

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...](#)



▶ **Read This Before Submitting 2022 Injury and Illness Data** [read more...](#)

▶ Education and Training Root Causes for Labor Shortage According to 2022 Survey

Construction workforce analysis cites a lack of adequately prepared or skilled candidates as lead issue in filling available positions, compounded by material costs and supply chain disruptions. [read more...](#)

▶ The 'Stop Work Authority' Approach

It's effective for managing risk and safety, but there are challenges to consider [read more...](#)

▶ SAFETY Q&A — How can employers identify and reduce worker fatigue? [read more...](#)

▶ 4 Common Causes of Forklift Operator Injury or Death

Forklifts are common work vehicles used by most construction and manufacturing industries. [read more...](#)

▶ Managing Cold Stress with the Proper PPE

No matter the type of work, any worker exposed to cold temperatures faces risks. [read more...](#)

▶ The Facts About Obtaining an OSHA Card

Many job creators ask their workers to obtain an OSHA card [read more...](#)

▶ Workplace Stress

Did You Know? [read more...](#)

AGRICULTURAL SAFETY NEWS SUMMARY

▶ NIOSH Announces 11 Centers for Agricultural Safety and Health

For decades, the *Ag Centers* have been integral to our efforts to reduce injury and illness in the agriculture, forestry, and fishing sector [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...](#)

MOVE OVER. IT'S THE LAW.



- ▶ All 50 States have **"Move Over"** laws to protect law enforcement officers and other first responders stopped on our Nation's roads. [read more...](#)
- ▶ **First 'Women Of Trucking Advisory Board' Meeting To Be Held In November**
The meeting will be held virtually for its entirety. [read more...](#)
- ▶ **Unannounced Hazmat Inspection Blitz ...**
found 1,774 violations of regulations regarding hazardous materials/dangerous goods. [read more...](#)
- ▶ **A Sharp Rise In Moving Violations, As Inspection Numbers Inch Back Toward Pre-COVID Levels**
The decade-long annual **CSA Data Trail** investigation of inspections/violations trends for 2022 shows clearly what the COVID-19 pandemic did to state and federal roadside inspection programs. [read more...](#)
- ▶ **FMCSA Renews Waiver Allowing Alternate ELD Rules For Certain Drivers**
FMCSA renews ELD exemption from UPS applicable to any carrier [read more...](#)
- ▶ **ELDs & Highway Safety: CRASHES, INJURIES & FATALITIES RISE POST-MANDATE**
When the electronic logging device mandate was finalized in December 2015, the **Federal Motor Carrier Safety Administration** estimated that the rule would save 26 lives and prevent 562 injuries on an annual basis. [read more...](#)
- ▶ **FMCSA Downplays ELD Mandate's Significance In Recent-Years Crash Rise**
FMCSA Administrator Robin Hutcheson sought to downplay the influence on safety of any single regulatory measure, the ELD mandate included. [read more...](#)
- ▶ **IMPORTANT REMINDERS FOR THIS HOLIDAY SEASON & BEYOND ...** [read more...](#)
- ▶ **Tips for Passenger Vehicle Drivers**
Large trucks and buses have large blind spots, long stopping distances, and make wide turns, which is why it's vital for everyone on the road to make a plan for road safety. [read more...](#)

MSHA NEWS SUMMARY

- ▶ **Respirable Crystalline Silica - Safety and Health Alert**
Silicosis is a disabling, nonreversible, and sometimes fatal lung disease caused by overexposure to respirable crystalline silica. [read more...](#)
- ▶ **MSHA Reports 22nd Fatality of 2022**
A miner at a plant in Washoe County, Nev. died when he was engulfed in a collapsed stockpile. [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

- ▶ **The Danger of Being Your Sisters'/Brothers' Keeper**
"Ethical altruism." Have you heard of it? Selfless concern for the welfare of others. [read more...](#)



“Training Spotlight”

(a different course will be featured monthly)

> 1ST AID / CPR / AED TRAINING

We offer several course offerings for 1st Aid/CPR /AED training through the Health and Safety Institute family of brands, including Medic 1st Aid and American Health and Safety Institute courses. Basic Plus, 1st Aid / CPR, Pediatric Plus 1st Aid / CPR, the ASHI BLS course for healthcare providers, stand-alone First Aid, CPR / AED, Bloodborne pathogens training based on your specific needs. We also offer Emergency Oxygen and Wilderness Survival courses. Training should be renewed every 2 years. This course is offered in person as well as a blended learning course, with hands-on skills assessment.

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

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
- FMCSA
- ISHN
- US DOL
- MSHA
- NIOSH
- For Construction Pros
- NHTSA
- CDC
- Overdrive
- RigDig
- US Bureau of Labor Statistics
- National Weather Service
- OH&S
- Dave Johnson, ISHN
- Rhoads&Rhoads, Atty's at Law

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

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND:** Nov 7, 18, 30; 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): Nov 4, 21; 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]: Nov 4, 21; 12:30 – 4:30;
This class available via Instructor Led video conference
- *NUCA Competent Person for Excavation & Trenching: Nov 9; 8 – 4;

[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!!!

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

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



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

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

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



Injury Tracking Application



Read This Before Submitting 2022 Injury and Illness Data

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

Establishments in [certain industries](#) are required to report injuries and illnesses for each calendar year by **March 2** of the following year using **Form 300A**.

If your establishment is required to submit this data, you must use **OSHA's [Injury Tracking Application](#)**, or **ITA**.

The **DOL** recently updated the **ITA** as part of the **Department of Labor's** information technology modernization and security enhancement efforts.

What's different? All current and new account holders must connect your **ITA** account to a [Login.gov account](#) with the same email address in order to submit your **2022** data by **March 2, 2023**.

A new [video](#) explains how to create an account or log in to an existing account using **Login.gov**.

You can find answers to other **FAQs** as well as detailed instructions for entering injury and illness information in the **ITA**.

Need more assistance? Use the [help request form](#) at the end of the **FAQs**.

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

Education and Training Root Causes for Labor Shortage According to 2022 Survey



Construction workforce analysis cites a lack of adequately prepared or skilled candidates as lead issue in filling available positions, compounded by material costs and supply chain disruptions.

On Wednesday afternoon, August 31, the **Association of General Contractors of America (AGC)** and **Autodesk** held a **press conference** on the release of their **annual joint workforce survey**.

The **goal of this yearly survey** is to *"measure the state of construction workforce shortages, better understand why those shortages exist, assess the impacts of labor shortages on construction projects, and learn what firms are doing to cope with and/or overcome those shortages."*

According to the **press release posted to the trade association's website**, almost **every single corner of the construction industry** continues to experience **painful labor shortages**. In fact, **93% of firms reported** that they have **positions they are actively trying to fill**, and of those, **91% are having great difficulty finding qualifying candidates** to assume those roles. The **hardest-to-fill being** those in the **craft workforce that perform the majority of on-site construction duties**, typically the **most demanding and physically taxing** type of jobs.

The **survey conveyed** how these **staffing shortfalls effect construction firms** of all sizes, ranging from **less than \$50 million** in annual revenue, to those in **excess of \$500 million**; and extended across **all four regions of the United States**. No sector of the **industry was excluded**. Contractors of **building construction, highway and transportation projects, federal and heavy work, or utility infrastructure** all reported **similar severe difficulties**, saying that a **majority of those that did apply lacked the qualifications in order to do the work**. The survey said, *"The most common explanation for difficulty in filling positions, cited by 77 percent of firms is that available candidates lack the skills needed to work in construction or cannot pass a drug test."*

The Compounding Issues

More than **80% of those questioned about problems with staffing** also reported they were **made worse by an increased difficulty** to procure **essential construction materials**, or, even if they were **able to order them**, their arrival was **heavily delayed or all-together uncertain**. Subsequently, these combined **factors continue to drive up the already high costs** due to the rise in inflation **blanketing every market** in the country.

Seventy percent said they **passed along rising materials costs to project owners** during the past year. **Fifty-eight percent of respondents reported that owners canceled, postponed or scaled back projects** due to those **increases in costs**, while one-third of firms **reported projects were impacted** due to lengthening or uncertain completion times.

Possible Solutions

Employers are **taking steps to address their need for workers**, as more than **half of respondents are engaged with career-building programs** at high schools, **college campuses**, career and technical education centers. The **AGC Inland Northwest** chapter launched a combined **local and national program** called **"Trade up 2 Construction"**, a **comprehensive workforce development and community outreach initiative** aimed at **showcasing construction careers and amplifying interest and employment in the construction trades**.

