

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...](#)



▶ June is National Safety Month

Join the National Safety Council in celebrating [National Safety Month](#) and [receive free materials](#) on musculoskeletal disorders, workplace impairment, injury prevention, and slips, trips and falls. [read more...](#)

▶ 'Everybody Gets to Go Home in One Piece'

How reporting close calls can prevent future incidents... [read more...](#)

▶ Is Your Dust Collector Operating Safely?

Dust collectors are necessary safety systems in many manufacturing and processing plants. [read more...](#)

▶ 18 Tips to Stay Cool on the Jobsite in the Summer Heat

Getting through a hot day takes planning and preparation ... [read more...](#)



▶ *important reminder...* Injury Reporting

US DOL reminds specific employers to submit required 2021 injury, illness data... [read more...](#)



▶ Combat Workplace Fatigue with Technology and Management Skills

No matter what hustle culture might try to teach us, people are not machines. [read more...](#)

▶ ISN Releases Annual Safety Orange Book

The *Orange Book* uses analytics and industry insights to improve **workplace safety** and mitigate risk. [read more...](#)

▶ Save the Date - August 15-21 is **Safe + Sound Week**.

Join thousands of others in promoting the benefits of [workplace safety and health programs](#). [read more...](#)

▶ The Role of HR in Safety and Compliance

To date, there are **180 federal laws** that mandate what companies **must do to ensure** the health and **safety of their employees**. [read more...](#)

▶ Emotional Health & Worker Safety Go Hand-In-Hand

Employers play an important role in engaging employees in healthy lifestyles ... [read more...](#)

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

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

OIL & GAS NEWS SUMMARY

▶ US Department of Labor Cites Oil Company

After 3 Workers Suffer Severe Injuries in North Dakota Well Explosion... [read more...](#)

AGRICULTURAL SAFETY NEWS SUMMARY

- ▶ Grand Jury Indicts Milling Company, 6 Managers on 9 Counts Related to Five Deaths, Numerous Serious Injuries In 2017 Mill Explosion... [read more...](#)

TRANSPORTATION NEWS SUMMARY

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

▶ DOT Implements Annual Regs Violation Penalty Increases

The Department of Transportation recently published a final rule updating the civil penalty amounts [read more...](#)

▶ Operation Safe Driver Blitz — Focus on Speeding

This summer's **Operation Safe Driver Week** is scheduled for July 10-16 [read more...](#)

▶ What is the Purpose of the Click It or Ticket Campaign?

... enforcing seat belt use to help keep travelers safe as they drive to their summer destinations [read more...](#)

▶ Q & A ... HOS Exemption Under State or FMCSA Emergency Declaration Extends to Interstate Transportation if Providing Direct Assistance... [read more...](#)

▶ FMCSA: ABOUT THE Our Roads, Our Safety CAMPAIGN

Road safety is everyone's responsibility - passenger vehicle drivers, truck drivers, bus drivers, bicyclists and pedestrians. [read more...](#)

▶ Survey: WORK ZONE CRASHES UP 4% IN 2022

64% of highway contractors report that motor vehicles had crashed into their construction work zones during the past year, up from 60% last year ... [read more...](#)

▶ FMCSA extending speed limiter comment period

... the agency agreed and is adding 45 days for industry experts to weigh in. [read more...](#)

▶ If We're Going to Limit Vehicles' Ability to Speed, Start with the Real Problem: Cars [read more...](#)

MSHA NEWS SUMMARY

▶ Federal Appeals Court Unanimously Rules Kentucky Mine Operator Illegally Gave Advance Notice of Inspection to Miners Underground

Affirms US Department of Labor citation after more than a decade [read more...](#)



▶ Federal Judge Orders Hannibal Cement Mine to Pay \$17.5K Penalty for Shorting Pay of Worker Who Assisted Safety Inspectors *Worker paid less per hour in violation of workplace retaliation protections* [read more...](#)

▶ MSHA Releases Report on Jan. 26 Fatality [read more...](#)

▶ MSHA Reports 12th Fatality [read more...](#)

MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ Improving Safety Leadership:

Lessons Learned from the Sports World [read more...](#)

MJS Legacy Safety OFFERS DRUG & ALCOHOL TESTING

to comply with DOT/FMCSA, PHMSA & Non-DOT requirements.

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

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

“Training Spotlight”

(a different course will be featured monthly)

PEC BASIC PIPELINE & GOLDEN SHOVEL COURSES

The Basic Pipeline course is directed towards the pipeline industry of Oil & Gas, and includes an emphasis on excavation & trenching and other pipeline specific course content. The course was designed to bring safer performance to the Midstream/Pipeline segment of the Oil & Gas Industry. Basic Pipeline is available upon request. The Golden Shovel Module is designed to cover the Golden Shovel Standard Knowledge section of the Golden Shovel Certification Process. This training is available upon request.

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

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

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND**: June 13, 28; 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): June 1, 17, 29; 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]: June 1, 17, 29; 12:30 – 4:30;
This class available via Instructor Led video conference

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

▶ NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjsafety.com TO SCHEDULE TODAY ◀

To sign up for one of these classes, or inquire about scheduling a different class
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325

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

— FEATURED TRAINING PROGRAMS —

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

Unable to attend a class?

MJS Legacy Safety offers multiple
“ONLINE TRAINING COURSES”

including

OSHA Construction, General Industry, Environmental,
Hazardous Waste Public Safety, DOT,
Human Resource, and Storm Water & ISO

or you can

Need Help With

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

CALL US!!!

