but expressed dismay for drivers who refuse to use seat belts. “We need to do something that really has to do with safety,” Spencer said. “When it comes to seat belts, the most likely casualty of not wearing it is going to be the drivers themselves. If you want your safety efforts to be fruitful, drivers have to buy in.”



Phishing Scam Alert: *FMCSA HAS BEEN NOTIFIED OF A PHISHING SCAM TARGETING TRAINING PROVIDERS.*

THE EMAIL COMES FROM A VARIETY OF EMAIL ADDRESSES AND TELLS THE RECIPIENT "WE WILL HAVE TO REVOKE YOUR LICENSE IF WE DO NOT RECEIVE YOUR VERIFICATION/UPDATE" WITHIN 24 HOURS.

FMCSA WILL NEVER SEND EMAIL REQUESTS SEEKING PERSONAL OR PAYMENT INFORMATION. BE SURE TO VERIFY IF AN EMAIL IS COMING FROM A @DOT.GOV EMAIL ADDRESS AND DO NOT RESPOND TO OR CLICK LINKS IN ANY SUSPICIOUS EMAILS.

TRAINING PROVIDERS SHOULD FOLLOW YOUR COMPANY OR AGENCY POLICY IF YOU RECEIVE A PHISHING SCAM EMAIL.

"People dealing with an issue on the side of the road are in a dangerous position, especially our first responders and others who regularly are near live traffic," said Shoshana Lew, executive director of CDOT.

"It is up to all of us, in every situation, to make the road as safe as possible when we see a vehicle pulled over on a shoulder. Move over and slow down for everyone, every time."



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** to at least 20 mph below the posted speed limit.

~ IT'S THE LAW ~

Out-of-Service Criteria Updates

The North American Standard Out-of-Service Criteria is updated annually, effective April 1 of each year, with the release of that year's edition of the handbook. Until the updates for 2025 are available, you can find the most current criteria in the . . .

2024 CVSA Out-of-Service Criteria App

The 2024 Commercial Vehicle Safety Alliance (CVSA) North American Standard Out-of-Service Criteria, which took effect on April 1, are available for purchase through the CVSA Out-of-Service Criteria app.

The out-of-service criteria app may be accessed anywhere, anytime via a mobile device. In addition to the out-of-service criteria, the app also contains inspection bulletins, photos of violations, inspection procedures, operational policies, access to the CVSA Learning portal and more.

To purchase the out-of-service criteria, search "CVSA" in the [App Store](#) or [Google Play](#) then select "CVSA Out-of-Service Criteria." Once you've downloaded the app, set up your account with your first and last name and email address, then purchase the 2024 criteria. If you already have the app, search and select "CVSA Out-of-Service Criteria" in the App Store or Google Play to update your app and purchase the 2024 criteria.

In addition, bulk orders of the app are available for jurisdictions and motor carriers. Contact [CVSA](#) to place a bulk order.

For questions about the criteria, contact CVSA Director of Inspection Programs Kerri Wirachowsky via email at kerri.wirachowsky@cvsa.org or call 202-998-1650.

Connect with MSHA

The Mine Safety and Health Administration is now on [FACEBOOK](#) and [INSTAGRAM](#)!
FOLLOW NOW FOR MINING NEWS, REGULATIONS, AND SAFETY & HEALTH BEST PRACTICES.



Another Year Prioritizing Miners' Safety and Health and Mining Communities

SOURCE: Chris Williamson Is the Assistant Secretary of Labor for Mine Safety and Health



Following **deadly disasters** that haunted **mining communities** and thousands of miners stricken by **occupational illnesses** such as **black lung disease**, Congress passed the **Mine Act** and created the **Mine Safety and Health Administration** to ensure that the **first priority and concern** of all in the **mining industry** must be the health and safety of its **most precious resource**—the **miner**. In other words, **Congress declared with the force and effect of law** that the **nation's miners** and their **well-being**—not **production or profits**—must **always be the top priority** for everyone in **mining**.

That **principle** is what guides **MSHA's employees every day** and has served as **my north star** as **Assistant Secretary**. It is also that **spirit with which this Administration** has always **put the safety and health** of miners and their **families first**. Every year **since 1978**, **MSHA's dedicated employees** have served as the **guardians** of the **Mine Act** and worked **tirelessly to improve safety** and health **conditions** to protect every **miner in the U.S.** and prevent injuries, **illnesses**, and fatalities in the **mining industry**.

