

New Logo & New Name ...

*BUT OUR CONTINUED ATTENTION TO GREAT SERVICE
AND BUILDING LASTING RELATIONSHIPS IS THE SAME*

With the passing of our founder, it has become necessary to make a few technical adjustments. Over the next few months **MJS Safety LLC** will be transitioning to a new company name –

MJS Legacy Safety Consulting Services LLC

All of the services provided to you through **MJS Safety LLC** will remain the same and be available to you through **MJS Legacy Safety Consulting Services LLC** with no interruption. We are committed to carrying on the legacy that Mike envisioned for both the company and our clients, and will continue to make ‘*caring for our client’s needs*’ our top priority.

The contact information for both Carrie Jordan and Jeremy Jordan will remain the same.

Please note a new shipping address: 1026 N. 1st Street, Johnstown CO 80534.

There is no change to the mailing address: P.O. Box 10, Johnstown CO 80534.

Our training facility and offices will not change: 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543.

It has been our distinct pleasure to serve your business needs for the past 26 years under **MJS Safety**. We look forward to continuing a productive and successful business relationship with you under the **MJS Legacy Safety** brand for many years to come.

carriejordan@mjsafety.com — jeremyjordan@mjsafety.net

Navigating the landscape of COVID-19 and its continuing variants has seemingly become less confusing. Hopefully this will be the path for the future. So that you can access the most updated information, we’ll continue to provide links for your convenience.

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

- [CDC – Centers for Disease Control](#) – Important info: [COVID-19 vaccine](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [OSHA Guidance](#)
- [DOL Resources](#)
- [Covid19.colorado.gov](#)

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

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

▶ [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 June 2022. 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

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

▶ OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

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

▶ 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. [read more...](#)



▶ Challenges in Safety Management: History & Program Issues

With the advent of the industrial revolution, factory jobs increased dramatically. [read more...](#)

▶ Knowing Your Rights and Speaking Up

...two workers expressed safety concerns to their employer before starting their shift. [read more...](#)

▶ Did You Know? You have rights.

Worker Protections - Learn about your rights [read more...](#)

▶ Skills – Leadership – Experience:

WHY HIRING AMERICA'S VETERANS MAKES SENSE [read more...](#)

▶ OSHA Updates Investigations Manual for Handling

The updated manual supersedes the January 2016 version and is the first complete overhaul since 2011. [read more...](#)

▶ Plan. Provide. Train.

Three simple steps to preventing falls. [read more...](#)

▶ SAFETY Q&A



Are there risk factors that make workers more susceptible to heat-related illness? [read more...](#)

▶ Use the Right Hand Tool the Right Way

Using the wrong hand tool, or the right tool the wrong way, can injure... [read more...](#)

▶ Lack of Controls Causes Fatality

Nebraska disposal company cited for exposing workers to multiple safety hazards [read more...](#)

▶ New Regional Emphasis Program for Powered Industrial Vehicles

...where the operation of powered industrial vehicles or personnel handling motorized equipment is occurring. [read more...](#)

▶ CONSTRUCTION SUICIDE PREVENTION WEEK SEPT. 5-9, 2022

If you're in crisis, there are options available to help you cope. **Get help now!** [read more...](#)

▶ Is Work-Related Stress Recordable as a Mental Illness Case?

Mental illnesses that have work-related stress as a contributing factor, are recordable... [read more...](#)

WOMEN IN CONSTRUCTION NEWS SUMMARY

▶ **4 Ways to Draw More Women into Construction**

Here's why hiring women can help fill increasing labor demands... [read more...](#)

▶ **Personal Protective Equipment for Women OSHA Reminder: One size does not fit all!** [read more...](#)

DJ BASIN SAFETY COUNCIL NEWS SUMMARY

▶ **OSHA and the DJ Basin Safety Council Sign Ambassador Alliance Agreement**

...reflects OSHA's recognition that an alliance participant has built and will continue to maintain a productive cooperative relationship with the agency. [read more...](#)

TRANSPORTATION NEWS SUMMARY

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

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

▶ **Prevent Illegal School Bus Passing Awareness Campaign**

October 17-21, 2022 / National School Bus Safety Week [read more...](#)



▶ **CDL DOT Medical - What Will Happen to My CDL License if My DOT Card Expires?** [read more...](#)

▶ **ATA Hails Committee Passage of Bill to Boost Truck Parking Availability**

...which would authorize \$755 million over the next four years to address critical lack of truck parking [read more...](#)

▶ **FMCSA Extends COVID-19 Hours of Service Waiver A Shorter-Than-Usual 45 Days**

Even COVID-related restrictions have continued to modulate toward an ever-greater sense of normalcy... [read more...](#)

▶ **FMCSA Releases Updated Medical Examiner's Handbook Draft, Seven Years After Withdrawal**

The [current draft](#) of the proposed MEH is included in the docket of the latest federal notice. [read more...](#)

▶ **6 Pre- and Post-Trip Inspection Myths, and Reality: Trucking Law** [read more...](#)

MSHA NEWS SUMMARY

▶ **Stay Out, Stay Alive:**

ACTIVE AND ABANDONED MINE SITES ARE DANGEROUS, POTENTIALLY FATAL [read more...](#)

▶ **US DOL Launches App to Provide Miners Access to Health, Safety, Miners' Rights Information**

Provides notifications on mining accidents and how to prevent them [read more...](#)



▶ **MSHA Best Practice AND Health Hazard Cards**

Best Practice (BP) cards provide DOs and DON'Ts established to keep yourself and others out of harm's way. [read more...](#)

MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ **Understanding Positive and Negative Behavioral Habits Helps Increase Safety**

Observing behaviors can help to identify unsafe acts and conditions and provide a tool to help correct both. [read more...](#)

MJS Legacy 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”

(a different course will be featured monthly)

> PEC SAFELandUSA BASIC ORIENTATION COURSE

This course is a 1 day basic safety awareness course that is required by many operators in the Oil & Gas industry for all new employees prior to accessing work sites. This orientation is a baseline so all employees entering the industry are introduced to the basic requirements of hazard recognition, stop work authority, job safety analysis use, and other hazard mitigation concepts. Students will receive a temporary ID card upon successful course completion. In 4 to 6 weeks students will receive a permanent PEC Photo ID card.

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

Schedule of classes September 2022: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND**: Sept 9, 22; 8 – 4:30;
This class available through video conference instructor led distance learning thru 6/30/22 - only upon request
- *First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): Sept 14, 30; 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]: Sept 14, 30; 12:30 – 4:30;
This class available via Instructor Led video conference

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

▶ NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjsafety.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

▶ 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

Unable to attend a class?

MJS Legacy 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

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
- FMCSA
- ISHN
- US DOL
- MSHA
- NHTSA
- ATA
- For Construction Pros
- DOT
- OH&S
- Overdrive
- Bizfluent
- Mike Fairbrother
- Peter G Furst
- BLS
- McKinsey & Co
- grouptwo
- Finances online
- 988 Suicide & Crisis LIFELINE
- Construction Suicide Prevention Week
- elcosh
- NAICS
- Atty Paul Taylor
- Trucking.org



OSHA / CONSTRUCTION

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

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

OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

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

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

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 Service 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!**

Challenges in Safety Management: History & Program Issues

SOURCE: Peter G. Furst - MBA, Registered Architect, CSP, ARM, REA, CRIS, CSI

With the advent of the industrial revolution, factory jobs increased dramatically. At that time, if workers got injured on the job, their employer had no obligation to provide any assistance of any kind. Mostly they just hired someone else to take the disabled worker's place. Over time this became a social issue and public opinion caused state legislators to look for a way to obligate businesses to provide some form of relief to their workforce.



The first state enacted a worker compensation law in 1911. Other progressive states following soon thereafter with the last one getting around to it by 1948.

These workers compensation laws require employers to have workers' compensation insurance. Employees are entitled to receive prompt, effective medical treatment for on-the-job injuries or illnesses no matter who is at fault and, in return, employees are prevented from suing employers over those injuries. Workers' comp insurance provides basic benefits, including medical care, temporary disability benefits, permanent disability benefits, supplemental job displacement benefits and a return-to-work supplement, and death benefits.

Safety general practices

The National Safety Council (NSC) was founded in 1913 with a mission of eliminating preventable deaths in the workplace. The dramatic growth of automobile usage resulted in an unacceptable tide of 40,000-50,000 traffic-related deaths every year. So, in 1925 the NSC came up with the three E's concept: *Engineering, Education, and Enforcement* to aid in traffic safety with the intent to deal with the problem. This also proved [H.W. Heinrich's 10 axioms for safety management](#) devised to manage safe operations for industries. The engineering element addresses the hazards associated with the physical conditions and the protection of people from exposure to them. Education deals with providing the employee and drivers with training associated with the safe practices. And enforcement dealing with site and conditions inspections looking for physical hazards and people's compliance with safe behaviors.

Insurance companies started offering different industries, policies providing coverage for potential worksite accidents, injuries and loss to deal with the cost associated with worker compensation obligations. These policies also provided rate reductions (*insurance modification factor*) to organizations who managed to have fewer losses than the industry at large. Brokers and insurance companies provided businesses some loss control services to assist in their efforts in trying to reduce accident and injuries associated with their production work in order to more effectively control their costs.