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

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
- FMCSA
- ISHN
- US DOL
- MSHA
- his.com
- NHTSA
- NSC
- BLS
- For Construction Pros
- Camfil Air Pollution Control
- Dr Josh Williams, Propulo Consulting Safety&Health Magazine
- Kris Corbett, Atlas Injury Prevention Solutions
- Overdrive CCJ
- Cliff Peterson, Overdrive Extra contributor
- Associated General Contractors of America
- Asphalt Contractor



OSHA / CONSTRUCTION

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

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

OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

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

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

Drug Testing

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



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

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

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

June is National Safety Month



Join the National Safety Council in celebrating **National Safety Month** and receive **free materials** on musculoskeletal disorders, workplace impairment, injury prevention, and slips, trips and falls.

'Everybody Gets to Go Home in One Piece'

How reporting close calls can prevent future incidents

While running up a flight of stairs on an icy morning, merging from one lane to another during rush hour or sliding centimeters past an open file cabinet at the office, every day we narrowly avoid incidents that could result in a serious injury. When these incidents take place on the job, it can serve as a warning that a serious incident is waiting to happen.

Near misses and resulting inspections may help prevent an injury or even a fatality, but an investigation cannot take place if the near miss is not reported accurately. Therefore, setting up a successful safety management program to ensure near misses are reported and investigated is an important step in reducing occurrences of serious incidents.

Recognizing near misses

OSHA defines a near miss as an incident in which no property was damaged and no personal injury was sustained, but where, given a slight shift in time or position, damage or injury easily could have occurred. Near misses also may be referred to as close calls, near accidents, accident precursors, injury-free events and, in the case of moving objects, near collisions.

With so many different names, establishing an agreed-upon term and a concise meaning is the first of several steps toward creating a successful near-miss program, said Dr. Ulku Oktem, adjunct professor at the Operations and Information Management Department of the Wharton School of the University of Pennsylvania and a senior fellow at the Risk Management and Decision Process Center.

Through interviews conducted with individuals who manage near-miss programs in the environmental, health and safety departments at five Fortune 500 companies, Oktem and her colleagues created the following steps for setting up a successful near-miss program:

- Create a clear definition of a near miss.
- Make a written disclosure and report the identified near miss.
- Prioritize reports and classify information for future actions.
- Distribute information to the people involved in the near miss.
- Analyze the causes of the problem.
- Identify solutions to the problem.
- Disseminate the solutions to the people impacted.
- Resolve all actions and check any changes.



Among these steps, Oktem stressed the issue of prioritizing. "You need to prioritize, and each company will be different than another company. Prioritizing, I think, is an extremely important part of the process," Oktem said. "If you do not prioritize, you really do not take care of things in the right order."

Companies must remember a thorough near-miss investigation can save time and money by improving system reliability and minimizing the risk of an incident waiting to happen, Oktem said.

"People just cannot afford not to do it," Oktem said. "By identifying near misses and taking care of them, you can improve profits and you can prevent any potential hazards that can happen to the people or the equipment."

Involving employees

For one electrician at New York-based aluminum producer Alcoa Inc., the main reason for having an accurate system for reporting and investigating near misses is "everybody gets to go home in one piece." According to Smith, who works at a company plant in Davenport, IA, Alcoa instituted several changes to its near-miss reporting system a few years ago that opened the dialogue between employees and the safety management team.

"As far as the formal reports, you have to report it to your supervisor," he said. "That's what we do. That's very important. People need to know who to turn to."

Currently, five to 10 near-miss reports are discussed each day in regularly scheduled meetings with employees from each shift, said Bob Bartholomew, a mill operator who serves as co-chair of the joint safety, environment and health league at Alcoa. "We try to make sure that we document all the near misses if it happens. It's probably not the first time, and it's probably not going to be the last time it's going to happen," Bartholomew said. "And the next time it happens, it may be much worse than a near miss."

Bartholomew said a recent near miss at his facility involved using a crane to lift a sheet of scrap metal nearly 30 feet off the ground and move it from one side of the plant to the other.

After receiving several near-miss reports, Bartholomew worked with the crane operator to change the lift and only raise the sheet 10 feet off the ground, increasing visibility and decreasing the risk of a piece of metal falling on someone, he said. Bartholomew added that because management involved the employees as the changes were being made, the changes worked.

“One of the **big things** is even **just talking about what happens**,” Bartholomew said. “If you **don’t involve** the individual, they **think it’s lost**. You have to have that **trust**, where people **know that you’re following** up on it and that **something is getting** done. It’s the **basis for the whole process**.”

Avoiding the blame game

Another **part of the near-miss** system is learning how to **encourage employees** to report a **near miss without** feeling that they **will get into trouble**.

“The key to that **problem is not** to look at it as, ‘**Who is to blame?**’ Ask what **system flaws exists**,” said Phil La Duke, an associate at **Rockford Green International**, a Michigan-based **consulting company**. “Get rid of the concept of **blame**. You really **have to have a blame-free** environment. Very **few people** are going to report a **near miss** if there is **going to be a negative** consequence to them.”

According to La Duke, **people should not** be punished for **reporting near-miss incidents**; instead, **supervisors need to encourage their employees** to feel **comfortable coming forward to achieve a workforce** that anticipates and **identifies hazards** before **anyone gets hurt**.

“When we **make a mistake**, we feel **very vulnerable**,” La Duke said. “We do **feel foolish when we screw up**, and it **takes a special person** to admit their **mistakes**, and that’s what we’re **asking** them to do. So we have to try to **counterbalance that**.”

Research **exists that supports** the claim that the **safety climate** of a **workplace** has a **direct impact** on the reporting of **near misses**. Researcher Sunil Lakhiani of the **University of Wisconsin-Madison** presented **findings from a study** on near-miss reporting systems to the **American Institute of Chemical Engineers** at the **7th Global Congress on Process Safety** in Chicago in March 2011.