Below are **some examples of MSHA** delivering for miners and mining communities in 2024.

MSHA prioritized protecting miners' health and preventing deadly diseases.

- In April, MSHA issued a historic final [respirable crystalline silica rule](#) to reduce miner exposures to toxic silica dust and improve respiratory protection against all airborne hazards. Silica dust, a carcinogen, causes irreversible, debilitating and deadly lung diseases. Each case of silicosis and black lung disease is entirely preventable – and no miner should ever have to sacrifice their health or lungs to provide for their family. As Acting Secretary Su passionately stated, “No job should be a death sentence.”
- The final silica rule went into effect on June 17th, and MSHA hosted eight stakeholder meetings throughout the country to educate and aid compliance. Throughout 2024, the agency also continued the silica enforcement initiative it launched in 2022.
- Part 90 protects coal miners diagnosed with pneumoconiosis (lung diseases caused by inhaling dust and toxic substances) by allowing them to work in healthier parts of the mine without having their pay reduced or facing other discrimination. A component of MSHA's Miner Health Matters Campaign focused on reducing barriers for miners exercising these rights. In 2024, 22 miners exercised their rights under Part 90. In the past two years, there has been a 470% increase in miners exercising their rights to join the Part 90 program from the previous two years, with 57 miners in 2023 and 2024 exercising their rights for the first time compared to 10 miners doing so in 2021 and 2022.
- In March, MSHA launched a [Health Resource Locator tool](#) that allows miners to find personalized health and benefits information quickly and conveniently on the web or on the [Miner Health and Safety App](#).
- Work-related pain and injuries increase miners' chances of being prescribed an opioid and subsequent risks of prescription opioid misuse, long-term opioid use, and opioid use disorder. In collaboration with the National Institute for Occupational Safety and Health, MSHA released the [Implementing Effective Workplace Solutions to Prevent Opioid Use Disorder: A Resource Guide for the Mining Industry](#), which offers actionable tools for mine operators and occupational safety and health managers to implement effective workplace prevention strategies related to opioid use disorder.

MSHA used all its tools and led efforts that significantly reduced fatalities.

After the **mining industry** experienced a troubling increase in fatalities in 2023, **MSHA** immediately acted and led efforts with the **entire mining community** to **combat the trend** and identify and **eliminate hazards** that can cost miners their lives. **MSHA's** strong enforcement initiatives and the **availability of compliance assistance** resources helped to **reduce the number** of fatalities by **30% from the previous year**, with **28 fatalities in 2024** compared to **40 in 2023**. While each **life lost is one too many**, this is the **lowest number of mining fatalities in five years**.

- Mine inspections identify hazards and require immediate corrective actions to help prevent incidents, injuries, and illnesses. Mandatory inspections are performed four times per year in underground mines and two times per year at surface mines. Because of focused efforts to rebuild MSHA's enforcement ranks and the 104 enforcement staff added since April 2022, MSHA was able to complete 20,007 regular inspections in 2024. In addition to mandatory inspections in the last two years, MSHA inspectors performed 343 impact inspections at 300 mines that merited increased agency attention and identified 5,246 violations, including 1,456 significant and substantial (S&S) and 102 unwarrantable failure findings. Every month, MSHA issues [news releases detailing the impact inspections conducted](#).