In 1931 HW Heinrich conducted a research study of over seventy thousand accident reports to find the causation of industrial accidents. He found 88% were caused by some act on the part of the worker while performing their tasks. This study, along with the insurance policy modification factor, focused industries interventions on the worker's actions in order to reduce injuries and control their costs. In 1966 FE Bird analyzed over 1.7 million accident reports and concluded that 95 % of injuries resulted from some act of the employees. This reinforced the efforts of various organizations to concentrate on improvements designed to change worker's behavior.

OSHA and safety

In spite of about 70 years since the start of passages of workers compensation laws and organization's best efforts, injuries and fatalities still occurred, but at a somewhat reduced rate. To provide uniformity and further reduce accidents, injuries and fatalities, the Federal government enacted the **Occupational Safety and Health Act** in 1970. OSHA developed safety standards which businesses were obligated to comply with.

Besides compliance, OSHA also requires workforce training quite a few times throughout the standards. The agency also was given the authority to levy fines and penalties if they determined that organizations failed to maintain "safe" operations. This again refocused many organizations to adopt safety programs, and try to further reduce worker accidents. To some extent, they managed to reduce injuries and fatalities, but even now, 50 years later, the results are far from stellar!

The **Bureau of Labor Statistics (BLS)** collects and reports on **occupational injuries** and fatalities. The **latest data** available is for **2018**, which reports **worker injuries** at over **2.8 million** and **fatalities** at over **2550** for that year. There are a **significant number** of **minor injuries** for which **reporting is not required**, and of course there are “**near misses**” which, but for luck, **did not result** in an **injury**, as well. So, **in spite of all these efforts**, workers **still get injured** and suffer, with some **even dying at work** while **earning a living**.

The **typical organizational safety** management program is **usually in written form**, starting off with a **statement professing to value employees** and striving to **provide them with an injury free work environment**. These programs generally **consist of policies**, required procedures, **expected practices**, and **general rules predominantly** involving **physical hazardous** conditions in the **worksite**. The body of these **programs usually** is a **regurgitation of safety** standards, in **order to comply** with the **governing requirements** as **promulgated** by the state or **federal jurisdiction**.

The program **also may refer** to regular and **special training**, retraining, **inspections**, signage, **feedback** and possibly rewards for **adherence** with **consequences** for **not following program** requirements. The organization **may provide** employees with a **handbook summarizing** key **program points**. Some of the more **progressive programs** may also include **specialized elements** dealing with **driving for the company**, substance abuse, **stretching exercises**, etc.

Some thoughts

In review, **three factors** come to light regarding **occupational safety rules: Regulation, Management and Practices**. Almost **three million worker injuries** are reported, with many more (*non-lost time*) which **do not require reporting**. And sadly, **over two thousand five hundred** die from **severe injuries** suffered on the job. An **analysis** of the **hundreds of pages** of **OSHA** standards **promulgated by various jurisdiction** highlights the **fact that almost all** of these **standards deal with** how to **reduce and control physical hazards** on **work sites**.

Given the **two major accident causation** studied found that **most accidents** are the **result of some action** or behavior on the **part of workers: Some may argue that worker behaviors do not cause 95% of the injuries or even 75% or even 50%, but only 25% or 15%. That is not the point as we are trying to prevent worker suffering and even low causation percentages are not acceptable and more importantly should have a way to be addressed by elimination or prevention**. So, the **prevailing approach to managing safety** as engaged in by the **different industries** is not addressing the **problem holistically** as indicated by the **over 100 years of efforts** with the results indicated by the **BLS statistics**.

Conclusion

That **being the case** indicates that, to **effectively and holistically approach** the **problem of occupational accidents, injuries and fatalities** need a **major and complete review**. Starting with the **definition of safety**. **Safety is not a thing**, it is a **result, an outcome of actions**. Safety is **what you get** if things are **done properly** and events **go as planned**. Accidents happen **because things occur** that **prevent the task from proceeding as intended**.

Fundamentally the risk of accident occurring is complex and **multifaceted**. To address it **wholistically**, everything **must be evaluated** starting with the **standards and regulations, programs, polices, oversight, management, processes, inspections, metrics, procedures, education, training, communication, feedback as well as control**. The **management, oversight and control of safety** must be the **responsibility of operations**.

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 workers by setting and enforcing standards, and providing training, education and assistance.

Knowing Your Rights and Speaking Up

In Spring 2021, two workers employed by a San Jose transport company expressed safety concerns to their employer before starting their shift. They reported being too sick and tired to drive safely and felt they couldn't operate commercial vehicles. How did their employer respond? The multimillion-dollar company issued disciplinary points to the two drivers, which led to the termination of one worker.

The whistleblower division of the U.S. Department of Labor's Occupational Safety and Health Administration investigated and found that the employer violated the [Surface Transportation Assistance Act](#), one of more than 20 whistleblower statutes the division enforces. We ordered the company to reinstate the fired employees and remove disciplinary points from their records. In addition, we ordered the company to train managers, post a notice informing their employees of workers' protection rights under federal law, and revise company policy to comply with the Surface Transportation Assistance Act.

Under federal law, workers have the right to raise concerns if they believe their rights are being violated in the workplace.

Similarly, the statute enforced by the department's [Mine Safety and Health Administration](#) provides strong protections for miners. Under the [Federal Mine Safety and Health Act of 1977](#), miners have the right to report hazardous conditions and can refuse to work in unsafe conditions. Miners may not be fired, demoted, harassed, intimidated, transferred, denied employment, discriminated against, or suffer any loss of wages for exercising their rights under the Mine Act. These critical protections allow miners to actively participate in the safety of their workplace, and MSHA takes enforcement of hazard and discrimination complaints seriously.

And similar rights apply to pay concerns, too – if employers don't pay workers all the wages they've earned, they can speak up without fear of retaliation. The department's [Wage and Hour Division](#) enforces laws on the federal minimum wage, overtime pay, recordkeeping and child labor requirements, as well as laws about working conditions and payment for migrant and seasonal agricultural workers. The division protects workers' rights to family and medical leave, too. All workers protected by any of the laws that the division enforces is protected by their anti-retaliation provisions.



[View online resources](#) to determine whether a particular law applies. We enforce the law regardless of a worker's immigration status and can communicate with workers in more than 200 languages.

The U.S. Department of Labor is committed to protecting every worker's right to speak up without fear of retaliation if they are mistreated, denied their rights or concerned about safety. Unfortunately, we know that many workers are not protected by their employers when they speak up and need a place to turn if they're punished, lose their job or are simply afraid to say something directly to their employer.

Employers who retaliate against workers not only break the law but also create unsafe, unfair work environments. Acts of retaliation can include reducing pay or work hours, firing or suspending workers, discipline or demotion, harassment or intimidation, and blacklisting from future hiring.

At the Department of Labor, we believe an open line of communication goes a long way in the workplace, and we encourage employers to create an [anti-retaliation program](#) to help improve employee engagement.

Report a concern

Learn more about our whistleblower protection programs online, including how to file a complaint, or contact OSHA at 1-800-321-OSHA (6742) with workplace safety or health concerns.

Report a mining accident or a hazardous condition at a mine, impoundment, or abandoned mine online or by calling 1-800-745-1553.

You can learn more about your wage and hour rights or file a complaint by contacting the Wage and Hour Division online or by calling 1-866-4-US-WAGE (1-866-487-9243).

Did You Know?

Worker Protections - Learn about your rights

You have rights. This [site](#) covers common workplace concerns and the federal labor laws that protect the rights of all workers in the United States to a safe and healthful workplace and full payment of wages earned.

The U.S. Department of Labor is [committed to](#) improving the well-being of underserved, marginalized and excluded communities and ensuring that all workers' voices are heard.

We recognize that by doing so we improve working conditions and economic opportunities for all workers. This [page](#) describes the department's commitment to fulfilling that goal.

Skills – Leadership – Experience:

WHY HIRING AMERICA'S VETERANS MAKES SENSE



Every year, more than **200,000 service members transition** out of the **military**. The transition **experience can be full of unknowns and unexpected emotions**. A common **transition concern** for many **service members** is how to find a **new professional identity** and navigate the **civilian job world**.

For one **20-year U.S. Army veteran**, this rang true.

“I **worried about what the next chapter of my life would look like**,” he said. “As **did many of my brothers and sisters-in-arms**. I had **spent almost every day for 20 years training**, supporting my team and **putting the mission first**,” he continued.

Transitioning **service members and veterans** have **in-demand hard and soft skills** and a **demonstrated commitment to working hard**, leading by **example** and **performing** under extreme **pressure**. Many veterans are **also well versed** in critical thinking, **motivating others** to accomplish **organizational goals**, project planning, **team building**, interpersonal skills, **oral and written communication** and more.

On July 25th, **National Hire a Veteran Day** was a day **dedicated to highlighting** why veterans are **valuable assets** for companies and to **encourage employers** to hire them. **Hiring veterans isn't** only the **right thing to do**: it allows **companies to benefit** from the **value veterans can bring** to the table **after their service**.

“When I **retired from the Army**, I thought **it would be easy** to find a **job because of my time** in the military,” the **20-year U.S. Army veteran** said. “I quickly **learned** that I **needed to figure out** how to **translate my time** in service to **hiring managers** in a way that **reflected their hiring and organizational needs**.”