Researchers **surveyed 108 employees** at **three chemical plants** in the United States, **examining the relationships among employees’** perceptions of **various factors** that are part of the **safety climate** of the plants and their **near-miss reporting** behavior.

“Results showed that **subjects who perceived** a more **positive management culture** towards safety were **more willing** to report **near misses**,” Lakhiani wrote in the report. “The **results of this study** show a correlation between **employees’ willingness** to report and their **perception of organizational** factors, such as their **perception of top management commitment**, **support of peers** and their **comfort** in reporting **issues to their supervisors**.”

Making it easy

Having **several outlets to report** a near miss will make the process **less painful for employees**, said Tim Neubauer, **safety consultant** for the **National Safety Council**.

“Give them as **many options to report** as possible to make it **convenient for them**,” Neubauer said. “They need to make this a **really easy process** of reporting to the **department or management**. If they don’t want to see you to **report the near miss**, you’re **not going to get any feedback**.”

Neubauer **added that near-miss reports** are **critical** because, most of the **time, companies** are looking at **trailing indicators**. “The beauty of a **near-miss report** is that you **had an incident** and nothing was **damaged** and **no one was hurt**,” Neubauer said. “It’s telling you the health of your **company now**.”

Maintaining the **health of your company** will take some **hard work**, said Shawn M. Galloway, president of ProAct Safety, a **consulting company** in The Woodlands, TX.

“One of the **reasons why employees** suggest the **near-miss reporting system** fails is mostly because of the **massive amounts of data**,” Galloway said. “The same thing that **people can run into** in establishing a **near-miss program** is, ‘How do we **respond to copious amounts of data?**’”

According to Galloway, **people may become** bogged down by the **research and hundreds of near-miss reports** received **once a program begins**, and he cautions **against becoming overwhelmed**.

“The **reality of the world is more organizations** are becoming **leaner and leaner**, so we get **bombarded** with all this **data and that**, unfortunately, **becomes a demotivator**,” Galloway said. “If we are **going to get to a level of excellence in safety**, we have to **measure what we don’t want to occur**.”

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees.

[OSHA's](#) role is to help ensure these conditions for America's workers by setting and enforcing standards, and providing training, education and assistance.



Is Your Dust Collector Operating Safely?

Dust collectors are necessary safety systems in many manufacturing and processing plants. However, if your dust collector is not installed properly or designed to accommodate your specific operations, the dust collector itself could become a safety concern.

[Download](#) the eBook, [10 Ways to Keep Your Dust Collector Operating Safely](#), to learn how you can keep your workers and facility safe from hazardous dust.

18 Tips to Stay Cool on the Jobsite in the Summer Heat

Getting through a hot day takes planning and preparation; don't show up to the jobsite unprepared for the heat



Outdoor work is often physically challenging, and even the fittest worker will feel the impact of extreme heat. Don't simply shrug it off as part of the job. Yes, there is work

to be done no matter what, but you want to complete it without jeopardizing your health and well-being.

The good news is that there are measures you can take to make it through those long, hot days. Some are time-tested, common-sense solutions, and others incorporate new technology and fresh thinking on the subject.

When the mercury rises and a heat wave hits, the news fills with ideas to help people stay cool. But most of it involves staying out of the heat and finding cool spots like malls and movie theaters where air conditioning keeps things icy.

That's sound advice for most people, but what about the hardworking men and women who must get outside and work in all kinds of conditions, including the stifling heat?

So, when the heat is on, what are the best ways to cope?

Tip 1: Hydrate, hydrate and hydrate some more

When it's hot, thirst is not always the best indicator of your body's hydration needs. In fact, if you wait until you're thirsty before you drink water, you may be well beyond the time when you need to replenish fluids. Make sure you drink something — water is your best bet — every 15 to 20 minutes.

What's more, you should start drinking even before your day gets underway to make sure you begin the job fully hydrated. The best way to make sure you're never short of fluids, especially water, is to bring a water bottle with you to the job and refill it throughout the day. If you're a manager concerned about performance, getting custom water bottles for your team will help boost morale and encourage them to stay hydrated.

Tip 2: Go easy on the caffeine

Many of us love the morning boost that a good cup of coffee provides. But when a heat wave is on, don't overdo it on the caffeine, as that in excess can prompt dehydration. Don't forget that energy drinks usually have a healthy dose of it as well, so even if you think you need a lift from one to get through a tough afternoon, try to avoid it when you're trying to beat the heat.

Tip 3: Dress for success

When the sun is especially punishing, it's critical to keep yourself protected from its rays. That means wear cool, loose-fitting clothing in light-colored fabrics that breathe and help your body maintain a healthy temperature. If you can wear a hat on the job, do it.

While it's tempting to strip off clothing when the heat is soaring, leaving skin exposed to the sun won't help keep you cool. It could even lead to severe sunburns or heat stroke, conditions that are not only dangerous and unhealthy but could also keep you off the job.

Tip 4: Layer on sunscreen

You want to make sure you protect your skin from the sun. Even if you're properly dressed for the conditions, it's impossible not to have some skin exposed. Make sure you apply a sunscreen that has an SPF rating of at least 30 and plan to keep layering it on throughout the day.

Pay careful attention to the most burn-prone areas, which are your nose, your ears and the back of your neck. Since you're not just chilling out at the beach but working hard in that hot sun, you need to be especially diligent. Sweat can wash away sunscreen or at least reduce the amount of protection it provides, so keep re-applying.