- In May, MSHA held the second annual [Stand Down to Save Lives event](#) by visiting 1,882 mines and speaking to more than 30,000 miners and supervisors throughout the country. Mining operations were paused to dedicate extra time to talk about safety and health as part of this effort and a new toolkit was shared to support the mining community's efforts to better identify and mitigate risks.
- Accidents involving powered haulage and machinery have historically been leading causes of fatalities. In July, the [Safety Program for Surface Mobile Equipment rule](#) went into effect requiring mine operators to develop a written safety program for surface mobile equipment to protect miners and improve safety in equipment use. Importantly, the program must include input from miners and their representatives. As part of compliance assistance, MSHA hosted 19 district stakeholder meetings across the nation specifically on this rule.
- As part of the agency's concerted efforts to reduce fatal and serious accidents and improve operator compliance, MSHA conducted two [Pattern of Violations screenings](#) for the second year in a row. The latest screening found none of the nation's mines met the POV criteria for the existence of a pattern of violations under the Mine Act for the first time since 2021.
- Two mines continue to have active Pattern of Violation notices in effect:
 - [Issued July 6, 2023, to Atalco Gramercy LLC](#), operator of Gramercy Operation in Gramercy, Louisiana, after MSHA identified a pattern of S&S violations related to leaks at the mine that create accumulations of material containing hazardous chemicals in work areas and walkways. Following issuance of the POV notice, 106 Mine Act 104(e) withdrawal orders have been issued to Atalco Gramercy.
 - [Issued Dec. 1, 2022, to Morton Salt Inc.](#), operator of the Weeks Island Mine and Mill in New Iberia, Louisiana, after the MSHA identified a pattern of S&S violations related to conditions and/or practices that contributed to loose ground hazards on ceilings and ribs throughout the mine. Following issuance of the POV notice, 96 Mine Act 104(e) withdrawal orders have been issued to Morton Salt Inc.
- Using enhanced enforcement actions like Pattern of Violations, impact inspections and MSHA's Scofflaw program to improve mine operator compliance and focuses on chronic violators. For the 200 mines with the most S&S violations, those violations have decreased 15 percent over the past two years. The same mines have also seen a 10 percent reduction in total violations and a 26 percent decrease in elevated enforcement actions.
- MSHA provided more than \$11.5 million for education and training programs to better identify, avoid and prevent unsafe working conditions in and around mines through the Brookwood-Sago mine safety grant program and State grant program in 2024. This year the grants supported key MSHA priorities including mine rescue, better protecting miners from exposure to silica dust, powered haulage safety, and the delivery of federally mandated training and re-training for miners throughout the nation.

MSHA promoted miners' rights and actively engaged with the mining community.

- MSHA began a miners' rights initiative, *Speak Up, Save Lives: MSHA Has Your Back*, share information about miners' fundamental rights to a safe and healthy workplace, to report hazards, and to be able to exercise these rights without fear of retaliation or discrimination.
- MSHA leadership and staff have participated in numerous events and conferences with the mining community throughout 2024. In February, MSHA participated in a Total Worker Health Summit in Connecticut focusing on the well-being of miners. In June, MSHA hosted a panel discussion on silica with miners and black lung advocates in West Virginia on the benefits of reduced exposure to silica. In August, MSHA supported the National Mine Rescue Contest where teams showcased their skills. In October, MSHA visited West Virginia University's mine rescue team for Mine Rescue Day. In December, MSHA leadership commemorated [National Miners Day](#) by attending the visiting the Robena Mine Disaster Memorial event hosted by the United Mine Workers of America in southwestern Pennsylvania.
- Throughout the year, the Department of Labor's leadership had the honor of recognizing miners across the country and lifting up stories of what good mining jobs mean to families and communities. From Michigan to Wisconsin to Nevada, we talked with mine operators, miners, and their unions about staying safe and healthy as they provide raw materials to support U.S. infrastructure and manufacturing.

As we begin 2025, **MSHA** must continue to do its part to ensure that miners' safety and health remains the top priority at every mine site. We know from our experiences in 2024 and history that an active, adequately staffed **MSHA** is critical to preventing accidents and protecting miners' safety and health. Miners and their families sacrifice so much for our country, and we owe them more than our gratitude—they deserve to go home safe and healthy each day at the end of their shifts.

*Miners have the right to file hazardous complaints.
Miners can call or email any MSHA inspector or office,
call our 24/7 hotline at 1-800-746-1553,
or report online through MSHA's [Hazardous Condition Complaint system](#),
or use the Miner Health and Safety app.*

Flipping the Script on Health and Wellness: PRIORITIZING PREVENTION



Occupational health has long had a holistic focus on health and wellness that encompasses workers' physical, mental and emotional health. But until recently, much of the focus in terms of physical health was on reactionary care or physique and exercise. Now, site managers and

leaders are prioritizing prevention, giving workers the tools they need to own their personal health and wellness.

When workers aren't taking control of their health, it can be quite costly for employers. In fact, it's estimated that productivity losses cost employers **\$530 billion** annually. A healthy workforce is engaged, productive, motivated and satisfied – all things that drive business and increased profitability. Site managers and leaders are in a unique position today to bring preventive health services onto the worksite, enabling employees to be as healthy as possible.