One of the **main resources** that **helped him during his transition journey** was the [Transition Assistance Program](#). **TAP's** information, **tools and training** help **ensure service members and their spouses are prepared** for the **next step in civilian life**. An added **benefit of TAP** is that **service members transition** from the **military as better-prepared candidates** for **employment** to the benefit of their **future employers**.

“The **program helped me** identify my **main career goals** and understand how my **retirement would impact** my family and me. I **learned how to put** my best **foot forward** in an **interview** and write an **effective resume**. I was **provided** with **numerous valuable resources** that I often **reference today**,” he said.

After **transitioning in 2019** from his role as a **Public Affairs Chief**, he successfully **translated the skills** he learned in **service** into a **job at a communications and marketing firm based** in Washington, D.C.

“**Transitioning to civilian life** is a **unique journey** for every **service member**. I took it **one day at a time**, tapped into the **resources that were available** to me, and was **confident** enough to make the **right career move** because of it,” concluded the **Army veteran**.

While **National Hire a Veteran Day** is only **one day a year**, countless **veterans are looking for meaningful employment year-round**.

Are you **unsure about how to get started**? Resources are **readily available** to **support employers** in recruiting, **hiring** and **retaining veterans**.

[VETS' Employer Guide to Hiring Veterans](#) provides a **comprehensive overview** of everything from **veteran hiring best practices**, to the **Work Opportunity Tax Credit**, to the [HIRE Vets Medallion Program](#) – a **recognition program for employers of all sizes** for their **efforts in veteran employment**.

Ready to be a military-ready employer? [VETS](#) has **developed a list** of **comprehensive resources** to help you **get started**.

For **one-on-one assistance** in connecting with **resources to hire a veteran**, you can **also email** vets-outreach@dol.gov.

OSHA Updates Investigations Manual for Handling Retaliation Complaints Under Whistleblower Statutes

The U.S. Department of Labor's [Occupational Safety and Health Administration](#) recently revised the agency's [Whistleblower Investigations Manual](#). The updated manual supersedes the January 2016 version and is the first complete overhaul since 2011.

The investigations manual outlines procedures, legal concepts and other information related to handling retaliation complaints under the various whistleblower statutes that [OSHA](#) enforces.

Key changes in the manual include:

- *Incorporating past policy memoranda and procedures piloted by OSHA field offices.*
- *Clarifying and streamlining procedures that lacked sufficient guidance or were unclear in the 2016 version.*
- *Statute-specific chapters were removed and converted into statute-specific [desk aids](#).*
- *Restructuring the manual such that Chapter 2 now collects and explains the legal concepts and principles that guide whistleblower investigations. In previous versions, these concepts were introduced throughout the manual.*

"We are working to improve our whistleblower program to help ensure workers have a voice on the job free of retaliation," said Assistant Secretary of Labor for Occupational Safety and Health Doug Parker.

[OSHA](#) enforces the whistleblower provisions of [25 statutes](#) protecting employees who report violations of various airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, motor vehicle safety, healthcare reform, nuclear, pipeline, public transportation agency, railroad, maritime, and securities laws.

For more information on whistleblower protections, visit [OSHA's Whistleblower Protection Programs webpage](#).

Plan. Provide. Train.

Three simple steps to preventing falls.

Falls Are The Leading Cause Of Death In Construction.

In 2020, there were 351 fatal falls to a lower level out of 1,008 construction fatalities (BLS data).

These deaths are preventable.

Since 2012, [OSHA](#) has partnered with the [National Institute for Occupational Safety and Health](#) and [National Occupational Research Agenda \(NORA\) - Construction Sector on the Fall Prevention Campaign](#) to raise awareness among workers and employers about common fall hazards in construction, and how falls from ladders, scaffolds and roofs can be prevented.

PLAN ahead to get the job done safely

When working from heights, employers must plan projects to ensure that the job is done safely. Begin by deciding how the job will be done, what tasks will be involved, and what safety equipment may be needed to complete each task.



When estimating the cost of a job, employers should include safety equipment, and plan to have all the necessary equipment and tools available at the construction site. For example, in a roofing job, think about all of the different fall hazards, such as holes or skylights and leading edges, then plan and select fall protection suitable to that work, such as personal fall arrest systems (PFAS).

PROVIDE the right equipment

Workers who are six feet or more above lower levels are at risk for serious injury or death if they should fall. To protect these workers, employers must provide fall protection and the right equipment for the job, including the right kinds of ladders, scaffolds, and safety gear.

Use the right ladder or scaffold to get the job done safely. For roof work, if workers use personal fall arrest systems (PFAS), provide a harness for each worker who needs to tie off to the anchor. Make sure the PFAS fits, and regularly inspect it for safe use.

TRAIN everyone to use the equipment safely

Every worker should be trained on proper set-up and safe use of equipment they use on the job. Employers must [train workers](#) in recognizing hazards on the job. [See](#) educational materials and resources page for posters, factsheets, and other training materials.



Are there risk factors that make workers more susceptible to heat-related illness?



Although [personal medical conditions or lifestyle habits](#) can make workers more vulnerable to heat-related illness, one of the most significant factors increasing the risk of heat illness is failing to give workers time to gradually get used to working in hot and humid conditions. OSHA found that almost half of heat-related deaths occur on a worker's first day on the job, and more than 70 percent occur during the first week.

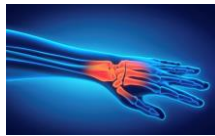
New, temporary, or existing employees who start new work activities in the heat should work shorter workdays with more frequent rest breaks during their first 1-2 weeks. They should work only 20 percent of the normal scheduled duration on their first day and increase this duration by another 20 percent on each subsequent day until they are performing a normal schedule.

Visit [OSHA's website](#) for more information on how to safely build worker tolerance to increased heat stress exposure and how to [identify and treat signs of heat illness](#).

Use the Right Hand Tool the Right Way

Choose a tool that...

- Is designed for the job
- Fits your hand size and is comfortable to hold
- Keeps your wrist straight
- Has a handle that extends beyond your palm - no sharp edges
- Requires a minimum of force to use
- Provides balance - doesn't tip forward or back when held
- Doesn't exceed the minimum weight required to do the job



Most construction workers use hand tools. Some use them all day long. Using the wrong hand tool, or the right tool the wrong way, can injure the muscles, tendons, or nerves in your hand, wrist, or arm. These types of injuries develop over time. Early symptoms may include achy, tired hands and wrists that feel better after rest. It is easy to just write these off to a hard day's work - and in some cases you can end up with an injury that might even force you to quit construction work.

Types of injuries include:

Carpel Tunnel Syndrome: pain, tingling, and numbness in the wrist and hand;

Hand Arm Vibration Syndrome (white finger): numbness in hands and fingers, a loss of touch and grip, and pain.

Tendonitis: difficulty straightening fingers;

Use the tool safely...

- Keep your wrist as straight as possible.
- If the grip is too small, your gloves may help or add a cushion.
- If the grip is too big, change the handle or adjust the size.
- Gloves and anti-vibration wraps will improve grip strength and reduce vibration.
- Use caps or guards on striking tools to avoid overstrike injuries.

Remember...

- Focus on keeping your hands safe - not just at the start of a job.
- Try to rest your hands during the day.
- Keep your tools sharp and in good condition.
- Consider doing exercises to strengthen key muscles.
- Don't raise or extend your elbow when holding a heavy tool.
- Use a power tool when you can.

Using the right hand tool the right way can reduce fatigue and increase productivity, improve the quality of your work, and reduce the risk for hand, wrist, and arm injuries.

Lack of Controls Causes Fatality

Nebraska disposal company cited for exposing workers to multiple safety hazards

A 20-year-old worker's attempt at clearing a jam in an industrial cardboard baler at a Grand Island, NE waste disposal company turned tragic when the worker fell into the baler, became caught and suffered severe amputation injuries. OSHA alleges the employer disregarded federal regulations designed to prevent such tragedies.

An investigation by the U.S. Department of Labor's Occupational Safety and Health Administration at the disposal company found the worker was feeding cardboard waste into the baler in Feb. 2022, when debris jammed the machine. As the young worker tried to remove the stuck cardboard, he fell into the machine. The worker died the next day at a hospital.

OSHA alleges the company failed to ensure energy sources were locked out, which would have kept the machine's operating parts from moving while the worker cleared the jam.

US Department of Labor cited the disposal company for 18 violations - two willful, 15 serious, and one other-than-serious - involving machine safety, permit-required confined space safety requirements, training and fall hazards. OSHA proposed penalties of \$337,903, and has placed the company in its [Severe Violator Enforcement Program](#).

"A 20-year-old's life was cut short needlessly; he was on the job for just nine months. Employers are legally obligated to safeguard dangerous machinery and use required safety procedures for entering confined spaces," said OSHA Area Director Matt Thurlby in Omaha, Nebraska. "Employers must follow all safety precautions and train workers to de-energize and lock out a machine before clearing jams or providing service or maintenance to prevent serious or fatal injuries."

OSHA inspectors identified several violations for [permit-required confined spaces](#), including failing to develop procedures, train workers, recognize hazards, place attendants outside when an employee enters, and ensuring emergency services are available.

The agency also cited the company for exposing workers to slip and fall hazards from debris on the floors and from workers having to climb up railings to enter the machine. Inspectors also found an active rodent and vermin infestation in the facility.