Tip 5: Take cover

Even if you're properly dressed for the conditions, and you've covered your body in sunscreen, it's a good idea to look for any opportunity to get out of the sun during your workday. Take breaks in the shade and, if possible, move some tasks to covered areas. If there are projects you can rotate among the crew, make sure you do so in a way that gives everyone a break from the sun.

Tip 6: Let your body acclimate

If you live in an area with changing seasons, accept that your body won't snap into high heat mode right away. The truth is, your body needs some time to adapt. When temperatures rise, try to moderate your activity at first, allowing your body to get used to the conditions.

The human body is an incredible machine, but sometimes we treat our cars better than we do ourselves! During the first few days of a heat wave, don't take on activities at a pace that might be too physically taxing.

Sure, there's a job to be done, and you're someone who puts in an honest day's work, but be careful you don't overdo it while your body is adjusting to new conditions. Doctors say it can take as long as seven to 14 days to get used to a change in temperature.

Tip 7: Eat right

If you're working in the heat, avoid a heavy lunch, especially protein-rich meats. You're better off with smaller snacks and light meals throughout the day, as your body creates more metabolic heat if it's breaking down heavy foods.

Try to ensure your hot weather diet includes plenty of leafy green vegetables or fresh fruit and nuts to help replenish your electrolytes. And while it may seem counter-intuitive, spicy food can cool you down, as they stimulate heat receptors in your mouth, enhance circulation and cause you to sweat, which is your body's natural way of cooling.

Tip 8: Speaking of sweating

Sweating is a sign that your body is functioning like it should as it tries to reduce its temperature through evaporation. In fact, if you're battling heat and you suddenly stop sweating, it's a warning sign for heatstroke. So, don't be concerned about sweating on hot days on the job, but do take measures if you notice that it stops.

Tip 9: Spritzing isn't just for supermodels

Whether it's a misting from a garden hose or water from your bottle dribbled over the back of your neck, a cooling bit of water can make you feel a lot better. Take a few moments throughout your day to get some cold water onto yourself.

Think about getting some cold water or ice on the wrists just below your palm, too. According to some holistic health practitioners, this part of your body is critical to clearing heat out of your system. Hey, it's worth trying.

Tip 10: Put a damp towel in the freezer the night before

Wrap the towel around your neck as your work day gets underway. Not only will it protect your neck from the harmful effects of the sun but it will keep cooling you as it melts.

You can also benefit just by rubbing ice wrapped in a cloth on various parts of your body. It sounds a bit gross, but those armpits are a great place to start. Put a cold block of ice under your pits, and you'll feel cooler in a hurry.

Tip 11: Adjust your schedule

If you can start your day a bit earlier, it's worth it. And if you can get the most physically demanding parts of the job out of the way before the midday sun ramps up the temperature, you'll be much happier in the late afternoon.

Do you have any flexibility in your schedule? An earlier start means you'll have to endure less heat, but you can also consider a schedule that puts part of your day into the cooler part of the evening.

Tip 12: Wear a cooling vest

While it's an investment, if you know you'll be working outside in hot weather extensively, you'll probably never regret buying a cooling vest. Chemical cold packs rest in pockets throughout these vests, so it's like you're wearing a whole bunch of ice blocks all over your upper body.

The cold packs, of course, don't stay frozen forever, but they will be a welcome relief while you're wearing the vest. If you have access to a freezer, you can always drop it back in to get its chill back.

Tip 13: Fire up a fan

Do you work in a location where a fan can be used? If you do, an industrial-grade work fan can make you feel cooler, because the sensation of sweat evaporating from your skin happens more quickly than it does in still air.

Of course, you could always fan yourself, but that requires physical effort, and when it's hot, that's something we want to minimize. You're already working hard enough.

Tip 14: Get a haircut

Even if your long locks are your trademark, you may want to consider a cooler cut during the summer months. Excess hair traps the heat around your head.

Tip 15: Drink a lot of water

Yes, proper hydration was already mentioned. But if there's one bit of advice here that bears repeating, it's this one. It's important to keep a water bottle — a custom stainless-steel water bottle will stand up to the demands of the job — with you all the time.

Consuming fluids at regular intervals throughout the day will help you maintain your energy and keep you healthy. Don't skimp on it.

If the heat has you beat, consider a drink that will replenish lost electrolytes. Just be careful you don't choose one that's loaded with sugar or empty carbohydrates.

Tip 16: Cut back at happy hour

There's nothing wrong with unwinding after a long, hot day on the job with an adult beverage. It's a great and time-honored way to bond with your co-workers.

But you don't want to overdo it during a heat wave because you will feel alcohol's dehydrating effects the next day. Go easy when you're at the pub after a hot day on the job, so your body is up to the workload the next morning.

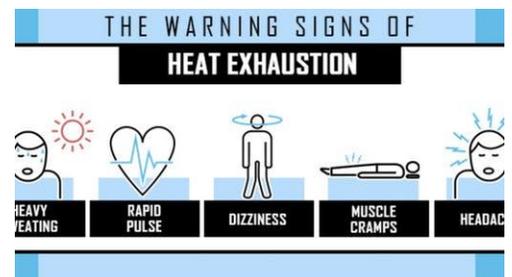
Tip 17: Keep a bucket of ice water nearby

If your work doesn't require you to be constantly on the move to different locations, a simple icy bucket of water can be a real advantage on a hot day. Place it somewhere on your worksite that makes it convenient for people to get a quick, cold splash as they go by, or as a place for dunking towels to keep them damp and cooling on the skin. Just don't use it to refill your custom sports water bottle — it's not drinking water!