3 keys to unlocking prevention on worksites

These are the three tactics employers can begin implementing today to prioritize prevention and take their worksites to the next level of health and wellness:

1. Introduce on-site clinics and personal health services

One of the biggest obstacles to healthcare today is the lack of available providers, leading most workers to ignore or shrug off health signs and symptoms. On-site clinics take the hassle out of receiving necessary healthcare, allowing workers to have pains, aches or other issues looked at immediately by providers right on the jobsite. Their constant presence on the site gives clinicians the ability to build trust with workers over time, track and spot troublesome workforce health trends and implement changes to drive improved health outcomes.

Personal health services are another layer of care employers can introduce to help employees take charge of their health and wellness. Providing employees with resources to help them manage a range of health conditions from acute and chronic behavioral health and more. The simple idea of creating awareness and driving education around key conditions that might affect the workforce like preventative screenings, smoking cessation and so on, can have a positive impact on the success of the business and over culture.

2. Provide health risk assessments and biometric screenings

Underlying health conditions, from diabetes to heart disease, are some of the costliest to manage and can lead to significant complications if left unchecked. Most of the time, workers don't even know they have them. Health risk assessments and biometric screenings are key prevention measures that can easily be provided on the worksite. Onsite occupational health providers can administer biometric screenings including blood pressure, cholesterol and glucose levels, weight, and body mass index. They'll then meet with patients to help them understand their results. Providing these resources on the worksite helps foster a culture of care where workers know they are valued by their employers.

3. Implement wellness challenges

Some worker populations can be resistant to change and indifferent about their health. That's normal. Wellness challenges are a proven way to increase worker engagement in their health. Site-wide challenges incentivize participation through healthy competition with their coworkers, and prizes can be used for further encouragement. Challenges can be tailored to the issues most affecting an employee population. For example, if a worksite is outdoors and its summertime, a hydration challenge is a great tactic to get workers to drink more water during their shift, helping them stay hydrated and preventing heat-related illnesses. If an employee population is largely overweight or working in sedentary positions, a step challenge can help workers prioritize physical activity.

Engaging workers in their health

Communication is key to making all these practices stick on a worksite. Employers and site leadership need to ensure workers are aware of all the resources and tools available to them. At the end of the day, it's up to each employee to decide whether they want to pursue healthcare, but employers should do everything they can to encourage a health-conscious mindset. Regular communication that educates workers on topical health concerns and promotes the right health resources can help to build trust between employers and workers. By engaging workers in their health and prioritizing prevention, worksites will be able to reap the benefits of reduced absenteeism, fewer injury claims and greater retention. A healthy workforce is a strong workforce.

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 Fact Sheets](#) – [AVIAN INFLUENZA \(Bird Flu\)](#) – [Noroviruses](#) – [Filing Whistleblower Complaints Related to COVID-19](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [OSHA Guidance](#)
- [DOL Resources](#)

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. Below are Long COVID resources.

- [EARN and the Job Accommodation Network](#) (*pdf*) provides information/resources to help employers support employees with Long COVID.
- Department of Labor – [coronavirus-covid 19 long covid](#)

News Release

US Department of Labor terminates COVID-19 healthcare rulemaking

January 15, 2025

The U.S. DOL announced that its [Occupational Safety and Health Administration](#) has [terminated its COVID-19 healthcare rulemaking](#).

On June 21, 2021, [OSHA](#) issued an **Emergency Temporary Standard** to protect workers from **COVID-19 in healthcare settings**, which also served as a **proposed rule** on which [OSHA](#) requested **comments**. The agency **received public input** on this proposal **during multiple comment periods** and **public hearings** from June 2021 through May 2022. [OSHA](#) submitted a **draft final COVID-19 rule** to the **White House Office of Management and Budget** on Dec. 7, 2022.

On April 10, 2023, former President Biden **signed into law House Joint Resolution 7**, which **terminated the national emergency** related to the **COVID-19 pandemic**.

With the **recent announcement**, [OSHA](#) is now **terminating the rulemaking** because the **most effective and efficient use of agency resources** to protect **healthcare workers** from **occupational exposure to COVID-19**, as well as a **host of other infectious diseases**, is to **focus its resources** on the **completion of an Infectious Diseases rulemaking for healthcare**.

[Read the termination of rulemaking.](#)



From all of us at
MJS Legacy Safety ...

Be safe out there!!