The disposal company offers residential, commercial, industrial/construction, recycling and compost services to 15 Nebraska communities.

The company has 15 business days from receipt of its citations and penalties to comply, request an informal conference with OSHA's area director, or contest the findings before the independent [Occupational Safety and Health Review Commission](#).



4 Ways to Draw More Women into Construction

According to the **Associated Builders and Contractors (ABC)**, to meet **increasing labor demands**, the **construction industry** needs to **immediately attract** nearly **650,000 additional workers** more than in **2022**. Here's why **hiring women** can help **fill that need**.

The **U.S.** desperately needs more **skilled workers** across industries.

The **number of open construction jobs**, for example, jumped to a **record high of 449,000** unfilled positions in April, according to the **Job Openings and Labor Turnover Survey** data from the **Bureau of Labor Statistics**. This is the **highest measure** in the history of the **data series** (*going back to late 2000*).

To **solve this crisis**, the construction field **must attract and retain** more women. We will **never close the skills gap** if we ignore **half the population** in this country. Right now, **women simply aren't going** into many of the **trades** that desperately **need more workers**, including trucking, **construction**, and auto mechanics, to **name a few**. In fact, only **10.3% of U.S. construction workers** are women (*source: [Bureau of Labor Statistics](#) [BLS]*). This is a **relatively small percentage** compared to **other industries**. For example, the **BLS noted that women** accounted for **"51.8% of all workers** employed in management, **professional**, and related **occupations in 2019."**

We also **need to get serious** about **transforming the industry**. McKinsey & Co.'s report **Imagining Construction's Digital Future**, predicts that the **"shortage of skilled labor** and **supervisory staff** will only get worse. These are **deep issues** that require **new ways of thinking** and working."

The **good news** is that according to **Fox Business**, trade **school enrollment is surging** in key areas—and by **nearly 17% for construction schools**. One reason that **more students are starting** to rely on **trade school education** is the lower **cost of tuition** (*on average \$30,000 for only one-two years versus the same price tag for one semester at a four-year college*). And **employment after graduation** is practically **guaranteed**. However, the **vast majority** of these students **are still men**, and the **supply is still not nearly enough to keep up with demand**.

There are **four key things** we can do **better to help solve** the **skilled worker shortage** and **attract women** into **construction roles**:

1. Start Early with Role Modeling Women in Construction

It's hard for girls to imagine a role in construction if women remain nearly invisible in the industry. While there are a growing number of apprenticeships, mentoring programs, and professional organizations aimed at supporting women in construction roles, Mollie Elkman, owner of homebuyer marketing business [Group 2](#), wants to help girls envision a life in building much earlier in their lives.

Recently, she published a children's book called [The House That She Built](#). It's based on a true story of an all-women built home, and it is an inspiration to young girls — to show that they too can be a part of building. It highlights the various roles and skills that are necessary to build a home and helps get kids excited about their own career options. Creative approaches like these can help young girls and women seek out a path toward previously "unconventional" roles for women.

2. Recruit Women into Trade Schools

Construction schools, as with many trade schools, need to get better at recruiting women. Not only do they need to help women envision a life for themselves in construction — they also need to market the type of work that will make up the future of skilled jobs. Although there is no part of heavy labor that women can't do, for those women and men less inclined for heaving lifting, modern construction work increasingly will be done digitally, with drones, laser scanners and robotics than ever before.

And of course, women need to see the financial benefits of a life in construction. Trade schools, advocacy groups, and local governments can all help build awareness around the income potential of construction jobs. For example, [Construction managers earn an average](#) of \$95,260 a year, with an hourly rate of \$45.80 (Online Schools Center, 2021).

And significantly, women in construction are paid the closest amount to their male counterparts that any other industry. According to the National Association of Women in Construction (NAWIC), women earn an average of 99.1% of what their male counterparts make in the construction field.

3. Leverage Technology to Improve Retention Rates

Getting women in the door of trade schools is just the first step — retaining them is another thing. Vocational schools need to re-examine their digital capabilities to this end. Although many parts of our education system have already leveraged technology to improve access, efficiency, and accountability, many vocational schools are lagging behind, with outdated student information systems. This makes it difficult to deliver the high-quality learning experience that students expect in a post-pandemic world and has a negative impact on student retention.

Transforming technology within trade schools has benefits for all stakeholders – including students, teachers, schools and employers. Modern technology solutions have the potential to help schools meet compliance requirements, improve attendance statistics, and promote behaviors that lead to improved graduation rates.

They can identify at-risk students and help get them back on track. For example, student portals that include attendance trackers and geofencing can pinpoint students who are often late, or don't complete and turn in assignments. Administrators can monitor these systems and intervene when necessary to keep students on the path to graduation.

4. Help Place Women into Construction Roles

To place women in construction jobs that are meaningful, potential employers must be thoughtful, proactive and involved long-term. This article, from [Occupational Health & Safety](#), has some great advice for how to recruit and retain women in construction, including the basics, like choosing words in a job description wisely, reaching out to women who have potential, including women in the hiring process, and providing ongoing networking and support to women once they are hired.

Jobs supported by trade school education are in great demand and fill an important role in today's economy. We will never be able to fill all these open roles if we cannot harness the talents of female workers. Not since WWII has there been such pressure on our infrastructure, and such an opportunity for transformation. Back then, when so many of our men were off at war, the U.S. embarked on a bold initiative to bring women into skilled trades roles, christening the famous Rosie the Riveter.

Now, it's time to bring Rosie the Riveter into a new century. Today's "Rosies" require (and deserve) more role models, targeted recruitment efforts, modern technology and education, professional support networks, fair pay, and the new skill sets required to deliver on the future of work.

Personal Protective Equipment for Women

OSHA Reminder: One size does not fit all!

Many women in nontraditional jobs, such as the construction trades, have encountered improperly fitting personal protective equipment (PPE) and personal protective clothing (PPC) which may compromise their personal safety.

Personal protective equipment used by women workers should be based upon female anthropometric (body measurement) data. Women should make a point to test employer provided PPE, and if the provided PPE is uncomfortable, or not suitable for the worker (e.g., improperly fitting or damaged from wear or defect) they should report this condition to their employer for a suitable replacement.

PPE must fit properly so that it can effectively protect the employee from the hazard for which it was designed. Today there has been tremendous progress in the availability of PPE for women. The International Safety Equipment Association (ISEA) reports that many employers now provide a full range of sizes for PPE. ISEA lists manufacturers who offer safety equipment in various sizes that is appropriate for women in construction.

The Ontario Women's Directorate and the Industrial Accident Prevention Association (IAPA) co-authored a 35 page publication titled, [Personal Protective Equipment For Women – Addressing the Need](#).

Both, the [ISEA list and IAPA publication](#) can be found under PPE for Women.

Other Related Factors Include:

- Limited employer knowledge in how to obtain health and safety products specifically, designed for females working in non-traditional jobs, and
- Limited availability of a full range of stock and sizes of PPE, at the retail/wholesale/distributor levels for health and safety product lines designed for women workers.
- [Providing Safety and health Protection for a Diverse Construction Workforce: Issues and Ideas](#). NIOSH/CDC, DHHS (NIOSH) Publication 99-140, 5 pages (1999).

Best Practice: In addition to compliance with the OSHA regulations, whenever employers are required to purchase PPE, they should purchase these items in size ranges suitable for women. Employers should maintain a directory of PPE manufacturers and suppliers on hand, identify a wide selection of size ranges for PPE, keep appropriate size ranges in stock, and ensure direct accessibility, as required.



New Regional Emphasis Program for Powered Industrial Vehicles



A new Regional Emphasis Program (REP) is being implemented by OSHA in Region VIII for inspections of all general industry and construction workplaces where the operation of powered industrial vehicles (PIV) or personnel handling motorized equipment is occurring. The purpose of the program is to reduce injuries and fatalities from the operation of this type of equipment.

Under this REP, PIVs and personnel handling equipment includes PIVs that are ridden or controlled by a walking operator and include any mobile power-propelled truck used to carry, push, pull, lift, stack or tier materials. Golf carts or electric trucks used to transport personnel or ATVs used for grounds crews and each of the following vehicles are also included: high lift trucks, cantilevered trucks, forklift trucks, low lift trucks, motorized hand trucks, narrow aisle trucks, reach rider trucks, high lift order picker rider trucks, rough terrain trucks, aerial lifts, counter-balanced trucks, rider trucks, high platform trucks, loft lift platform trucks, pallet trucks, straddle trucks, single side loader trucks, motorized hand/rider trucks, skid steers, front end loaders, scissor lifts, and vehicles with lift gates.

This REP aligns strategically with OSHA's Agency Management Plan (AMP), specifically as it concerns the reduction of hazards in the Warehousing and Storage Industry and during the operation of Powered Industrial Trucks (PIT). The PIT standard (29 CFR 1910.178) is by far the most cited standard in the Warehousing and Storage Industry (NAICS 493) over the past three years. 29 CFR 1910.178 is consistently in the top 10 most frequently cited standards in federal OSHA inspections. The number of fatalities with a primary source of injury reported as "Industrial vehicles, material hauling and transport-powered" increased from 60 in CY2017 to 95 in CY2019, based on data from the BLS Census of Fatal Occupational Injuries (CFOI).