During the **press conference** Cheryl Stewart, the **AGC chapter's executive director**, said the **project addresses two** of what they see as **key problems: image and pipeline**. *"We're launching a media campaign that's going to highlight the hard working men and women of the construction industry and really shines a spotlight on the numerous opportunities and amazing benefits available to those who do join our industry. Next we are hiring a full time industry navigator, in order to have someone here locally working with those who are interested to get them on the right pathway."*

The **widest change adopted by firms was launching or expanding their budgets** for training and **professional development**. In addition to that, **86% of respondents reported an increase to base pay rates in the past 12 months**, while **45% provided incentives or bonuses** and **24% increased their portion of benefit contributions and/or improved employee benefits**.

All these changes, on the whole, can be seen as positive steps in the right direction. In combination, they will see success on some levels, and add to their workforce numbers.

There are questions, however, concerning certain gaps or oversights that the survey does not address or speak to directly or indirectly.

Pay vs. Cost of Living

When asked about general figures or percentages in regards to what the AGC press release described as "raises in base pay", the representatives said they did not ask for specific data from the firms surveyed. This isn't unusual, but it feels entirely relevant to place these terms into a greater context of wages and living conditions in the present environment. *Why?* Because not all raises are equal, especially if they don't keep pace with costs of living. People can't get ahead. If the pay can't elevate a person's quality of life, why would someone take a job with a heavy physical toll?

As of August 25, 2022, the average base pay nationally for a worker in a construction sector job was \$38,013. In 2020, before the pandemic began, that figure was \$37,890. That is only an increase of 0.4 percent.

By comparison, according to the [Bureau of Labor Statistics](#) (BLS) over the previous 12 month period, ending June 2022, inflation of consumer good increased 9.1%.

One way to view this could be in terms of pure buying power. Entry level construction workers are effectively making 8.7% less than they were before COVID-19, and before the current labor shortage and supply chain crisis.

Of course, there are always outliers to these averages, for example: the top earners in the field of general construction work made \$45,831 annually, but the bottom end of that spectrum included entry-level jobs, and those lacking experience which made only \$31,000. Importantly, it is far more likely that this is the starting wage accessible to those described by the AGC survey, but again, these are only averages.

In May 2022, the national median rent surpassed \$2000 for the first time in history. Of the top 10 areas with the fastest growing rental costs, Austin, Texas took the top spot, New York claimed two, and Florida cities filled 30% of the list. One of the speakers at the AGC press conference, Brandon Bull said of the state, "Florida is really boom town USA. We have an exploding residential construction market, concurrently with that we have several large municipal construction programs taking place, such as palm beach County's infrastructure program. All this has really put a severe strain on the available workforce and material availability in our area."

Notable to that statement, West Palm Beach, Florida was number 7 on the top 10 list of cities with the fastest rising rent costs, increasing by 29% over the last year.

A Local Labor Opinion

During the press conference, a number of contractors spoke about their thoughts and opinions regarding the worker shortages, and gave several similar anecdotes about the challenges they are facing all of which parroted the AGC summary. No one can argue that they are dealing with specific scenarios to their area and their businesses. To get another side of things, forconstructionprs.com reached out to a member of the Local 396 Chapter of the United Association in Warren, Ohio.

A fifth year pipefitter apprentice said, "The big problem we have is retention. Kids that are 18 to 21 years old, see us at a job fair, they see sparks and everything like that, and they think it's really cool until they do it for two years and then they quit. Job fairs are cool to introduced people to the trade, but getting people to stay is an issue that I see."

When asked if they noticed any cases where workers tended to fair better, and stay with the profession, the pipefitter apprentice replied, "A lot of people that are still there used to be cooks at a restaurant, nurses, people that have already been in the workforce for like, a prolonged amount of time."

A similar line of questioning was presented by forconstructionpros.com during the live press conference, about whether or not the right available labor pools were targeted. Another respondent stated, "We haven't just targeted new workers, but we've actually been targeting folks either who've been displaced from the hospitality or retail sector because of the lingering impacts of the pandemic, or just because they can make more money in construction than many retail and hospitality jobs."

A Void in the Market

One aspect of this crisis not yet addressed is, in reality the largest elephant in the room. According to a [Bloomberg](#) report on federal research, "More than 3 million Americans retired early because of the Covid-19 crisis. That's equal to more than half of the workers still missing in the labor force from pre-pandemic levels." This in addition to more than 1 million American lives lost to the disease itself, even considering not all of those deaths were of working age persons. What is largely ignored by industry associations is the large dearth of labor caused by the COVID-19 pandemic.

What this amounts to is an enormous gap in the market. It can't all be attributed to the common talking points that are frequently repeated, and which many have heard countlessly. "People just don't want to work", "Millennials are lazy", "People make more money on welfare" etc.

These talking points should be rejected, flat out. These kinds of answers offer no solutions, but they do give the simple and immediate certainty of knowing. The issues of labor shortages extend beyond the construction industry. Every industry is dealing with the same exact problems.

The steps that the AGC and Autodesk suggest in their summary are good. Offering more apprentice opportunities, increase spending for training programs and technology, and improve outreach toward the varying labor pools looking for better wages and conditions.

What the industry must interrogate, however, is whether it can deliver on the promises it makes? Can it meet people where they are, elevate their quality of life? Can some begin to "right the ship"? Those that do, will likely see some of their labor shortage problems start to change for the better. Time will tell between the two.

The 'Stop Work Authority' Approach

It's effective for managing risk and safety, but there are challenges to consider

The intent of a “**stop work authority**” (SWA) when included in a safety program is to **empower employees** to take action when they see a **situation that is unsafe** or think a worker may **get injured**. This is **generally referred** to as a **progressive approach** to ensuring that everyone **becomes engaged** in looking out for each other as well as a **major step** in improving **worksite safety**. This approach also **benefits project supervision** by having to **spend less time** on safety and more on “**running the work.**” To say nothing of the **improvement in productivity**, operational **efficiency**, **reduced risk** as well as **profitability**. This may be viewed as a “**win-win**” approach to **managing risk and safety**.



Stop Work Implementation Challenges

Though the **SWA process** and **practice** may seem as **beneficial** at many levels in **dealing with operational risk** and **worker safety**, there potentially may be some **unforeseen barriers** or challenges to its **actual utilization**. Some of these **challenges** may stem from:

- *Operational factors affecting the possible ignoring of the SWA may be caused by supervision's emphasis on meeting a task completion target causing the crew to take risks in order to meet a production goal. The person may be influenced by peer pressure not to speak up, as such practice is accepted by the group. Also, one subcontractor's employee may assume that they cannot stop another subcontractor's worker even if they are at risk of injury.*
- *Worker perception may also play a role in the stopping the usage of the SWA in some situations. A worker may not want to alienate the other person by calling them out on their at-risk behavior. The perceived unsafe act may be performed by someone with more experience or who has been with the organization longer, thereby discouraging another's intervention. The person seeing the at-risk behavior may not deem it as risky because they have worked in a similar manner without an adverse effect before.*
- *The person observing the situation may feel that he or she does not have the authority to intervene in that particular situation. The unsafe act may be engaged in by a worker in a task about which the observer has little or no expertise. The observer may not perceive the situation as being hazardous or the action as unsafe. There are researched underlying reasons for a worker's hesitation to stop the work. This is best explained by The Diffusion of Responsibility or the Bystander Effect. Both of these phenomena have been well researched in social psychology.*

Diffusion Of Responsibility

Diffusion of Responsibility is a **psychological phenomenon** wherein people are **less inclined to take any form of action** or **feel a sense of responsibility** to get involved **due to the fact that others** are present in or **around the area**. When people **find themselves in groups** of three or more, they **may feel less responsibility** to get involved because the **others may have done so already**. If the observer is **uncertain of the situation**, he or she may **look around to see what others** are doing. If **no one takes any action**, the person may assume that the **situation probably may not warrant any action on his or her part either**.

In an **office situation**, someone **requiring information or assistance** may send out a **large number of emails** with a **request to many others**. The thinking may be that **someone from that large group** is bound to **respond**, thereby ensuring resolution. It **also saves time** because if someone **doesn't get what he or she needs** by contacting only one person, they **will have to contact another**, and then even **another until they get what they want, but much later**.

Social psychology research has shown that the **response is inversely proportional** to the **number of people** simultaneously contacted. The **research has also indicated** that there are **more responses to e-mails** addressed to **single individuals**, and the information **tends to be more helpful** as well. **Diffusion of Responsibility** is often used to explain the **Bystander Effect**, a **phenomenon in which the greater** the number of people that are present, the **less likely people are to help** an individual in distress.