Tip 18: Don't ignore the warning signs

Sometimes, despite the best efforts of you and your crew, the heat can simply overwhelm a team member. Stay alert for the warning signs of heat exhaustion, which are heavy sweating, rapid pulse, dizziness, goose bumps on the skin, muscle cramps and headache. Heat exhaustion, which can typically be identified by a lack of sweating, nausea and vomiting, mental confusion, flushed skin, rapid breathing and a racing pulse.

If you sense that you or someone else is suffering from heat exhaustion, get them out of the sun and into a cooler setting. If you believe it has moved on to the more serious heat stroke, seek medical attention immediately. Remember to always err on the side of caution when working outside in the heat; your health is too important to do anything else.



There are all kinds of ways to stay cooler during extreme heat. When the temperatures rise, but the job needs to get done, make sure you arrive at the worksite with a plan for staying healthy. Use as many of these tips as you possibly can,

and don't underestimate the seriousness of high temperatures on the body. Preserving your body is not only good for your health but it's also important for your long-term earnings as well. Stay cool and work smart.

important reminder

Injury Reporting

US Department of Labor required specific employers to submit 2021 injury, illness data by March 2, 2022

The U.S. Department of Labor's Occupational Safety and Health Administration reminds employers that the agency began collecting calendar year 2021 Form 300A data on Jan. 2, 2022. Employers were required to submit the form electronically by March 2, 2022.

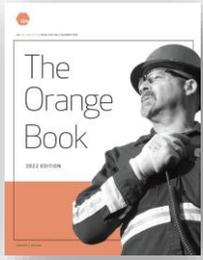
Electronic submissions are required by establishments with 250 or more employees currently required to keep OSHA injury and illness records, and establishments with 20-249 employees classified in [specific industries](#) with historically high rates of occupational injuries and illnesses.

Visit the [Injury Tracking Application Electronic Submission of Injury and Illness Records to OSHA](#) for more information and a link to the Injury Tracking Application.

[Spanish version](#) available.



ISN Releases Annual Safety Orange Book



The **Orange Book** uses **analytics and industry** insights to share how **companies are managing** the risks associated with **outsourcing work** to improve **workplace safety** and mitigate risk.

ISN, a software company that helps **construction companies** improve safety, has **released its 2022 edition** of the **Orange Book**, a publication that uses data and **best practices** to mitigate risk.

ISN reviewed the **safety practices** of top companies that **maintain low incident** and injury rates within the **construction industry**, referring to this **group** as the **ISN Leaderboard**.

“For more than **20 years**, our team, in **partnership** with our **customers and industry experts**, has **responded** to the **changing landscape** of risk and **safety performance**. Through innovation and **data analysis**, we have been able to **enhance our offering** and customers’ **processes** by focusing on **leading indicators** and other data that **shows a direct** correlation to **improved performance** and compliance,” said Brian Callahan, president and **chief operating officer** at **ISN**. “We are **often asked** not what are **others doing**, but what are the **best doing to create** a culture of **safety** and reduce **incident rates**.”

The **Leaderboard analysis** found that **companies that prioritizes** risk management **strategies**, use data to make **improvements** and create a **culture based** on the safety and **well-being of employees**, have the lowest **number of injuries** and incidents.

According to ISN, the following are important in mitigating risk:

- **Comprehensive Risk Management Strategy:** *Leaderboard companies re-evaluate their requirements, use of **ISNetworld** functionality and contractor risk levels periodically to continuously improve their contractor and supplier management processes. In addition, 79% of first quartile leaderboard companies manage one or more of the following risks through **ISNetworld**: cybersecurity, transportation, subcontractor or worker-level. By expanding risk management scopes beyond prime contractors to include subcontractors, and beyond health and safety to include risks such as environmental, social and governance (ESG) concerns, companies can better assess the continuously evolving risk landscape.*
- **Leveraging Data:** *Leaderboard companies are committed to turning data and insights into action; simply having data is not enough. Data integration across enterprise applications is a critical piece of turning data insights into action. In fact, more than 50% of first quartile companies integrate data from **ISNetworld** with internal programs to streamline data reporting throughout the enterprise. These data sets provide organizations with a benchmark for measuring, assessing and improving contractor performance over time and enable businesses to make informed decisions.*
- **Cohesive Company Culture:** *Leaderboard companies demonstrate a cohesive company culture centered around the health, safety and sustainability of their workforces. Companies who achieve best-in-class contractor and supplier management keep a pulse on safety culture perceptions to better understand risks and areas for improvement. Company culture should be centered on accountability, communication, reporting and investigation with stakeholders engaged at every level.*



August 15-21 is **Safe + Sound Week**.
Join thousands of others in promoting the
benefits of **workplace safety and health**
programs.

The Role of HR in Safety and Compliance



To date, there are **180 federal laws that mandate** what companies **must do to ensure** the health and **safety of their employees**. State laws add **significantly** to that number. **Legal compliance is time-consuming**, but also very **necessary**, as workplace **illnesses and injuries keep roughly 3% of the workforce out-of-commission** at any **one time**—and cost some **\$171 billion annually**.

Whether they **want to or not**, HR professionals **play a critical role** in ensuring **workplace health and safety**. That's a **good thing**, as **HR professionals** are often at the **crux of training**, compliance, and **wellness activities** in the organization.

So how can **HR leaders prepare** their team to **step into that role**? And what can **HR managers do**, on their own, to **be prepared**?

A **good way to start** is by learning the **essential elements** of workplace **health and safety compliance**. Knowing these, your **HR department** will better **understand how they** can support **workplace safety efforts** and compliance.