Many hazards which could lead to serious injury and death are associated with the operation of PIVs and personnel handling equipment. According to BLS data, 614 workers lost their lives in forklift related incidents between 2011 and 2017. In addition, more than 7,000 non-fatal injuries with days away from work occur each year.

In 2017 alone, forklifts were involved in 9,050 nonfatal workplace injuries with days away from work. Of these, injuries to pedestrians resulted in the highest median number of days away from work.

According to data from the National Safety Council, service providing industries had the highest number of non-fatal forklift injuries between 2011 and 2020. Jobs involving transportation and moving of materials resulted in the highest number of injuries with the majority of these being fractures.

In recent years, area offices throughout Region VIII have investigated numerous forklift and PIV incidents including multiple tip overs, dropped loads, crushing injuries from buckets, and struck-by incidents, with several of these resulting in fatalities.

Inspections of all General Industry and Construction worksites utilizing PIVs will be expanded to include PIV hazards and equipment. In addition, target inspection lists will be developed for certain industries listed in the emphasis program.

Inspections under this program will begin after a 90-day period of outreach.

The full emphasis program will soon be available [here](#). If you have questions about the program or would like information and training on OSHA's PIT standard, please contact John Olaechea (720-264-6586 / olaechea.john@dol.gov).

For general information on PIT safety, visit the [OSHA topic page for PIT](#).

Region 8



* This is one of the 28 OSHA-approved State Plans. Twenty-two State Plans (21 states and Puerto Rico) cover both private and state and local government workplaces. The other six State Plans (Connecticut, Illinois, Maine, New Jersey, New York, and the Virgin Islands) cover state and local government workers only.

CONSTRUCTION SUICIDE PREVENTION WEEK

SEPT. 5-9, 2022

One of your most important Health and Safety concerns needs to be Taking Care of Ourselves.

If you're in crisis, there are options available to help you cope.

Get help now!

If you're having trouble coping with work-related stress, talk with someone who can help.

- Call the National Suicide Prevention Lifeline at 1-800-273-8255 for confidential support available 24/7 in the United States
- Para español 1-888-628-9454
- [Online chat](#)
- [988 Suicide & Crisis LIFELINE](#)



Is Work-Related Stress Recordable as a Mental Illness Case?

Mental illnesses, such as depression or anxiety disorder, that have work-related stress as a contributing factor, are recordable if the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (*psychiatrist, psychologist, psychiatric nurse practitioner, etc.*) stating that the employee has a mental illness that is work-related, and the case meets one or more of the general recording criteria.



TOGETHER, WE CAN SAVE LIVES.
Suicide Prevention Week
September 5-9, 2022



Find resources at constructionsuicideprevention.com

Suicide Prevention 5 Things You Should Know

Suicide is a leading cause of death among working-age adults in the United States. It deeply impacts workers, families, and communities. Fortunately, like other workplace fatalities, suicides can be prevented. Below are 5 things to know about preventing suicide.

- 1 BE AWARE**
Everyone can help prevent suicide.
Mental health and suicide can be difficult to talk about—especially with work colleagues—but your actions can make a difference. When you work closely with others, you may sense when something is wrong.
- 2 PAY ATTENTION**
Know the warning signs of suicide.
There is no single cause for suicide but there are warning signs. Changes in behavior, mood, or even what they say may signal someone is at risk. Take these signs seriously. It could save a life.
- 3 REACH OUT**
Ask "Are you okay?"
If you are concerned about a coworker, talk with them privately, and listen without judgment. Encourage them to reach out to their Employee Assistance Program (EAP), the human resources (HR) department, or a mental health professional.
- 4 TAKE ACTION**
If someone is in crisis, stay with them and get help.
If you believe a coworker is at immediate risk of suicide, stay with them until you can get further help. Contact emergency services or the National Suicide Prevention Lifeline.
- 5 LEARN MORE**
Suicide prevention resources are available.
 - Call the National Suicide Prevention Lifeline at 1-800-273-TALK (8255), or text "TALK" to 741741.
 - Visit the American Foundation for Suicide Prevention (www.afsp.org) to learn more about suicide risk factors, warning signs, and what you can do to help prevent suicide.



OSHA Occupational Safety and Health Administration
1-800-321-OSHA (6742)
TTY 1-877-889-5627
osha.gov/preventingsuicides



OSHA and the DJ Basin Safety Council Sign Ambassador Alliance Agreement



The [DJ Basin Safety Council](#) and OSHA's longstanding alliance relationship culminated in the signing of an Ambassador Agreement on August 2, 2022. Ambassador status reflects OSHA's recognition that an alliance participant has built and will continue to maintain a productive cooperative relationship with the agency.

OSHA expects that Alliance Program Ambassadors will continue to share timely and relevant safety and health information with members, and work collaboratively on issues that emerge among its membership. However, Ambassador participants do not have the data reporting and other requirements that come with a formal Alliance. Ambassador relationships remain in effect for the duration of an ongoing cooperative relationship and a good faith effort by both parties to meet the intent of the arrangement.

Since entering an alliance with OSHA in 2013, the [DJ Basin Safety Council](#) has worked with OSHA to improve workplace health and safety by sharing information, guidance, and access to training resources that address occupational hazards in the oil and gas industry such as falls, heat stress, silica, hydrocarbon exposures, and COVID-19.

For more information on the Alliance Program and to see current and past alliances across the country, visit the [Alliance Program website](#).

**LET MJS Legacy Safety BE
YOUR ONE STOP SHOP FOR
TRAINING.**

See [page 4](#) for classes offered
this month
as well as links to
[All](#) of the training available.

Questions?

CALL US!!

WE'RE HERE TO HELP!

Reminder - Revised Federal Drug Testing Custody and Control Form Mandatory



- As of August 30, 2021, 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.

DOT Implements Annual Regs Violation Penalty Increases

The Department of Transportation published a final rule in the *Federal Register*, Monday, March 21, 2022 updating the civil penalty amounts (*effective immediately*) that may be imposed for violations of certain DOT regulations, including **Federal Motor Carrier Safety Administration** regulations focused on in trucking-company audits.

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

Prevent Illegal School Bus Passing Awareness Campaign October 17-21, 2022 / National School Bus Safety Week

Statistically, **school buses are the safest way to transport school children**. Yet **more injuries and fatalities occur outside of or near a school bus** because a **motorist has failed to obey the stop-arm warning** or to **follow local traffic laws**.

- From 2011 and 2020, there were 1.6 times more fatalities among pedestrians (183) than occupants of school buses (113) in school-bus-related crashes.
- A total of 218 school-age children (18 and younger) died in school-bus-related crashes during that period, either as occupants of school buses or other vehicles, or on foot or bike.
- Of the 218 deaths, 85 were children who were walking.



Respect the "Danger Zone"

The **school bus loading and unloading area** is called the **"Danger Zone."** Specifically, this is **any side of the bus** where a **child may not be seen** by the **bus driver** and, therefore, is in the **most danger**. Let's **work together** to keep **our children safe** as they **wait to ride the bus** to and **from school**.

- Click [here](#) to download earned media campaign materials.

On behalf of the NHTSA team, thanks for your proactive support in school bus safety.



CDL DOT Medical

What Will Happen to My CDL License if My DOT Card Expires?

Nearly 71 percent of all the freight tonnage moved in the states is moved by trucks, according to the American Trucking Associations. If you have a commercial driver's license (CDL), you've already navigated the complex web of regulations to obtain your license. Depending on where and the type of truck you drive, you may have also been required to obtain a medical card through the Department of Transportation (DOT).

If you were required to get a medical card, keep a close eye on the expiration date. If you don't complete your CDL medical card renewal on time, you'll lose your CDL privileges, which could cost you valuable income.

DOT medical cards are typically valid for two years.

WHAT IS A DOT CARD?

The term **DOT card** refers to the **medical certificate** that some **commercial drivers** are **required to obtain** from the DOT. A **CDL medical certification** can only be **given by a licensed medical examiner** who appears on the **Federal Motor Carrier Safety Administration National Registry**. The **registry** includes **medical practitioners** such as:

- Doctors of medicine (MDs).
- Doctors of osteopathy (ODs).
- Physician assistants (PAs).
- Advance practice nurses (APNs).

The **examiner conducts a standardized exam** and fills out the **required form**. **If you pass** the examination, you **file the form** with your **state licensing agency**. **If you don't pass**, you can take the **steps recommended** by the examiner, such as **obtaining additional information** or completing **certain medical tests**.

WHAT IS A DOT MEDICAL EXAM?

It is an **exam that indicates** an individual is **physically qualified** to operate a **commercial motor vehicle** in accordance with **49 CFR 391.41, Subpart E - Physical Qualifications and Examinations**.

WHO NEEDS A MEDICAL CARD?

In **general**, you need a **DOT medical card** if you're a **commercial driver** who drives from **one state to another**, which is referred to as **interstate driving**. If you **only drive** within **your state** and don't **pass through another state** at any point, you're **considered an intrastate driver** and you **typically don't need a medical card**.

Your **state's licensing agency** will require you to **certify which type** of driving you do. Not **all interstate drivers** are required to **get a medical card**, though. Some of the **exceptions include**:

- Drivers who are government employees.
- Fire truck or rescue vehicle drivers.
- Those transporting school children between home and school.
- Those driving farm equipment.