The Bystander Effect

The **Bystander Effect** occurs when the **presence of others hinders** an individual from **intervening in a situation** that may cause **injury or harm to others**. The concept was **publicized following** the infamous **1964 Kitty Genovese murder in Kew Gardens, New York**. Kitty was stabbed to **death outside her apartment**, while people in her **building and adjacent ones** observed or were **aware of the crime** but did **nothing to assist or call the police**. **Social psychology researchers**, Darley and Latané, attributed the **Bystander Effect** to the **Diffusion of Responsibility** as the reason why so many people did nothing.

They **conducted a number of experiments** verifying that people in **groups tend to respond** to an emergency at a **much slower rate**, if at all, than if **they are the only person present**. They even found that the **amount of time it takes** a participant in an **experiment to take action** and/or seek help **varies depending on how many other observers are in the room** or general area. There are **two major factors involved** that contribute to the **Bystander Effect**.

The **first** is the **presence of other people**, which leads to the **Diffusion of Responsibility**. The **second reason** is the **need for people to behave** in correct and **socially acceptable ways**. When the other people in the **area fail to act**, individuals often **take this as a signal** that any form of **action or response is not required**. This sort of **thinking may even lead to the conclusion** that any **action taken may be inappropriate**. Other researchers have **found that onlookers** will tend to be **less likely to intervene** if the situation is **perceived to be unclear**, open to interpretation, or **enigmatic**.

How does all this relate to the “stop work authority?” A key **factor is the realization** that another **person may possibly be in harm's way**. To actually intervene, one **must believe that the person** is not aware of the **risk and must be stopped** before he or **she gets injured**. Some of the reasons the **observer fails to take action** may be the fact that **he or she does not deem** the situation to be **so hazardous** that there is a **high probability of harm** or that the **action will actually lead** to harm. Stopping the **work may have negative consequences** on production, and the observer **may not be sure that supervision** may have a **different interpretation** of the situation after the **fact and determine that stopping** the work was an **overreaction on the part** of the observer.

Conclusion

To **ensure that the SWA** works more effectively, **management must make sure** that all workers **fully understand** what would **constitute a situation** which requires **them to take action**. Workers must also be **reassured that** there will be **no negative consequences** should they **err on the side of safety**. Management **must also ensure** that the work **climate is fully supportive** of the **SWA** and the **workforce is comfortable and fully supportive of the policy**.

SAFETY Q&A

How can employers identify and reduce worker fatigue?

 Transportation, healthcare, warehousing, meat processing, emergency response and the military are just a few examples of jobs that experience worker fatigue. As the holiday season quickly approaches, it is another reminder for employers and workers to assess the workplace. Long work hours or irregular shifts and worker stress can contribute to worker injury rates and produce negative health effects.

Employers should:

Examine and provide workers with opportunities to provide input on staffing issues such as workload, work pace, work hours, understaffing and both scheduled and unscheduled worker absences, which can contribute to stress and fatigue.

Arrange schedules to allow for rest breaks and nighttime sleep.

Make adjustments to the work environment such as lighting, temperature and physical surroundings to increase alertness.

Educate and train workers on workplace stress and fatigue and their associated health impacts, and the importance of diet, exercise and stress management strategies to minimize the adverse effects.

Consider implementing a **Fatigue Risk Management Plan**.

Read [more](#) on implementing a **Fatigue Risk Management Plan** and educating workers on healthy sleep.

4 Common Causes of Forklift Operator Injury or Death



Forklifts are **common work vehicles** used by most **construction and manufacturing industries**. Also known as **powered industrial trucks (PITS)**, forklifts are used **most often** to lift heavy loads and **transport supplies** and can either be **operated by a trained worker** or controlled by a **walking driver**. Either way, these **trucks can be extremely** dangerous given the **size and weight** especially when **operated** by inexperienced workers, in **unsafe workplace environments**, or if the machinery is **poorly maintained**. Data from the **Occupational Safety and Health Administration (OSHA)** show these **industrial vehicles** are involved in **nearly 100 worker deaths** and **20,000 work-related injuries** each year.

There are **several types of forklifts** and each comes with **different hazards associated** with its **operation**. For example, **OSHA** explains “*the chance of a falling load accident occurring when the truck is a sit-down, counterbalanced rider truck is much greater than when the vehicle is a motorized hand truck because the height that the load can be raised on the sit-down rider truck is much greater than the hand truck.*” Many **workers involved** in forklift incidences will **become injured** in these **four ways**:

- 1. Lift trucks are inadvertently driven off loading docks.**
- 2. Lifts fall between docks and an unsecured trailer while a worker is onboard.**
- 3. Workers (or pedestrians) can be struck by a lift truck.**
- 4. Trucks may fall while on elevated pallets and tines.**

Workers can also be **killed or seriously hurt** in **rollover accidents**, when loads **fall onto them**, or tragically **runover by forklift operators** who are **distracted** or using **illegal, non-prescribed substances** or **doctor provided substances** in excess of prescribed amounts, a **workplace drug abuse epidemic reaching industrial workers** at skyrocketing rates.

Most Forklift Accidents Could Be Prevented

These **powerful machines** can weigh up to **9,000 pounds**, which is **three times heavier** than many **cars**, and **travel up to 18 mph**. But unlike a car, **forklifts only have brakes** in the front, making them **harder to stop**. In addition, **forklift trucks** are very different from **regular vehicles** in the way they **maneuver and require center of gravity balance**. Much of the **required forklift operator training** is focused on **getting to know** the machine, **load capacity**, stability, and **understanding limitations** and risks. **OSHA** says **nearly 70 percent of most forklift accidents** could be **prevented**, leaving **employers** responsible for **training operators** and **positioning safeguard policies** for all workers. In addition, it is a **violation of Federal law** for anyone under the **age of 18 to operate** a forklift or for **anyone over 18-years-old** who is **not properly trained** and certified to do so.

Failing to **maintain the forklift** is another **dangerous fault** of employers. Workers **need to be trained to perform** a pre-shift inspection and **never operate the forklift** if it is **deficient in any way**. **National Institute for Occupational Safety and Health (NIOSH)** research has shown that **both defective and failing products** such as **overhead guards**, **backrest extensions**, **blades and restraint systems**, or improper training and **maintenance are** at the center of **most forklift accidents** and injuries, leaving the **employer liable**. When this happens, the **injured person** or deceased **worker's family** may have a case to **support their need** for compensation to **cover lost wages**, **medical bills and related healthcare expenses**, **disability payments**, **pain and suffering** including **emotional distress**, as well as **other needs specific** to their case. If you or **someone you know** has been **killed or injured** in a **forklift accident** or other **industrial vehicle accident**, they should **follow these steps**:

- 1. Seek medical attention immediately.**
- 2. Notify your employer and file an injury or accident report.**
- 3. Preserve legal rights by hiring an attorney because your employer has likely already done the same.**
- 4. Collect statements from witnesses and coworkers at the event.**
- 5. Contact a work accident attorney to assist you in gathering evidence and filing your suit.**

Remember to **never sign or agree** to anything **your employer gives** you regarding the **incident or your injury** without first **consulting with a lawyer**.

OSHA oversees the **responsibility for work safety** regulation in about **half the U.S.** Others operate under **State Plans** (**OSHA-approved job safety and health programs**). **Federal regulations allow** the state to **carry out inspections**, enforcement, and other **work safety programs** with the caveat that **they be equal to**, or better than, what the **federal government** would provide. **OSHA Quick Card - Safe Forklift Operation** ([pdf](#))

MJS Legacy Safety offers forklift training. Give us a call!

Managing Cold Stress with the Proper PPE

No matter the type of work, any worker exposed to cold temperatures faces risks.



As the seasons turnover to the colder months, safety managers transition their mindset from managing heat stress for their workers to the opposite phenomenon—cold stress. **Cold stress** refers to environmental conditions (such as air temperature, windchill temperature and rain) in which body heat is lost faster than the body can produce it. Low temperatures and high wind speeds that are common during the winter months are a dangerous combination. These weather conditions expedite the rate at which heat leaves the body, increasing the risk of cold stress for outdoor workers.

Workers who may be affected by cold stress are wide ranging, from those on construction sites to oil and gas operators performing maintenance work. According to the National Institute for Occupational Health and Safety (NIOSH), extreme cold weather is a dangerous situation that can bring on health emergencies. And what is considered cold stress and its effects can vary across different areas of the country, making it critical for employers to recognize their employees' working environments. For example, in parts of the country relatively unfamiliar to cold winter weather, near freezing temperatures are considered factors for cold stress. No matter the type of work, any worker exposed to cold temperatures faces risks. Two of the most common kinds of cold stress include hypothermia and frostbite.

The National Weather Service states that hypothermia is the most common cause of winter weather fatalities and occurs when body temperature drops below 95 degrees Fahrenheit. In 2019, about 1,300 people in the U.S. died of hypothermia. Symptoms of hypothermia include severe shivering, confusion, slurred speech, slow heart rate or slow breathing and loss of consciousness.