HR Professionals Have Direct and Indirect Connections to Safety

Sometimes **HR's role in workplace** health and safety (*and safety compliance*) is **direct**. Sometimes, **HR and safety influence** each other **more indirectly**.

Direct responsibility for **health and safety happens** when:

- *Safety training must be implemented*
- *Procedures are put into place to enforce safe behaviors*
- *The health and safety professional reports to HR and/or HR is involved in hiring.*

Outside of **being directly responsible**, there are many **indirect connections** as well. **For example**:

- *When an employee is injured, HR will have to help transition the injured employee back to work, (often with light duty work responsibilities)*
- *If an organization has multiple incidents, that can lead to high turnover (which also increases the workload for HR)*
- *If word gets out that a company has a bad safety record, that can make it even more difficult to attract and retain reliable workers.*

In short, **safety and compliance issues are intimately tied to what HR does**. They are **HR compliance issues**, too. A proactive **HR department** will want to **make sure** that its **team knows** the basic **ingredients that go** into safety programs, especially as they **relate to HR policies**.

The Five Essentials Every HR Professional Should Know

Safety and compliance experts identify five **essential elements** of any **workplace health and safety program**.

1. **Administrative "Must Haves"** like signage and logs
2. **Set Policies**
3. **Effective Training**
4. **Procedures for Risk Tracking**
5. **Contingencies for Reinforcing Behavior**

➤ Administrative Must-Haves

These include appropriate **OSHA** signage, the **OSHA 300 Log**, the year-end **300 A Form** based on those logs, and **Safety Data Sheets (SDSs)**. **OSHA** regulations are very specific when it comes to key items that need to be displayed, logged, or otherwise noted. Often, it is the HR department that acts as a check here, ensuring that the appropriate regulations have been followed.

➤ Policies

Having written policies, programs, standard operating procedures (SOPs), and assessments is nothing new to the field of HR, but when it comes to health and safety, there are numerous laws regarding documentation. That said, potential hazards differ from employer to employer, and so it is the responsibility of the employer to determine which specific laws pertain to a given work environment. HR can play an important role in creating and documenting these important policies.

➤ Training

Just as **OSHA** requires certain written policies, it also often requires safety training—and **OSHA** regulatory requirements for training are just as specific as they are for written programs and policies. HR professionals must ensure that any employee training programs being purchased, developed, or used do indeed cover everything **OSHA** requires for a particular subject.

Some of the topics where training is required by OSHA regulations include:

- Hazard communication
- Forklift operation
- Fire extinguisher
- Respiratory protection
- Electrical
- Scaffolding
- Confined space
- Slips, trips, and falls
- PPE
- Exit routes and emergency planning
- First aid and CPR
- Welding and cutting
- Fall protection
- Bloodborne pathogens
- Lockout-tagout

It's a good idea to start with a formal training needs assessment, to see what training is mandatory, and what training would be beneficial beyond that. Then, follow best practices for implementing that training and measuring outcomes.

Remember: It is not enough to simply hand employees a written copy of policies to sign. Reading a document is not sufficient for giving employees the knowledge and skills they need to stay safe!

➤ Risk Tracking

Tracking risk is where the rubber meets the road when it comes to workplace safety. While risk tracking has traditionally been the job of health and safety professionals, it is important for HR professionals to be involved in partnership with them.

True, an HR department usually is not staffed by trained health and safety experts. But HR can be a huge help when it comes to coordinating risk-tracking efforts with both internal and external partners. Think scheduling inspections and audits, compiling reports, and issuing safety alerts to employees.

➤ Reinforcing Behavior

Employers can determine enforcement policies when it comes to workplace safety and compliance, just as any other HR policies. For example, your workplace might already enforce a tardiness policy, or a social media use policy. Just imagine how much more important it is to enforce proper health and safety policies and procedures!

Reinforcing the right behavior starts with new employees. New hires should receive all relevant training before beginning any work that could expose them to risk. Safety policies and procedures should also be spelled out in the employee handbook and reviewed as new employees come on board.

Finally, a big part of reinforcing the right behaviors will also include retraining appropriate individuals. Having a record of who receives retraining, when, and on which topics, will save the organization a lot of headaches should an incident happen.

Putting it Together: HR's Role in Safety and Compliance

Workplace health and safety should be a **core concern** for HR departments. While it's **not likely** that the **HR team is going** to run inspections or **remediate hazards**, it still plays a **crucial role in creating the overall safety culture**. Creating that **safety culture means** providing **communications**, documentation, and **training to make safety** programs, and the **best practices** for them, **stick**.

This **should not be** a burden to **HR, but an opportunity**. Employee health, **safe workplaces**, proper training, and **legal compliance** should all be **things that every** organization **aims for**. By understanding **what is required**, HR can guarantee that it **has a seat at the table** when the **critical discussions happen**.

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

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

Questions?

CALL US!!

WE'RE HERE TO HELP!

Emotional Health & Worker Safety Go Hand-In-Hand



Employers play an **important role** in engaging **employees** in **healthy lifestyles**, and **research** shows that **employers** who invest in the **emotional health** of their **workforce** see a return on that **investment** with improved **safety performance**. In fact, mental and **emotional health**, as it relates to **worker safety** and **productivity**, is one of the hottest **topics being discussed** in board rooms, **human resource** departments and executive **offices across industries**.

The **recognition** that **emotional health impacts** the **likelihood** of employee injury has **pushed the concept** of employee emotional **health**, or wellness, to the **top of the agenda**. The emotional **well-being** of employees is **paramount** to the **success of a business**. For example, **stress and anxiety** can impair **decision-making**, impact reaction time and **ability to recognize** a risk or **hazard**, while also **affecting relationships** with others. This, in turn, can **create more risks** and problems in the **business**.