If **you're uncertain whether** you need a **medical card** or a **medical card renewal**, contact your **state licensing agency**. States also have their **own medical requirements**, so you may **need a medical exam** even if you're **just driving within** your state, but you **won't typically need a DOT medical exam**.

THE DOT MEDICAL EXAM REPORT

Whether you're **getting a CDL medical card renewal** or your **first one**, you must **undergo the DOT medical exam**. Your first step is to **schedule an exam** at one of the **DMV medical exam locations** near you. When you **arrive at your appointment**, you should be prepared for a **thorough medical exam**.

To start with, **you'll need to complete** the **driver sections** of the **Medical Examination Report Form**. The form asks **whether you've ever had surgery** and for you to **provide details** if you have. Next, the **form asks whether** you're **taking any medications**, including **herbal remedies** and **over-the-counter medications**. If you're taking any **prescription** or other **medications**, you must **list them on the form**.

The **next section asks you** to check **whether you've had** several **medical conditions**. These conditions include:

- Mental health conditions.
- Head or brain injuries.
- Seizures or epilepsy.
- High blood pressure.
- Eye or ear problems.

Once you **answer the questions**, you're also **asked to disclose** if you've had any **other health conditions** that weren't listed. If you **answered "yes"** to any of the **questions**, you must also **provide details about your answer**.

THE DOT MEDICAL EXAMINATION

The rest of the form is completed by your medical examiner. First, the examiner will review your health history. Then, the examiner will check your blood pressure, vision and hearing. The examiner will also complete a urinalysis.

The urinalysis doesn't specifically check for drugs, but it does check for protein, blood and sugar, which could indicate an underlying medical condition if present.

The examiner will also do a physical examination, checking your gait, skin, eyes, reflexes and more. If there are any abnormalities, the examiner is required to note those and indicate whether they'll interfere with driving a commercial vehicle.

DOT EXAMINATION RESULTS

Once your examination is complete, your examiner will choose from one of several options for your results. If you pass, they'll check that you meet the standards for a two-year certificate or that you meet standards but need periodic monitoring.

If you don't pass, the examiner may choose "does not meet standards." In some cases, the examiner may select "determination pending" or "incomplete examination." For all the options other than "meets standards for a two-year certificate," the examiner must explain why she's making that selection.

WHERE/HOW DO I SUBMIT MY DOT MEDICAL INFORMATION

1. You may submit it [online](#)
2. You may bring it to any driver license office
3. You may fax it to 303-205-5709
4. You may scan and email it to DOR_cdlunit@state.co.us
5. You may mail it to: Colorado Department of Revenue, Attn: CDL Unit, PO Box 173350, Denver CO 80217-3350

DISQUALIFYING MEDICAL CONDITIONS

If you're wondering at what weight do you need a CDL DOT card, the good news is that there's no weight requirement for needing a medical certification or for passing the examination. There are some medical conditions that may disqualify you from obtaining a medical certificate, though. These include:

- Hearing loss.
- Vision loss.
- Loss of a limb.
- Epilepsy.

Those who have lost a limb may be able to take additional skills tests to obtain their medical certificate. If your hearing or vision can be corrected, you may also be able to pass your medical examination.

Ultimately, the examiner makes his decision based on whether your medical condition will impact your ability to conduct safety checks, secure the load you're carrying and drive the vehicle safely.

***CONSEQUENCES OF AN EXPIRED CARD

Although getting and renewing your CDL medical certification may seem involved, it still should be done on time. The exact consequences of letting your medical certification expire vary by state. Typically, your state will suspend your commercial driving privileges. Some states suspend your privileges immediately, while others give you a grace period to renew your certificate.

In some states, if you wait too long to renew your medical certificate, you may have to go through the entire testing process for a CDL again. For example, in Indiana, if your medical certificate is expired for more than one year, you must retest. In Kansas, you must retest if it's expired for more than 90 days.

IS THERE A FINE?

Typically, states don't have an expired DOT medical card fine. If the certificate expires, though, you may have to retest or reinstate your license and there may be costs involved in that process.

Once you pass your medical exam and file it with the state, you should keep the original copy with you for at least 10 days whenever you drive. After that, you're not required to carry your certificate, but you may want to do so just to be on the safe side.

If you took a special skills assessment to obtain your certificate, you DO NEED to keep that with you any time you drive.

ATA Hails Committee Passage of Bill to Boost Truck Parking Availability



Recently, **American Trucking Associations President and CEO Chris Spear** praised congressional leaders for advancing the [Truck Parking Safety Improvement Act](#) (*pdf*) – which would authorize **\$755 million** over the next four years to address the nation’s critical lack of truck parking.

“The lack of safe and accessible truck parking is an issue that causes serious concern for our industry,” said **ATA President and CEO Chris Spear**. “Without it, drivers waste hours looking for secure places to park for an hour or for the night, hurting their ability to rest and adding undo stress to their days. Moving this legislation forward is a tremendous step toward addressing what has been significant challenge to our industry’s ability to safely and efficiently move the nation’s goods.”

During the recent markup, the **House Transportation and Infrastructure Committee** passed an amendment in the nature of a substitute to [H.R. 2187, the Truck Parking Safety Improvement Act](#), which was introduced by **Reps. Mike Bost (R-Illinois)** and **Angie Craig (D-Minnesota)** last year.

The legislation would authorize the creation of a competitive grant program for states to spend **\$755 million over a four-year period** on new truck parking projects including capacity expansion and enhancements like lighting, restrooms and other security features.



Access to truck parking is routinely highlighted in the **American Transportation Research Institute’s** annual list of top issues facing trucking, and **ATRI** research has found that on average drivers spend nearly an hour – **56 minutes** – per day looking for parking, time that reduces their wages, adds undo delays to the supply chain and raises stress on an already taxed workforce.

“The availability of safe and secure truck parking is not just a challenge for current drivers, it is a barrier our industry must overcome in attracting new drivers – particularly women. Solving it won’t just help today’s industry, it will go a long way toward helping trucking recruit and attract a more diverse workforce,” Spear said. “This kind of bipartisan solution shows that Congress can still step up and address real challenges faced by American workers and I want to thank bill sponsors, Congressmen **Bost and Craig**, as well as Chairman **DeFazio** and Ranking Member **Graves**, for moving this important bill forward and urge the full House and Senate to quickly to make it law.”

As of **Aug 3, 2022**, the legislation now goes before the full House for a vote, which has not yet been scheduled.

The **ATA’s** newly formed [Women in Motion Advisory Board](#) and [ATA’s Law Enforcement Advisory Board](#) along with the **Commercial Vehicle Safety Alliance to Committee** members expressing strong support for the provision.

From all of us at
MJS Legacy
Safety...
Be safe out
there!!

FMCSA Extends COVID-19 Hours of Service Waiver A Shorter-Than-Usual 45 Days



Even COVID-related restrictions in everyday life have continued to modulate toward an ever-greater sense of normalcy these last three months, the **Federal Motor Carrier Safety Administration** recently extended its regs waiver related to the COVID national emergency declaration. That waiver, as is detailed in a [new alert at the FMCSA's COVID information page](#), exempts a subset of truckers from maximum-drive-time limits in the hours of service (49 Code of Federal Regulations 395.3).

This latest waiver will be active beginning September 1, 2022, only through October 15, a shorter time period than past 90-day waivers, the end to the now nearly 2.5 years-running, routinely modified and updated exemption.

Asked about the waiver's timeline and potential significance in the reduction from the usual 90-day extension, **FMCSA Public Affairs** lead Martha Threatt noted that the regulatory waivers in place "are being evaluated on a case by case basis."

The agency flagged "*persistent issues arising out of COVID-19*" that continued to "*affect the U.S. including impacts on supply chains*," as reasons for further extension of this waiver. The agency's own data collection effort about the waiver's use, launched with the September renewal of the waiver in 2021, continues to show "*substantial ongoing use of the regulatory relief*," too, **FMCSA** added.

This latest extension of the waiver provides relief for freight operations providing "*direct assistance in support of emergency relief efforts related to COVID-19*." It's limited to a list of the same commodities that were exempted with the last waiver, namely:

- Livestock and livestock feed
- Medical supplies and equipment related to the testing, diagnosis, and treatment of COVID-19
- Vaccines, constituent products, and medical supplies and equipment including ancillary supplies/kits for the administration of vaccines, related to the prevention of COVID-19
- Supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap, and disinfectants
- Food, paper products, and other groceries for emergency restocking of distribution centers or stores
- Gasoline, diesel, diesel exhaust fluid (DEF), jet fuel, ethyl alcohol, and heating fuel including propane, natural gas, and heating oil

"*Direct assistance*," **FMCSA** noted, doesn't include non-emergency transport of qualifying commodities or routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief.

To be eligible for the exemption, the haul must be a load of qualifying commodities and also pursuant of the "*immediate restoration of those essential supplies*," the [full declaration signed by FMCSA's current acting administrator noted](#).

As previously reported, in addition to **FMCSA's** own monitoring waiver use by carriers, the [FMCSAReporting.com](#) independent data collection effort spearheaded by the Trucker Nation grassroots driver-led group continues.

FMCSA Releases Updated Medical Examiner's Handbook Draft, Seven Years After Withdrawal



The **Federal Motor Carrier Safety Administration** recently published a notice of proposed regulatory guidance that includes an updated **Medical Examiner's Handbook** (MEH) with proposed changes, seven years after the agency withdrew the existing handbook due to **obsolete information**.