Frostbite is another winter hazard that workers may be exposed to while working in harsh environments. Frostbite is a condition where the skin and body tissue begins to freeze, starting in the extremities with limited blood circulation. Symptoms workers should look out for include numbness, reddened skin, grey or white patches on the skin, firmness of the skin and blistering.

Cold-related disorders such as hypothermia and frostbite are real risks workers can face on the job unless safety measures are taken seriously. The good news is that there are steps workers can take to keep themselves protected, including working during the warmest part of the day, keeping active, staying hydrated, avoiding prolonged exposure to extreme temperatures, covering all exposed skin and dressing in warm layers. In addition, OSHA recommends workers prevent cold stress with appropriate PPE. Depending on work conditions, it is important for employers to consider providing the following PPE to keep their workers safe in extreme temperatures.

Layered Outerwear



First and foremost, workers need to make sure they are wearing layers of warm clothing. But some workers may wonder how many layers and which materials are best. As a rule of thumb, protective clothing should be selected according to temperature, weather conditions such as wind speed, the duration of outdoor activity and the level of intensity of the job that will be performed. This is because the level of perspiration generated while working dictates the layering. In general, multiple layers are better than a single thick garment so that workers have the option to remove layers if they begin to sweat or add layers if taking a break or performing less strenuous tasks.

The inner layer should provide insulation and keep moisture away from the skin, to keep it dry. Synthetic fibers, such as polyester and polypropylene, are two materials that fit this purpose. On the other hand, the outer layer should be waterproof and should have openings to allow perspiration to escape and evaporate.

Warm Gloves



To protect fingers from frostbite, gloves are a critical part of cold-weather PPE. To be most effective, they should balance protection, flexibility and dexterity—even at very low temperatures. When selecting gloves for work in cold weather, look for options with a winter lining suitable for temperatures down to negative 20 degrees Fahrenheit. Moisture-wicking fabric for sweat management is also critical to help keep workers on the job dry. Lastly, the material of the outer shell of gloves is also important. Look for options that are cut resistant with multilayer palm fabrics for protection and grip.

Insulated Anti-Slip Boots



The U.S. [Bureau of Labor Statistics](#) states that in 2017, there were more than 20,000 workplace injuries due to ice, sleet and snow. Because of this increased risk of slipping in the colder months, work boots with anti-slip rubber soles are crucial for winter safety footwear. Felt-lined boots for insulation are recommended, and leather-topped boots with removable felt insoles are also great for sweat evaporation as leather is porous and allows feet to “breathe.” When it comes to socks, liner socks made of synthetic materials are one of the best options to keep feet dry and keep sweat away from the skin.

Fall Protection



Snow, sleet and ice not only multiply the number of slippery surfaces in the work environment, but they also pose threats for workers at height. A surface under construction that is weighed down by snow should be inspected by a professional before work begins to make sure it is structurally sound and to avoid risks of it collapsing. Rooftops covered in snow can also hide features such as skylights that workers can potentially fall through if the proper precautions are not taken. For these reasons, employers should consider the need for a comprehensive fall protection system for workers at height as well as training for workers and site inspection protocols to help ensure worksites are safe for entry.

Winter Eyewear



To stay safe in the cold, workers may initially focus on the precautions listed above and make sure they have proper gloves, boots and layered clothing. But there is another piece of cold-weather equipment that should not be overlooked: eye protection. Outdoor work in the winter can expose the eyes to low temperatures, which can cause pain and blurred vision; wind, which can blow snow, rain and debris in the eyes; and glare from snow, ice and other reflective surfaces, which can impair vision and cause eye fatigue. By using these eyewear tips, workers can help protect their vision in cold environments.

- **Extra face coverage.** Goggles and sealed eyewear create a shield for the eyes, forehead and upper cheeks, providing warmth and coverage in the cold.
- **Comfortable fit with other PPE.** Most goggles and sealed eyewear have wide and/or adjustable headbands to fit many head sizes, while keeping the lens secure on the face. The headband can also be used over hats, hoods or other head protection.
- **Features for clear vision.** Prevent fogging with a premium anti-fog lens coating that does not wash off, as well as vented frames that create airflow.
- **Tinted lenses.** Choose goggles and sealed eyewear with optional lens tinting to reduce brightness from sun and glare.
- **Soft foam.** For warmth and comfort all shift long, find frames with soft, dense foam around the face.

As we **enter the winter months this year**, it is a good reminder that **no matter how cold** the weather gets, **trusted PPE providers** can help **keep workers warm and protected**. Not only that, but by **having the right equipment**, it boosts **productivity as well**. When workers are safe and comfortable for long shifts, even in tough and **cold environments**, they are **more likely to be engaged** and confident in their **tasks, performing them correctly** and efficiently.





The Facts About Obtaining an OSHA Card

Many job creators ask their workers to obtain an **OSHA** card. This often refers to the **Occupational Safety and Health Administration's (OSHA) Outreach Training Program's** 10-hour and 30-hour safety courses. Unfortunately, there has been an increase in fraudulent activity related to these courses over the past several years. Knowing the facts can help workers avoid fraudulent trainers and courses.

FACT: Only **OSHA** -authorized trainers may teach **10- and 30-hour safety courses** and issue **OSHA** student course completion cards.

The **10-hour safety course** covers general safety and health hazards for entry-level workers. The **30-hour safety course** provides a greater variety of safety subjects and in-depth, industry-specific training and is intended for supervisors and workers with safety and health responsibility. While fraudulent actors may advertise **OSHA 10-hour training**, only **OSHA** -authorized trainers can issue course completion cards at the end of the training. Course attendees should always ask to see the trainers DOL card.

FACT: Taking the course does **NOT guarantee** employment.

While **OSHA** believes this training is an important first step towards workplace safety, beware of advertisements "**guaranteeing**" jobs after taking the course.

FACT: **OSHA** does not require completion of these courses, but may require other training for workers that encounter certain workplace hazards. Although some states, cities, and job creators have mandated **Outreach Training Program** courses as a prerequisite to employment, **OSHA** does not require the training. In other cases, jobs may include workplace hazards that require training to meet **OSHA** standards, such as training on common chemical hazards encountered in the workplace, or operator training for specific powered industrial trucks on the jobsite. Be sure to check your local requirements and consult the relevant **OSHA** regulations.

Keep these facts in mind when searching for courses and trainers to ensure proper safety training and avoid fraudulent courses. If you come across any fraudulent actors, please contact the [Department of Labor's Office of Inspector General](#).

LET MJS Legacy Safety BE YOUR
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ONE STOP SHOP FOR TRAINING.
See [page 4](#) for classes offered this month as well as links to [All](#) of the training available.

Questions?
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Did You Know?

Stress can be harmful to our physical health and increase mental health challenges. While workplaces can be a source of stress, they can also be a key place for resources to improve employee mental health and well-being. Visit **OSHA's Workplace Stress webpage** for employer guidance, real-world solutions and outreach materials.

¿Sabías?

El estrés puede ser perjudicial para nuestra salud física y aumentar los problemas de salud mental. Aunque los lugares de trabajo pueden ser una fuente de estrés, también pueden ser un lugar clave de recursos para mejorar la salud mental y el bienestar de los empleados. Visite la página web de **OSHA** sobre el [estrés en el lugar de trabajo](#) para obtener orientación para los empleadores, soluciones prácticas y materiales de divulgación.

NIOSH Announces 11 Centers for Agricultural Safety and Health

The **National Institute for Occupational Safety and Health (NIOSH)** has funded 11 [Centers for Agricultural Safety and Health \(Ag Centers\)](#). One new Center in Illinois will join existing Centers in California, Colorado, Florida, Iowa, Kentucky, Minnesota, Nebraska, New York, Texas, and Washington State. The **Ag Centers** represent the Institute's largest extramural investment in agriculture, forestry, and fishing research and outreach to further its mission of protecting and advancing the safety, health, and well-being of the workers who produce food and fiber for our nation. NIOSH also supports the [National Children's Center for Rural and Agricultural Health and Safety](#) which specifically addresses the needs of children and families who live and work on farms across the country.

"For decades, the **Ag Centers** have been integral to our efforts to reduce injury and illness in the agriculture, forestry, and fishing sector," said NIOSH Director John Howard, M.D. "The addition of the new Illinois **Center** expands the regional scope in NIOSH's capacity to address the growing need for research and interventions to address the mental health and wellbeing of agriculture workers."