Unfortunately, Americans are **more stressed** than ever. According to the **American Institute of Stress**, 48% of Americans **surveyed say** stress has a **negative impact** on their **personal and professional life**. In addition, **77% of people** regularly experience **physical symptoms** caused by **stress**. In fact, a **steady diet of stress** is responsible for the **majority of illnesses** and has been **linked** to such **life-threatening conditions** as **heart disease**, cancer, **stroke** and immune system **disorders**. Emotional problems like **depression**, anxiety and **insomnia** are often **traced back** to stress.

Stress, emotional issues and a **lack of enthusiasm** in the workplace can take a **toll on employees** – mentally, **physically**, and emotionally. When employees **feel overworked**, underappreciated or **unchallenged**, they enter a constant **state of stress** and it is **reflected** in their **performance**. An employee who is **burnt out** on the **job** may have trouble **getting along** with co-workers, **management** or even **customers**. He or she may **become apathetic** about how they **perform** their job, **moving slowly** and sloppily through **tasks** at which they used to **excel**. A stressed out or **emotionally unwell** employee may begin calling in **sick** on a **frequent basis**, and contrary to **what some** may believe, he or **she may actually** be sick.

And perhaps the **most important** thing to **keep in mind** is that stress and **emotional turmoil** is contagious. It takes **just one stressed out**, unsatisfied **employee** or manager to **start a stress** epidemic in a business. As the **burnt out employee** or manager **begins to complain** about the **job** to others or **his/her bad mood** affects the moods of other **employees**, poor attitudes and **performance** can spread like **wildfire**, while also **increasing** the chance for **physical injuries** while working. What's more, **having a group** of apathetic, **irritable employees** can negatively impact **everything from productivity**, sales and customer **service** to a company's **health insurance costs**.

Kris Corbett, **Director**, Atlas Injury Prevention Solutions, has **over 25 years of experience** in injury **prevention** and wellness, **creating innovative** and effective **strategies** for companies or **projects** looking to achieve a **more productive**, healthy, and **injury-free workforce**. Kris' unique **expertise** in mindfulness and **behavioral change** methodology has been **blended into** strategies to **provide high levels of engagement** and **injury reduction**.

As **Corbett explains**, more **companies** are now using **wellness** as an **injury prevention** strategy. "If people are **well and healthy**, they are **less likely** to get **hurt** in the first place," Corbett says. We **need to** look at the **overall well-being** of the **workers** and that **includes physical health** and **mental health**. It needs to **not just be** about **safety advocacy** as it relates to keeping **people safe** in environments. Rather, **it is about** the overall **well-being** of the **worker** which will not **only create** a culture of **caring** but will **improve morale** and **overall company performance**.

An evolution of sorts

For **many years**, focusing on the **emotional health** of employees **simply wasn't part** of the conversation.

"People **felt like it was a private matter** and you should **take care** of that **outside of work**. But today more **people spend** more time at **work** than they do at **home**," Corbett says. So when you **are thinking** about **safety and injury prevention**, the stress on their mind **means their mind** is not **on the task** or the **work at hand**. They are **putting themselves** at risk and **depending on** the work **tasks, a moment** of being **inattentive could** result in a **catastrophic injury** or incident,

Take the **construction industry**, for example. The **emotional health** and well-being **have come** to the forefront because **construction** has one of the **highest suicide rates** in the **industry**.

"There is **often a mentality** that men should be **able to handle** it, put on a **happy face** and deal with it. Often **men think**, 'I'm **not supposed** to be **struggling** with this, I **should be able** to handle this issue' and **they simply don't** get the **help** that they need, which is **one reason** this **industry** is plagued with **high suicide rates**. Luckily, the **construction industry** is working **hard to break** that stigma," Corbett says. "**Construction workers** also have **very physically demanding** jobs that **can take a toll** on their **bodies**, often **resulting** in aches, **pains** and **injuries**."

If we look at **people who** are in **pain**, they often **aren't sleeping** well, they may be **prescribed opioids** or other **prescription drugs** or maybe they **self-medicate** with **alcohol**."

What's more, the **ever-changing environment** of the ongoing **COVID pandemic** is wreaking **havoc to people's emotional well-being**. From evolving **mask wearing rules** to **vaccination protocols** to kids **engaging in remote learning** while **parents work** has caused **significant** levels of **anxiety** and stress. "Then **add to that** the fear of the **disease itself** and how it **may affect** your loved ones if they **contract it** – all of this has **impacted the emotional well-being of today's workforce**," Corbett says.

Steps to take

Companies **across industries** are recognizing that **emotional health** has to be a **piece of employee wellness**.

"In fact, **someone** once told me that **everyone should have a therapist**, just like we **have a dentist** or a **primary care physician**. It is that **important** that people **check in every** three months or **every six months**, just like we would for a **dentist**. It's our **brain health** yet we are **not thinking** of that the way **we would with anything else**," Corbett says.

Luckily the **conversation is changing** as more and **more people** are starting to **recognize** that we all **need to feel** comfortable saying, "**You know what**, I'm not **feeling well** – emotionally."

"Today's **dialogue is shifting** to focus on **making sure** companies have **resources in place** for employees to get the **help they need**," Corbett says. For **example**, some **companies** now have full-time **therapists in place** to provide **employees sessions** where they can **talk through issues** that may be **causing anxiety**, stress or depression. In **addition**, companies are **starting** to emphasize **employees** should look out for **coworkers**, helping to **recognize** the signs and **symptoms** that they **may not be doing well emotionally or mentally**.