Since 2015, **medical examiners** have been making **truck drivers' physical qualification** determinations on a **case-by-case basis** based on the **basic driver physical qualification** standards in the **federal regulations** (49 CFR 491.41 through 491.49).

FMCSA says the **goal of the updated MEH** "is to provide information about regulatory requirements and guidance for **MEs to consider** when making physical qualification determinations in conjunction with established best medical practices."

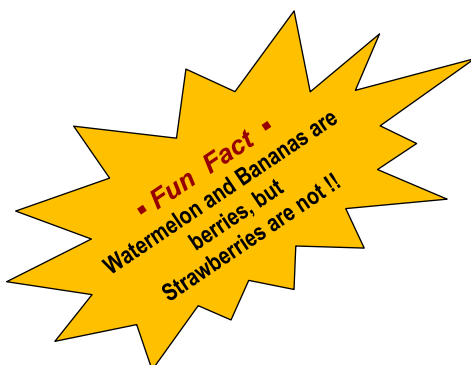
To assist in the development of the new handbook, **FMCSA** tasked its **Medical Review Board** with reviewing and providing recommendations for streamlining the handbook, including removing non-regulatory directive language and updating and removing obsolete information.

The current draft of the proposed MEH is included in the docket of the latest federal notice and [can be seen here](#) (pdf).

The agency, with the current proposed draft, seems to have responded to its advisory Medical Review Board's consternation over the lack of hard-fast screening guidance around the sleep apnea condition. As said longtime board member Brian Morris, during 2021 debate over the draft handbook during the MRB meeting, "it seems almost criminal it's not in here." He referred specifically to the lack of any mention of MRB and Motor Carrier Safety Advisory Committee-drafted, stricter screening protocols recommended in 2016, which close analysis by **Overdrive** at the time suggested would refer between 25% and 38% of all CDL holders for apnea testing and some level of conditional medical certification.

The current posted draft, unlike the one being considered in 2021, includes a link directly to those strict screening recommendations, but with this language, leaving the choice to consider those recommendations up to the medical professional: "For additional guidance on certification of drivers with moderate-to-severe [obstructive sleep apnea], one source MEs could consider is the November 21, 2016, OSA advisory recommendations."

FMCSA is accepting public comments on the notice and draft handbook for 45 days through Sept. 30. Those comments [can be made here](#). Specifically, **FMCSA** asks that respondents direct comments to the draft handbook. "To the extent possible, comments should identify the page number and section number of the MEH to which the comments apply," **FMCSA** said.



6 Pre- and Post-Trip Inspection Myths, and Reality: Trucking Law

SOURCE: Attorney Paul Taylor of the Truckers Justice Center - TruckersJusticeCenter.com, (855) 943-3518



A bad inspection at the roadside can put an operator out of service in the blink of an eye. Among the many necessary preventives are an owner-op's close pre- and post-trip and other equipment inspections. Yet much of the conventional wisdom around those inspections, whether the pre-trip variety or the required periodic inspection, is more fiction than fact. In some cases, these fictions merely obscure a more valuable truth, and in other cases they can lead drivers to unknowingly commit what can, in rare circumstances, be construed as felony.

Given the seriousness of road safety and inspections, *Overdrive* worked with Attorney Paul Taylor of the Truckers Justice Center to separate myth from reality and bring a little clarity to the often confusing legal jargon that makes up federal safety regulations.

While any owner-operator well knows the importance of vehicle maintenance and pre-trip inspections, many might be surprised by what the Federal Motor Carrier Safety Regulations actually require. For this Trucking Law installment, we'll be running through six myths to get to the reality of what really matters during a pre- or post-trip inspection, and what exactly law enforcement agents look out for when it comes to annual inspections.

MYTH 1: A driver must prepare a pre-trip inspection report before he/she drives the truck.

The reality is more nuanced. A carrier may well require a driver pre-trip inspection report, but isn't required to do so by law.

For post-trip reports, on the other hand, 49 C.F.R. 396.11 mandates that a motor carrier require its drivers to prepare a written report "at the completion of each day's work on each vehicle that the driver operates."

This post-trip report must list defects in parts and accessories identified in the regulation, such as tires and windshield wipers, and the report must be submitted to the carrier when defects are found. If there are no defects, no report is required.

The one exception to the post-trip report requirement is in the case of intermodal equipment provided by an intermodal equipment provider.

MYTH 2: A driver must perform a pre-trip inspection.

Technically, this is not true. 49 CFR 392.7 simply requires a driver to be quote/unquote "satisfied" that certain parts and accessories identified in the regulation are "in good working order" before driving. Similarly, 396.13 requires that a driver be satisfied that any truck he or she operates is safe to drive. The Federal Motor Carrier Safety Administration guidance says a driver may rely on a co-driver's inspection or a safety lane inspection for assurance that a truck is safe to operate.

MYTH 3: A driver must record at least 15 minutes on his log for a pre-trip inspection.

This is a whopper of a tale told by truck stop lawyers. 49 C.F.R. 395.8 requires all time recorded on a log to be accurate. If you log five minutes for an inspection that actually took 15 minutes to perform, then you are effectively guilty of log falsification -- which can be a felony. Of course, a thorough pre-trip inspection may in fact take 15 minutes, but no particular length of time is required by law. The only requirement, as noted, is that the driver be satisfied that the truck and trailer are in good working order.

MYTH 4: A violation-free [Level 1 roadside inspection](#) is a substitute for an annual inspection.

A Level 1 inspection may get drivers out of being inspected again in the near future, but it isn't the same as the required annual inspection.

49 CFR 396.17 requires a carrier to perform, or have performed by another party, as the case may be, detailed quote/unquote "periodic inspections" addressing parts and accessories named in the regulation. A Level 1 roadside inspection once did in fact satisfy this requirement, but in 2016, FMCSA eliminated a roadside inspection as a substitute for the annual periodic inspection. However, the agency does allow inspections by state officials in a relative few states and Canadian provinces that have mandatory inspection programs that satisfy federal requirements to substitute for the annual inspection.

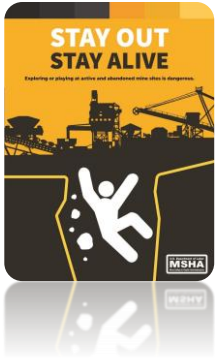
MYTH 5: An "annual" DOT inspection must be performed not less frequently than annually.

This is not exactly true. 49 C.F.R. 396.17 uses the "Periodic Inspection" heading, but the regulation itself also references quote/unquote "annual inspection." What's required is that the "annual inspection" be performed "at least once during the preceding 12 months. Thus, a periodic inspection performed in accordance with Appendix G on August 1, 2022, is good until August 31, 2023, because it was performed within the preceding 12 months. So, at the very longest, the "annual" inspection legally might extend over almost 13 months.

MYTH 6: A carrier may not limit the amount of time a driver may take to perform a vehicle inspection.

This is not true. In the case of a pre-trip inspection, in a past case involving United Parcel Service, the U.S. Department of Labor has ruled that an employer may in fact impose reasonable inspection methods and reasonable time limitations on the inspection.





Stay Out, Stay Alive: ACTIVE AND ABANDONED MINE SITES ARE DANGEROUS, POTENTIALLY FATAL

Each year, dozens of people are injured or killed while exploring, swimming or playing at a mine property. Active and abandoned mine sites all pose serious risks to people untrained and unfamiliar with the site.

Mine sites pose risks to anyone not qualified or adequately protected, such as:

- *Water-filled quarries and pits hide rock ledges, machinery, electrical currents and other hazards. The water may look refreshing but can be deceptively deep and dangerously cold. Steep, slippery walls can make exiting the water difficult.*
- *Hills of loose material around quarries or mines could easily collapse on an unsuspecting biker or climber.*
- *Many vertical shafts can be hundreds of feet deep and completely unprotected or hidden by vegetation.*
- *Abandoned mine shafts can unexpectedly collapse.*

For trespassers, hazards are not always apparent and can be deadly.

The men and women who work in our nation's mines are trained to work safely and understand the risks and landscapes of the mines where they work. At abandoned sites, only trained experts have the expertise and proper equipment to visit when necessary.

As students return to school while the weather is still warm and water seems inviting, it is more important than ever to remind people to stay out of abandoned or active mine sites like quarries, tunnels and pits.

Visit [MSHA's resource page](#) to learn more about abandoned mine and quarry accidents. Please help us raise awareness about this summertime danger.



MSHA Best Practice AND Health Hazard Cards

MSHA has developed an extensive set of [pocket cards](#) with safety and health in mind, formatted to be easily printed, carried, and shared.

Best Practice (BP) cards provide DOs and DON'Ts established to keep yourself and others out of harm's way.

Health Hazard (HH) cards provide important information you need to know to prevent occupational injuries and illnesses.

Most importantly, remind people to Stay Out, Stay Alive!



Water-filled quarries and pits hide rock ledges, machinery, electrical currents, and other hazards. The water may look refreshing but can be deceptively deep and dangerously cold. Steep, slippery walls can make exiting the water difficult.

US DOL Launches App to Provide Miners Access to Health, Safety, Miners' Rights Information

Provides notifications on mining accidents and how to prevent them

The U.S. Department of Labor's [Mine Safety and Health Administration](#) recently launched an app for use on iPhone and Android devices that will help get timely information directly to miners and members of the mining community.