The **Great Lakes Center for Farmworker Health and Wellbeing**, based at the **University of Illinois Chicago**, is the newest **NIOSH Ag Center**. It was created to amplify research efforts in farmworker health and wellbeing, as well as foster tighter networks of researchers, policy makers, advocacy groups, and healthcare organizations. Initial projects for the new **Center** include adapting existing worker wellbeing surveys to

address the unique nature of agricultural settings and using medical records to identify and characterize farmworker illness and injury, since nonfatal farmworker injuries and illnesses often go unreported.



"**NIOSH Ag Centers** are able to work collaboratively on national efforts and events such as the COVID-19 pandemic and projects such as the **Centers' YouTube channel**," said Jennifer M. Lincoln, **NIOSH** Associate Director

for the **Office of Agriculture Safety and Health**, "while at the same time, each **Center** specializes in the distinct agricultural, forestry, and fishing industries and worker safety and health needs of their region. Having a new **Center** that covers the **Great Lakes area** and focuses on worker health and wellbeing is a welcome and timely addition to the **Ag Centers'** capacity to conduct research, train workers, and promote best practices."

The **NIOSH Ag Centers** were established as part of a **Centers for Disease Control and Prevention / NIOSH Agricultural Health and Safety Initiative** in 1990. The **Centers** were developed by a cooperative agreement to conduct research, education, and prevention projects to address the nation's pressing agricultural, forestry, and fishing (**AgFF**) health and safety problems. Despite steady declines in fatalities in the **AgFF** sector over the past 30 years, in 2020, **AgFF** workers experienced the highest fatal injury rate at 21.5 deaths per 100,000 full-time workers, compared to a rate of 3.4 deaths per 100,000 workers for all U.S. industries.

More Information

- Learn [more](#) about the research interests of each Center from the NIOSH Office of Extramural Programs.
- Find [more information](#) about the NIOSH Agriculture, Forestry, and Fishing Program.
- The **Funding Opportunity Announcement for the Centers for Agricultural Safety and Health** can be found at [this link](#).

NIOSH is the federal institute that conducts research and makes recommendations for preventing work-related injuries, illnesses, and deaths. Find [more information](#) about **NIOSH**.

MJS Legacy Safety can help with your **Workplace Safety Solutions**

We are your One Stop Safety Shop

Give us a call!

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.](#)

MOVE OVER. IT'S THE LAW.

All 50 States have "**Move Over**" laws to protect law enforcement officers and other first responders stopped on our Nation's roads. Colorado law ([pdf](#)) requires drivers to safely move one lane away from emergency, tow, or maintenance vehicles. If they're unable to move over, speed must be reduced to 20 mph below the posted speed limit.

Yet, *many of our drivers are unaware of these laws*, and traffic-related incidents continue to be the number one cause of death among on-duty law enforcement officers.

Therefore, together with our law enforcement partners and State highway safety offices, **NHTSA** is working to increase awareness of these life-saving "**Move Over**" laws and highlight the need to protect public safety professionals who place themselves at risk to protect motorists.

By working with local organizations and raising public awareness of "**Move Over**" laws through earned and social media, you can make a difference and save lives.

Click [here](#) to get your new campaign materials now.

ON BEHALF OF THE **NHTSA** TEAM, THANKS FOR YOUR PROACTIVE SUPPORT IN HIGHWAY TRAFFIC SAFETY.



First 'Women Of Trucking Advisory Board' Meeting To Be Held In November

The **Federal Motor Carrier Safety Administration** announced that the first **Women of Trucking Advisory Board (WOTAB)** meeting will be held Nov. 9 from 9:30 a.m.-4:30 p.m.

The meeting will be held virtually for its entirety. Those interested in attending can register in advance (by Nov. 7) [here](#).

Items on the agenda include an ethics briefing for **WOTAB** members; a report by **FMCSA's Office of Research** on the results of "*Crime Prevention for Truckers*," a study of women and other truck drivers and their safety on the road, followed by a discussion; and other speakers who may share insights into what **WOTAB's** establishment means to them.

Public comments will be heard during designated comment periods at the discretion of the **WOTAB** Chair and Designated Federal Officer.

Speakers are requested to submit a written copy of their remarks for inclusion in the meeting records and for circulation to **WOTAB** members. All prepared remarks submitted on time will be accepted and considered as part of the record. Any member of the public may present a written statement to the committee at any time.

WOTAB will coordinate with trucking companies, nonprofit organizations and trucking associations to support women in trucking. The board will provide recommendations to the **FMCSA** administrator and the **U.S. Secretary of Transportation** to advance efforts to recruit, support and ensure the safety of female commercial motor vehicle drivers and the trucking industry at large.

Visit the [WOTAB website](#) for further information on the committee's activities to advance women in the trucking industry.



Unannounced Hazmat Inspection Blitz Found More Than 1,700 Violations

An unannounced five-day inspection blitz in the U.S. and Canada over the summer found 1,774 violations of regulations regarding hazardous materials/dangerous goods.

June 13-17, truck inspectors checked 6,204 vehicles transporting hazardous materials/dangerous goods and 6,668 HM/DG packages in Canada and the U.S. for an initiative for the **Commercial Vehicle Safety Alliance**.

Vehicles found to have hazmat-related out-of-service violations, and/or any other driver or vehicle out-of-service violations, were restricted from traveling until all out-of-service violations were addressed.

According to **CVSA**, during the 2022 HM/DG Road Blitz, inspectors discovered the following violations:

- 408 shipping papers violations
- 269 non-bulk/small means of containment packaging violations
- 272 bulk packaging/large means of containment placarding violations
- 76 non-bulk/small means of containment labeling violations
- 159 bulk packaging/large means of containment placarding violations
- 79 other safety marks violations
- 168 loading and securement violations
- 43 HM/DG package integrity (leaking) violations
- 84 transportation of Dangerous Goods Training Certificate violations (Canada only)



According to **FMCSA's data** for the last calendar year (as of Aug. 26, 2022), the top five hazmat violations in the U.S. were:

1. Package not secure in vehicle
2. No copy of USDOT HM registration number
3. No or improper shipping papers (carrier)
4. Shipping paper accessibility
5. Vehicle not placarded as required



A Sharp Rise In Moving Violations, As Inspection Numbers Inch Back Toward Pre-COVID Levels



It's not just staffing issues that have contributed to the decline in inspections since the pandemic, though. Other factors include, according to Captain Barnes, the

The decade-long annual **CSA Data Trail** investigation of inspections/violations trends for 2022 shows clearly what the COVID-19 pandemic did to state and federal roadside inspection programs. With very few exceptions, inspection numbers took a nosedive in 2020 as law enforcement departments and truckers themselves sought to limit person-to-person contact. Some states continued that trend in 2021, perhaps to the delight of owner-operators seeking further relief from the risk of this one of a myriad potential delays to any haul.

A longtime independent trucker noted he'd been inspected just a single time since the COVID-19 pandemic began, in Arizona, where a minor, and questionable, violation was encoded as a result for his computer equipment and toolboxes' supposed obstruction of his view forward and to the right out of the windows. Aside from that, "I have gone through areas where they're famous for inspecting you," he said, including "certain places in Texas, the super-coop in Illinois on I-55 north of St. Louis, north of Springfield on the southbound side of I-55," and many others, without a pull-in to speak of.

Generally, it seems states across the board "haven't been inspecting that much," he added.

Longtime inspection-intensity leader California, conducting more inspections per lane-mile of National Highway System than any other perennially, showed continued decline in overall inspection numbers. A spokesperson for the California Highway Patrol, noted challenges out West "in staffing of both uniformed and nonuniform personnel" over the last few years.

That's meant reallocation of otherwise truck-enforcement dedicated and specialized resources "to general law enforcement coverage and periodic deployments for civil protests/unrest," the spokesperson said. Think trucking has a recruiting problem? That issue is acute for many law enforcement agencies.

Captain Josh Barnes of the Commercial Vehicle Enforcement Division of No. 2 inspection-intensity leader Maryland, put a finer point on that. His division alone currently operates with 35 vacancies, 10 sworn and 25 civilian truck inspectors not working full-time on inspections.

"There's a definite loss of manpower in every jurisdiction, though some states are doing a little better than others," said Chris Turner, the Commercial Vehicle Safety Alliance's director of enforcement data and judicial outreach to state/federal enforcement departments and industry.

Increased funding for state programs, funneled through the Federal Motor Carrier Safety Administration's big payday via last year's infrastructure legislation, will certainly be available, Turner added. Yet when it comes to truck-inspection-specialized personnel, "when you lose people it takes years to build back up. It takes years to school them up," particularly when it comes to vehicle-related inspection levels.

California has dropped a full four inspections per lane-mile since the last pre-pandemic year of 2019, according to federal data analyzed by *Overdrive* and sister data company RigDig. In 2019, California led the way in this category with 18 inspections per lane-mile.

In addition to California, indeed most other states have also taken a step back from pre-pandemic inspection levels, though Maryland, close on California's heels in terms of inspection volume per lane-mile, performed more inspections in 2021 than in 2020. Maryland's inspection levels year to year more closely resemble the national trend.

simple fact of such a large portion of a formerly commuting general-public workforce now at home, recognizing the work that goes on in the neighborhood on a daily basis, requiring manpower reallocation to an extent. "We had a huge influx of traffic complaints, exhaust complaints," and more, Barnes said. "They hadn't noticed the truck traffic" before home working 24/7.

The surge of New Entrants with "Great Resignation" dynamics throughout, too, necessitated a reallocation of significant portions of the force away from roadside and fixed-location inspections and to New Entrant audits. "I'd like to say that was just a surge, but I think it's now a trend," Barnes said, with at least some measure of staying power.

Outside of Maryland, national inspection numbers were bolstered in 2021 by a bevy of relatively low-intensity and/or smaller states – Alabama, Connecticut, Delaware, Maine, Michigan, Mississippi, Rhode Island, Wyoming – where 2021 levels were actually above those seen pre-pandemic. Another such state, North Carolina, has boosted its own numbers by almost 12% since 2019, rising up the inspection-intensity rank to a tie with New Mexico for No. 3.

That's in part due to efforts through recent years of the state Highway Patrol's Commercial Vehicle Enforcement Section to "train additional personnel to assist with conducting more roadside inspections," said First Sergeant Travis Ingold. "Specifically, our instructors have trained and certified additional sworn and civilian members outside of our section but within our agency to conduct Level 3 Inspections," or the driver-only variant of CVSA's uniform [inspection levels](#).



That fact, Ingold added, *"would most likely explain the increase in inspections conducted."* For what it's worth, **Maryland's 2021 decline** compared to **2019 coincides** with a **re-emphasis on comprehensive Level 1 inspections**, certainly **more time-consuming** than the **driver-only Level 3**.

Level 3 inspections **represent less of a delay** for owners, too, of course, given **they exclude the equipment-related portion** of the **Level 1 and others**. And at least in **North Carolina**, there's **evidence** that a **great many of those additional inspections** are ending with **no violation incurred**. North Carolina now **ranks No. 2** for its high **percentage of so-called "clean" inspections** – almost **7 in every 10 conducted** there in 2021 were **violation-free**. It **hasn't always** been that way. As recently as **2016** about **half of North Carolina inspection reports concluded** with a **violation of some kind**, that percentage **falling quickly** in 2017 and 2018 **to where it sits today**.

Ingold noted the state now *"emphasizes the importance of conducting an inspection for every Commercial Motor Vehicle stopped, whether it is a random safety inspection or an inspection resulting from a traffic violation."*

Such a **view could well** be one **adopted more readily** nationwide. The trend in **clean inspections** is up **considerably long-term** – in the **early days following FMCSA's** launch of the **Compliance, Safety, Accountability** program in **2011**, for instance, **just around 38%** of all inspections were **violation-free**.

Over the **long term**, **CSA** has **ushered in something of a culture shift** in law enforcement, said **CVSA's** Chris Turner, formerly of the **Kansas Highway Patrol**. He was **speaking to law enforcement's recognition** of the growing **importance** of every inspection, and **every violation**, to the **motor carrier community**. That's **translated** to *"these days, law enforcement folks on the road have a much better acceptance that they may not have done something right."* Turner was **speaking specifically** about the **DataQs** program and the **profusion of carrier challenges to particular violations** – a process **whose now routine nature has helped bring about the culture shift**.

"It's taken a good 10 years," but for **most officers** today a **DataQs** request for **review of an inspection, violation or crash doesn't feel like "a challenge to their authority anymore," just a **routine matter** whose **importance is recognized**. The possibility of **error**, of course, **carries with it negative implications for any trucking business**.**

In Maryland, a **real reckoning** with this **recognition started** with **COVID itself**, which prompted a **reassessment of the inspection program at a high level**. It's become a **part of official quality-assurance policy and procedure**, said Captain Barnes. **Officers in the truck-enforcement division** refer to it as the *"pre-DataQs plan,"* whereby **internal staff conduct reviews of inspections/violations with the intent of catching inspector mistakes and correcting them before carriers even have an opportunity to engage the DataQs system**.

"We do a randomized internal audit every month and correct our own inspections and send them out to carriers," Barnes said. Before the **program rolled out post-COVID**, the **department's DataQs correction rate** was on the **order of 70%** of **DataQs reviews acted upon** and **"overtuned"** in the **carrier's favor**. Now, *"we're well before the 40% mark, in lower 30s,"* Barnes added, and if you **exclude inspection-related requests** where the **wrong carrier** was assigned, **almost always corrected**, *"we went from 39% overtuned to just 8%."*

The **department's now rolling that process out to state and local partner agencies**.

Yet **CVSA's** Turner **well knows DataQs reviews don't always work seamlessly**, though, as **issues have continued** to bedevil **motor carriers in some jurisdictions**. Recognition of the **importance of every inspection**, whether a **violation is uncovered** or not, too, is **by no means universal** among **state enforcement departments**. State-by-state **percentages of violation-free inspections** range from **14.5% on the low end (Iowa)** to more than **70% on the high end (Mississippi)**.

Among **high-inspection-intensity states**, interestingly, **three of the top five** – *California, New Mexico, North Carolina* – also **rank in the top 10** for most **clean inspections**. On the flipside, **so do two of the most violation-prone states (Texas and Indiana)** **charting violations per inspection** by state for **2021**.

Among **violation categories** in this **year's analysis**, there's **evidence, too**, more states like **North Carolina** may be **prioritizing driver-only Level 3 inspections**. Though **high variation in violation priorities** between states **generally is the rule** when it comes to **inspections**, the **national trends for vehicle violations** in the **big brakes, lights and tires categories are all down**. Moving violations -- **often the initiation for a traffic stop** and accompanied by a **Level 3 driver inspection** -- were up in **both 2020 and 2021**, years in which **speeding on the nation's roadways** has been **flagged as a national concern** with **increasing crash fatality numbers**.

The **trend's well evident** in spite of what **CVSA's** Chris Turner said is, **at least anecdotally**, a rise in *"hesitation for traffic stops out there"* among officers, **given rising negative viewpoints** around **law enforcement** in segments of the **wider public**. Bad actors well know *"there's fewer inspections going on,"* Turner said. **Supply-chain issues** have put **many in a hurry**, too, and he guesses **some make the calculation** it's cheaper to **eat the violation** and *"pay the ticket"* in the **event of being discovered as a speed scofflaw**.

"People are just driving more aggressively," Turner added, **pointing to both the wider public and working haulers, too**. *"You can probably see it out there on the roads – crashes are up by any metric you measure. Bad actors are not immune to any of that."* **The true professionals**, though, he knows, the *"good drivers, they're still doing it right."*

Speaking frankly, the **longtime independent trucker** hopes **states, too, smooth out staffing problems** in hopes to **address a perennial ask** of his. He's **long attempted** to convince **Missouri officials** to grant him a **voluntary inspection** to satisfy the **requirement for an annual**. A **knowledgeable officer**, he said, is **worth every bit of maintenance** you might do as a result. *"They're much better than most any inspection you can pay for,"* he said.

FMCSA Renews Waiver Allowing Alternate ELD Rules For Certain Drivers

FMCSA renews ELD exemption from UPS applicable to any carrier

The **Federal Motor Carrier Safety Administration** has renewed an exemption from certain provisions of the electronic logging device mandate for **UPS** for another five years through Oct. 21, 2027.

FMCSA previously granted the exemption to allow **UPS** and all motor carriers and drivers using portable **ELDs** to manually record data that would otherwise be required to be automatically recorded when a driver indicates a change of duty status or logs in or out of an **ELD**. Under the exemption, those requirements do not apply to a driver using a portable **ELD** unless the driver is in the truck with the engine powered.

The exemption also allows **UPS** and other motor carriers to configure their **ELDs** so that a driver can enter yard moves and not require the driver to re-input yard-move status every time the tractor is powered off.

In its original request for exemption, **UPS** said that its drivers are generally hourly drivers and use portable **ELDs** and perform a significant amount of work outside of the vehicle.

The company also noted that drivers generally use the **ELD** to "punch in" while they are still in the building, and then remain on the clock and logged in after they leave their truck until they return to the dispatch office. Automatic logging of events is not practicable for drivers using portable **ELDs**, **UPS** said, because the **ELD** is not synchronized to the engine's ECM when the driver is outside the truck.

Regarding the yard moves exemption, **UPS** said complying with the **ELD** mandate as written would require its feeder drivers to enter manual changes of duty status as many as 20 times in an hour due to the nature of their work.