The app allows miners to easily use the tool at mine sites and outside of working hours to search for best safety and health practices and find resources on understanding their rights and responsibilities under the [Federal Mine Safety and Health Act of 1977](#). The app also sends users notifications of mining accidents and how to prevent them.

The app is divided into five main sections:

- Safety Topics.
- Health Topics.
- Miners' Rights.
- About MSHA.
- A Contact Us section.

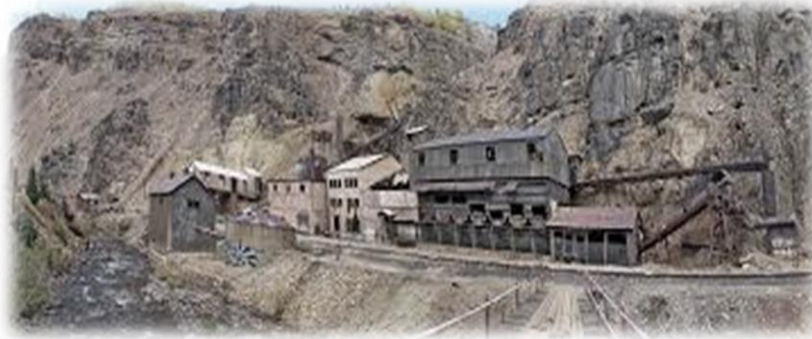
"Miners nationwide can now access important safety and health and miners' rights information in the palm of their hands," said Assistant Secretary of Labor for Mine Safety and Health Chris Williamson.

Traditionally, miners have received safety and health information from several sources, including their unions, miners' representatives, their mine's safety office or managers, training programs, [MSHA](#) inspectors, and industry stakeholder groups. Although those remain important avenues to reach miners, technology has made it possible for miners to research information directly. [MSHA](#) has collaborated with mining stakeholders on accessibility for miners and developed various design features throughout the application in response to stakeholders.

"This new, innovative tool is another technical and educational resource to empower miners and help them play active roles in mine safety and health; even so, the [Mine Act](#) is clear that mine operators have the primary responsibility to maintain safe and healthy working conditions and provide regular and thorough training to miners," Williamson added.

[Download the agency's app at the iPhone App Store.](#)

[Download the agency's app at the Google Play Store.](#)



Understanding Positive and Negative Behavioral Habits Helps Increase Safety

SOURCE: Mike Fairbrother, CIC, CRM, ARM



Behavioral safety has had a significant impact on making the American workplace safer in recent years. Observing behaviors can help to identify unsafe acts and conditions and provide a tool to help correct both.

We can improve upon the behavioral observation system using the psychology of habits. Developing habits is an effective way to make safety corrections more permanent. When employees are coached to change the way they are conducting a job to make it safer, we can put the power of habits into that change.

Understanding habits

We all have a multitude of positive and negative habits we have formed during the course of our lives. When attempting to change someone's behavior, it is an attempt to override these established habits.

Looking at habits from a behavioral standpoint requires us to look at one action or habit at a time. According to the **Society for Personality and Social Psychology**, habits make up approximately 40 percent of human behavior. From a safety perspective, this means we must repetitively correct actions to change a habit.

How habits are created

There are two main ways we create a habit. **First**, a traumatic psychological experience, such as when you were young and accidentally touched a hot stove. You immediately learned a new habit not to touch a hot stove and it stuck with you. **Second** and most common is repeated actions the brain turns into an automatic function.

The common belief is it takes 21 days to form a new habit. However, this timeframe is considered a best-case scenario. In fact, according to the **European Journal of Social Psychology's "How Are Habits Formed: Modelling Habit Formation in the Real World,"** the median timeframe to form a habit is about 66 days.

When you first started driving and were told by law you had to wear a seatbelt, it may have been difficult to form this habit. For those who remember the olden days when seatbelts were not mandatory, it was hard to break the old habit of not having or wearing a seatbelt. You had to consciously make an effort to put the seatbelt on every time you got in the car for a long period of time to make it a habit.

As with any training or safety process, you must prove to the attending employee, **"What's in it for me?"**

To motivate employees to work at creating a new habit, you need to demonstrate how a safety habit could benefit both their personal and work life. This could be anything from a good feeling for a job well done to monetary incentive and feedback for doing the correct action upon observation.

The habit loop

Some researchers have identified a technique for creating good habits known as a **"Habit Loop"**. Within this technique, each behavior consists of a loop comprised of three components: **a cue, a routine and a reward**. One leads to the other and then repeats to form a habit. According to **SafeStart's "The Habit of Safety,"** this may have to take place multiple times daily over several months, depending on how complex the habit.

For example: *You get into a car (the cue), You put on your seatbelt (the routine) you don't worry about police giving you a ticket (the reward).*

Bad habits can form the same way:

For example: *You are driving your car (cue), you talk to your spouse on the phone (routine) You get a warm feeling (reward), even though you know it may be illegal to be on the phone in your location.*

It may be difficult to break a bad habit because it requires focus and concentration. Studies show most people are not able to maintain focus long term. In fact, common estimates for sustained attention to a freely chosen task range to a maximum of around 20 minutes in adults. In most cases, people may need the help of others or physical aids to get them refocused.

How to develop a new habit

The first way to form a habit, as previously stated, is through a significant emotional experience. In the absence of a significant emotional experience, most people will need to go through these steps to form a new habit:



1. **Decide to form a certain habit, for example, to always wear a hard hat when you get out of your car at a construction jobsite.**
2. **Never allow an exception. Don't let yourself off the hook, and discipline yourself every time until it is automatic. If you leave your hard hat at home, go home and retrieve it.**
3. **Tell others about the new behavior. You will be more determined and disciplined when you know others are watching you. If others know you are working to form a safety habit, they can help motivate and keep you moving forward.**
4. **Visualize your new habit. The more often you imagine yourself acting out the new habit, the more rapidly this behavior will be accepted in your subconscious mind and become automatic.**
5. **Create an affirmation you repeat over and over. Say something like, "Every time I get out of the car, I will put on my hard hat."**
6. **Resolve to persist. The longer and more often you do something, it will make you feel uncomfortable if you do not follow the action. For example, "When I get in a car and don't put on the seatbelt, I feel strange, like something's wrong."**
7. **Reward yourself. This can include a good thought about how professional you are or how good it makes you look when you wear your hard hat. Put in a piece of gum, eat a small candy. Each time you reward yourself, you reaffirm and reinforce the behavior.**

While wearing a hard hat may sound simple, how many times have you been on a construction jobsite and workers still don't wear them? Now look at even more complex situations on jobsites, such as tying off when over six feet off the ground to prevent a fall. These will probably take more time to develop into a habit.

This habit system can be used to correct a multitude of unsafe behaviors. In addition to jobsite safety, distracted driving may be one of the most relevant and critical ways to use habit-forming processes. In today's world, distracted driving is one of the leading causes of car crashes, vehicle damage and physical injuries. Imagine if no one ever used a cell phone while driving and if everyone had the habit of using only hands-free calling and never texting. This is one area that forming good habits can make a significant impact.

Applying safety habits for a safer workplace

As a company, use behavioral safety audits to identify unsafe acts and use accident investigation to identify your most common cause of accidents. Then focus on a habit that could eliminate that behavior or cause.

Possible Safety Habit Targets with Actual Past Accident Results:

- Don't touch cellphone while driving:
Reaching for cellphone: A head-on collision
- Hook lanyard up every time you enter lift equipment:
Employee did not tie off, hit hole, lift bounced them out and died on impact
- Never touch electrical systems without verifying power is out to all components:
Electrician did not test all parts of a transformer, contacted live connector, and electrocuted themselves

- Don't eat food while driving:
Driver looked down to find French fries and rear-ended car in front
- Don't text while driving:
Driver rear-ended car in front
- Use three points of contact when getting in or out of trucks and equipment
Slip and fall getting out of tractor truck while holding a briefcase in one hand

By using the science of habit change, we can help make our employees safer, make the safety changes we desire more permanent, help to eliminate the **“brain lapse moments,”** create greater safety awareness in all workers, and help to increase focus while conducting our everyday work tasks.

Apply these tips to retaining new habits at work and home:

- Leave yourself reminders. A sticker on your dashboard, etc.
- Prepare for slipups. It may take a while to remember the habit.
- Let go of the “all or nothing” mindset. Just because you forget once, don't give up.
(Remember, Rome wasn't built in a day.)
- Do not try and form/change multiple habits at once. Your mind may have trouble with that and will either not form any habits or will form weak ones that can easily change back. Focus on one thing until it becomes habit, then move on to the next thing.
- According to **DevelopGoodHabit.com's “How to Build New Habits That Stick”**, anchor a new habit on an established routine; focus on small habits; mark a calendar to keep record of the days you do the new action; and reward important milestones.

Use the new habits you've established to build a new positive identity. Author James Clear often talks about something he calls **“identity-based habits.”** The idea is you can build a lasting habit by making it a reflection of who you are on the inside. You can tell yourself, **“I'm the type of person who always wears a hard hat at the job.”**

MJS Legacy Safety can help with your **Workplace Safety Solutions**
We are your One Stop Safety Shop
Give us a call!