FMCSA noted that allowing multiple power-off cycles for yard moves is consistent with what is currently permitted for the other special driving category -- [personal conveyance](#).

In its application for renewal, **UPS** stated that it has not discovered any safety issues while operating under the exemption and that it will continue to monitor its safety data.

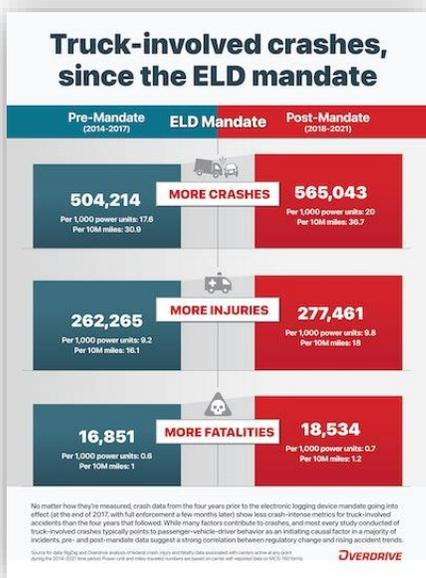
ELDs & Highway Safety: CRASHES, INJURIES & FATALITIES RISE POST-MANDATE

When the electronic logging device mandate was finalized in December 2015, the **Federal Motor Carrier Safety Administration** estimated that the rule would save 26 lives and prevent 562 injuries on an annual basis.

Today, nearly five years since the mandate took effect for much of trucking in December 2017, truck-involved crashes resulting in injuries and fatalities have steadily gone up.

A recent analysis by **Overdrive** and sister business unit **RigDig** looked at crash and fatality/injury numbers in the four years prior to the **ELD** mandate (2014-'17) and the four years following initial implementation (2018-2021).

Crashes and fatalities/injuries numbers in the aggregate were generally flat from 2014 through 2017, rising and falling in small increments. Since the **ELD** mandate took effect in late 2017, however, crashes and injuries/fatalities have risen each year since but for 2020, when **COVID-19-related shutdowns** forced many passenger vehicle drivers to work from home and not commute, reducing highway congestion dramatically for much of the year.



Utilizing crash data from the **Federal Motor Carrier Safety Administration's Motor Carrier Management and Information System (MCMIS)**, as well as authorized carriers' reported power-unit and miles estimates in **FMCSA's** system for each individual year, in the aggregate pre- and post-mandate, here's what the trend looks like comparing four years prior to and post-ELD mandate.

Given most crash-related trends point their way uphill post-ELD mandate, there is an obvious correlation between rising crashes, injuries and fatalities and the onset of the mandate.

When considered year-to-year, though, the various measures are up and down, depending on the timing and how rates are measured.

Both crash counts and those for fatalities/injuries involving trucks considered together were on the decline on a per-power-unit and per-mile basis from 2014 to 2015, yet patterns diverge somewhat in later years. Crash intensity per-reported-power-unit dropped in 2016, for instance, yet per-reported-mile it rose slightly the same year. (It should be re-emphasized: all crashes here are "truck-involved" and do not account for crash fault by any party.)

By and large, though, crash rates from 2018 to 2021, in both metrics, are generally higher on average, as reflected for the entire four post-mandate years.

Injury/fatality numbers, considered together, paint a similarly mixed year-to-year picture. Measured per-reported-power-unit, the high-water mark for injuries/fatalities is the largely pre-mandate year of 2017 -- subsequent years, again but for 2020, saw more consistently-high rates than pre-mandate years, however.

As with patterns in the crash numbers, measured per-reported-mile, injury/fatality combined rates are more definitively up, again excepting the 2020 COVID year.

As for the question of what's causing the climb in crash-related trends post-mandate, most stakeholders in the business of trucking jump to answer with at least some kind of opinion, including **FMCSA** itself. See those opinions on the next page...

FMCSA Downplays ELD Mandate's Significance In Recent-Years Crash Rise

In a recent interview with *Overdrive*, FMCSA Administrator Robin Hutcheson sought to downplay the influence on safety of any single regulatory measure, the ELD mandate included. She reiterated nonetheless the Department of Transportation's National Roadway Safety Strategy that says zero is the only acceptable number of fatalities on roadways.

Regarding the ELD mandate, Hutcheson said it's "always good to think about any individual measure in the whole suite of things that we do," adding that there isn't "going to be one thing that is the indicator of a curve of safety, whether it goes up or down. It's everything, and it's got to happen all at once."

FMCSA Administrator Hutcheson added that because FMCSA's mission is to save lives, the agency is using every tool at its disposal to do that, "including those that are Congressionally mandated" like ELDs, which are "a tool that we believe to improve safety."

FMCSA Associate Administrator for Policy Larry Minor recently noted the FMCSA had not yet begun its "Section 610" review of the ELD mandate, required by the Regulatory Flexibility Act for any rule of economic significance. Yet Hutcheson suggested the agency also sees the correlation between the start of the ELD mandate and the rise in crashes, injuries and fatalities. FMCSA is "interested really in looking at the underlying causes of why drivers become unsafe, and that goes beyond any sort of logging device," Hutcheson said. "That goes straight to the work, some of the structures that drivers are working within."

She believed that there "isn't one factor" on which "you can place an increase or a decrease" in crashes and fatalities, and that there is "always a set of factors."

Plenty of owner-operators beg to differ, to an extent, with an overwhelming number of poll respondents indicating a negative impact for highway safety as a result of the mandate and the ticking-clock pressures it added to an hours of service rule already problematic with regard to on-highway realities. ([See what owner-operators are saying](#))

A study released recently by the American Transportation Research Institute, though, seemed to underscore the view of FMCSA's Administrator Hutcheson. It examined which driver behaviors -- represented by violations, convictions, and crashes -- most closely correlate to future crash involvement. While the research was not designed to link correlations or causation between the ELD mandate and fatigue-related crashes, it did call into question whether there was any relationship between the two at all.

ATRI's report cited a 2019 study by the Eli Broad College of Business at Michigan State University and the Sam M. Walton College of Business at the University of Arkansas, which looked at the effect of the ELD mandate on other driving behaviors. That study found that the ELD mandate reduced truck operators' likelihood of violating hours-of-service regulations but also found that smaller trucking companies, which had low rates of ELD adoption before the mandate, "saw a significant uptick in their citations for unsafe driving behaviors," including speeding, failing to obey traffic signals, following too closely, and improper lane change.

While giving weight to behavioral changes the mandate produced, the study found, too, that fleets of all sizes saw increases in their crash rates once enforcement of the ELD mandate started, suggesting other factors at play.

The Commercial Vehicle Safety Alliance, the standards-setting organization of state/local law enforcement jurisdictions and industry partners, sought to pin rising crash rates on behavioral shifts, too.

"The only thing that we can point to and see," said CVSA Executive Director Collin Mooney, "is that it really boils down to driver behavior."

He said that ever since COVID, and a corresponding decrease in roadside enforcement, safety-adverse behaviors have gotten worse.

"Highways were wide open, and the only thing moving was truck traffic to keep trade and commerce moving," Mooney said. "We saw that bad driving behavior only increased, because law enforcement officials weren't stopping and inspecting as much as they had been, obviously because of the transmission of COVID."

Yet, with fewer cars on the highways, 2020 was among the safest years of the last eight *Overdrive* analyzed. Crashes fell to 1.81 per 100 trucks and 3.43 per 10 million miles, while injuries and fatalities fell to 0.93 per 100 trucks and 1.76 per 10 million miles -- better than any of the pre-mandate years except for 2016.

Nonetheless, Mooney stressed that unsafe behaviors had "really taken off during COVID, and it really hasn't subsided since. We really need to figure out ways to address the driver behavior issue on our roadways."

Mooney said that while the numbers "may give the appearance that it's all related to the ELD mandate," CVSA believed otherwise.

"It's unfortunate that COVID happened right at the onset" of ELDs, he said, though initial implementation in December 2017 was more than two years ahead of the early-2020 COVID lockdowns. "The two are, in my opinion, unrelated, and we're trying to make sense of all of the data currently in play. I just think that people are not driving and operating a commercial motor vehicle as smart as they used to. There's a lot of distracted driving with smartphones and such. I do not believe it's because of the ELD."

FMCSA's Hutcheson emphasized a similar view, noting that "what we're starting to see in the data is that crashes went up for a whole lot of reasons, some of which we don't know everything about yet," she said. "We have to look at a broad set of data for us to have any fidelity in our interpretation of a crash curve that may be going up or going down."

Hutcheson noted, however, that the agency is always reviewing its rules and regulations, "but they have to be taken in context with a safe system and a holistic approach."

IMPORTANT REMINDERS FOR THIS HOLIDAY SEASON & BEYOND ...

Plan to Drink, Use Cannabis, or any other Drug?

- Plan a sober ride home before heading out.
- Consider getting a sober ride to your destination so you won't be tempted to later drive impaired. Options available include taxis, Uber, Lyft and public transit.
- If you have a designated driver, ensure they are truly sober, not simply more sober than you are. Buzzed driving is still drunk driving.
- If you're ever unsure whether you are safe to drive, always err on the side of caution and find a sober ride home.

Hosting a Party?

- Encourage your guests to designate a sober driver or plan for a safe ride home before heading over.
- Create an Uber or Lyft group ride code for your party and share with your guests.
- Provide plenty of food and non-alcoholic drinks and encourage your guests to bring their favorites to keep everyone fed and hydrated throughout the party.
- Don't forget that, as a host, if you serve a guest alcohol and he or she gets in a crash, you could be held liable.
- Offer guests a night on your couch if a sober ride home is unavailable.

Are You the Designated Driver?

- If you're driving, do not drink. Your responsible choice can save lives.
- Offer safe rides to those who may not have prepared a sober ride home.
- Buckle up for safety and require all your passengers to do the same when it's time to head home.

Tips for Passenger Vehicle Drivers

Large trucks and buses have large blind spots, long stopping distances, and make wide turns, which is why it's vital for everyone on the road to make a plan for road safety. Follow the rules of the road below to learn about actions passenger vehicle drivers can take to help avoid crashes.

1. Avoid Blind Spots

Try to avoid lingering in blind spots; if you can't see a truck or bus driver's face in their mirror, they can't see you.

2. Be Aware of Long Stopping Distances

Large trucks and buses need the length of up to two football fields to safely stop. Leave extra space when merging in front of these large vehicles, to give them the stopping space they need.

3. Anticipate Wide Turns

Trucks and buses need extra space and time to make wide turns carefully. Wait for large vehicles to finish turning before continuing your journey. Pay close attention when trucks and buses are turning right, as they may not be able to easily turn from the right lane and may initially move left to create enough turning space.

4. Stay Back

Trucks are much higher off the ground than a passenger vehicle. In the event of a crash behind a truck, passenger vehicles could slide (or be pushed) under a truck. Stay a safe distance back when stopped behind a truck or bus, particularly going up an incline, where large vehicles might roll backward.

5. Merge and Pass Safely

Signal clearly when merging in front of, or passing, large trucks and buses using these tips.

- Make sure the truck or bus is visible in your rearview mirror before you merge in front; leave extra space.
- Avoid passing trucks and buses going down hills, mountains, etc., where they tend to pick up speed due to their heavy weight.
- Avoid passing from the right lane.
- When a truck or bus is passing you or merging into traffic from an on-ramp, give them extra space to change lanes safely.

6. Be Patient

Trucks and buses need time to accelerate. Be patient and understand they are driving at a safe speed for their cargo and weight.

7. Buckle Up

Using a safety belt is one of the easiest and most important things drivers can do to save lives. Make sure all passengers are buckled up, and that kids are in the safest seat based on their age.

8. Stay Focused

If you need to do anything in your car besides driving, get off the road and stop. Driving distracted is as dangerous as driving impaired.

9. Avoid Driving Under the Influence or Fatigued

Alcohol and other drugs impair judgment and reaction time. There is no safe limit for drinking before driving. Prescription medications and over-the-counter drugs may cause dizziness, drowsiness, and/or slow reaction time. If you use medication that carries a warning, arrange an alternate driver or use other forms of transportation.

Take regular breaks, switch off driving with a partner, or get off the road and find a safe place to rest if you're feeling tired or drowsy.

10. Understand the Differences

Large trucks and buses have a significant weight and size difference compared to other vehicles on the road. A tailgating crash between two passenger vehicles may result in a fender bender, however, a similar crash involving a large truck or bus may have greater consequences.

Weight and size differences greatly affect how truck and bus drivers operate. In fact:

- Trucks are often 20 to 30 times heavier than passenger vehicles. A tractor-trailer truck can weigh up to 80,000 pounds when fully loaded.
- The weight of a truck or bus increases the risk of more severe crash damage, injuries, and fatalities.
- Large size and weight increase driving challenges, including acceleration, braking, and maneuverability. Trucks and buses accelerate slower uphill and may gain speed quickly downhill.
- Tall vehicles with a higher center of gravity must travel much slower on curves and ramps to avoid the risk of rollovers.
- Large vehicles can generate wind gusts that can be felt by vehicles around them; drivers of smaller vehicles should anticipate this and maintain control in their lane.



Respirable Crystalline Silica - Safety and Health Alert



Silicosis is a disabling, nonreversible, and sometimes fatal lung disease caused by overexposure to respirable crystalline silica.



Best Practices:

What can Metal/Nonmetal and Coal Mine Operators do to prevent silicosis?

1. Perform air monitoring of worksites. Monitoring will determine:

- effectiveness of engineering controls
- need for additional work practices to reduce dust levels; and
- proper respiratory protection needed



2. Install and maintain engineering controls to reduce the amount of silica in the air. Examples of controls include:

- exhaust ventilation
- increase face ventilation: both velocity and quantity
- dry dust collection systems
- water sprays
- wet drilling or suppression
- supply vacuums with high-efficiency particulate air (HEPA) filters; and
- enclosed cabs

3. Administrative controls are the second line of defense for minimizing silica exposures. These controls include:

- practice preventative maintenance: clean and maintain equipment
- practice good housekeeping: don't dry sweep to clean up
- use wet cleaning methods, or vacuums with HEPA filters to remove dust from floors and surfaces; and
- train miners about engineering controls and work practices that reduce dust, and the importance of maintenance and good housekeeping

4. Provide miners with appropriately selected, properly fitted, and NIOSH approved respirators, as engineering controls are installed or updated.

- make sure respirators are kept clean and properly maintained and that miners are trained in their use

Here is a [link](#) to a comprehensive source of dust controls and practices, and a [health-hazard-alert-silicadust .pdf](#)

MSHA Reports 22nd Fatality of 2022

The **Mine Safety and Health Administration (MSHA)** reported that on Sept. 28, a miner at a plant in Washoe County, Nev. died when he was engulfed in a collapsed stockpile. The miner was working close to the toe of the stockpile to remove material off the top of a surge tunnel's feeder to clear a blockage.

This is the 22nd fatality reported in 2022, and the first classified as "Engulfment."

MSHA recommends the following **Best Practices** to avoid this type of accident:

- Operators should have procedures to safely clear blockages from feeders, and train miners to stay out of areas where there is a danger of falling or sliding material.
- Equip feeders with mechanical clearing devices to prevent exposing miners to hazards of falling or sliding material.
- Make sure miners trim stockpiles to prevent hazards.

The Danger of Being Your Sisters'/Brothers' Keeper

“Ethical altruism.” Have you heard of it? Selfless concern for the welfare of others.

Ethics come into play when selfless concern means people being morally obligated to help, serve or benefit others, even at personal sacrifice.

This form of accountability is an underpinning of a culture of safety. It's the buddy system. “I have your back, you have mine.” Watch out and keep each other safe. *We are brothers and sisters. We're family.*

Our brains are hard-wired to feel a sense of reward when we help others. Combine this wiring with the mantra *“we are our sisters' and brothers' keepers”* and you have a culture where everyone is a safety monitor, ready to intervene if there's an incident, emergency, crisis, a woman or man down.

Great. But *“selfless concern”* involves realities that should be noted.

How many employees have died, or been seriously incapacitated, trying to rescue a co-worker in a toxic confined space? Without training and awareness, impulses and human nature can take over. Many employees will rush in, unprotected, without instrumentation, and succumb to the toxic confined environment. The tragedies are part and parcel of safety lore.

An employee suffers a heart attack while roofing. A *“brother”* scrambles up, without fall protection, hustling, hurrying, slips and rolls off the roof. A lone worker out in sub-freezing cold suffers hypothermia, calls in that she is staggering, losing consciousness. A co-worker rushes to rescue. He's on break, inside, warm, without regard, he runs outside without his coat, maybe risks hypothermia himself, maybe slips on ice, cracks his head on a rock

This is the law of unintended consequences — mindless (*but heartfelt*) actions obviously we don't want when promoting *sisters' and brothers' keepers*.

If that's the shared value you want, remember that altruism has its limits. Carrying its own risks in certain dangerous circumstances. Racing to the rescue? Bring the cavalry. Bring others with you. If you're alone, think before you act. Take it down just a notch. What's the smartest move you can make? What do you need for that move? A tool? A rope? PPE? You probably have a cell phone --call for backup.

Sisters' and brothers' keepers. Worthy accountability. But remember it comes with the law of unintended consequences.



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