Some **companies** are also **encouraging employees** to take a **mental health assessment**, which employers can **establish via** online programs or with a **mental health professional**. Once a baseline is set with the **mental health assessment**, employees can **utilize tools** such as **websites** that provide **links to coaches** and **information** on topics like **stress management**, depression and **sleep management**.

Corbett **stresses that** focusing on **emotional and mental health** factors that are **not directly related** to the **work at hand** can make a **positive impact** to your workforce. **Wellness plans**, for example, can be **enacted to focus** on overall health **awareness** and strategies to **improve worker well-being** – all of which will **make a positive impact** on **safety and injury risk**.

In **addition**, **open, honest, respectful communication** is key to **creating a caring work environment** that **recognizes** when a **worker may not be at his or her best**. Recognizing **when a worker may be struggling**, especially **when a work task could potentially be risky or dangerous**, is essential to **recognizing a potential risk**. Create an **open environment** in which **employees can** always talk with a **manager** if they have **any issues**, whether it **be that they are overworked**, are having **trouble getting** along with a fellow **employee**, etc. Employees **need to know** that they have **someone** they can trust to **listen and help** sort out their **problems before** their **performance is compromised by workplace issues**.

"It's **okay to raise** your hand and say, '**I need help**' or '**I'm afraid I will put myself or others at risk**,'" Corbett says. "It's **helpful when** we are **seeing so many people** in the **public eye**, specifically professional **athletes talking** about their **struggles** and the **importance** of how **mental health** can affect **performance while** also trying to **get rid of the stigma** that people **who are at the top of their game** should **not be struggling**. The pandemic also has **added to the stress we all** have been **faced with** and I believe **it will help** to keep **mental health** in the **forefront** and **bring resources** to our **communities, schools and workplaces** all of which will **strive to bring attention to this important topic**."

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

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

See sections [1904.5\(b\)\(2\)\(ix\)](#) and [1904.7](#).

US Department of Labor Cites Oil Company After 3 Workers Suffer Severe Injuries in North Dakota Well Explosion

May 18, 2022

Federal workplace safety investigators determined that an oil company's failure to take adequate safety precautions contributed to a drilling site explosion near Grassy Butte, ND on Nov. 4, 2021, that permanently disabled one worker and left two others with serious injuries.

A **U.S. Department of Labor OSHA** investigation found that the oil company carelessly transported explosive materials and failed to take required precautions to protect workers and the public during blasting operations. The workers suffered shrapnel injuries when a perforating gun detonated as workers assembled a blasting cap on it to send down a well near Grassy Butte. The workers were using perforating guns to fracture the well bore.

"These individuals suffered serious injuries simply for doing their job," said **OSHA** Area Director Scott Overson in Bismarck. "The company's willful failure to follow federal standards is unacceptable and a violation of their employees' rights to a safe workplace."

OSHA cited the company for failing to equip vehicles transporting explosives with at least two fire extinguishers located near the driver's seat, ensure safe and consistent disposal or reuse of empty containers and paper fiber packing materials used to wrap explosive materials, and ensure the vehicles were always attended. OSHA inspectors also noted the vehicles lacked safety placards indicating the presence of explosive materials.

OSHA issued six willful, three serious and two other-than-serious safety violations and proposed penalties of \$453,982. The agency also issued one serious safety citation and proposed penalties of \$14,502 to a Greenwood Village, CO energy services company for exposing workers to hazards during the handling of explosives during perforating operations.

The oil company employed the worker who suffered disabling injuries. The Greenwood Village energy services company employed the other two workers.

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

AGRICULTURAL SAFETY

Grand Jury Indicts Milling Company, Six Managers on Nine Counts Related to Five Deaths, Numerous Serious Injuries In 2017 Mill Explosion

May 16, 2022

A federal grand jury has indicted the operator and six management officials of a Cambria, WI corn mill – where a May 31, 2017, explosion killed five workers and injured 15 others – on nine criminal counts, including two counts related to willful violations of federal workplace safety standards for grain handling.

Handed down by a grand jury in the **U.S. District Court for the Western District of Wisconsin in Madison** on May 11, 2022, the indictment of the milling company and its current and former managers includes counts of document falsification in contemplation of a **U.S. Department of Labor OSHA** investigation, and obstructing the federal **OSHA** investigation. The indictment also charges the company and the six officials falsified entries in a cleaning logbook, which involved matters under the jurisdiction of **OSHA**.

The indictment alleges that the milling company willfully violated two federal safety standards in the **Occupational Safety and Health Act** -- by failing to develop and implement a written program to effectively prevent and remove combustible grain dust accumulations, and by not installing venting or suppression on a dust filter collector to prevent an explosion – thereby, causing the deaths of five employees due to the combustible dust explosion on May 31, 2017.

The grand jury indictment also includes the following allegations:

- *The milling company and four named employees conspired to commit fraud by agreeing to take deceptive measures to conceal the failure to adhere to food safety procedures at the mill.*
- *The milling company and those four named employees – along with two former environmental coordinators, conspired to commit federal offenses to conceal violations and unsafe conditions from auditors and government agencies.*
- *Three of those named employees obstructed justice by providing false and misleading testimony after the explosion to **OSHA** about their knowledge of combustible dust hazards at the mill.*

Two former milling company shift superintendents pleaded guilty previously to making false entries in the milling company's cleaning logbook and false entries in the baghouse log, which involved matters within the jurisdiction of **OSHA** and **EPA**, respectively.

An indictment is merely an allegation and all defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

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, 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.](#)

Operation Safe Driver Blitz: July 10-16 — Focus on Speeding

Operation Safe Driver Week is a safe-driving awareness and outreach initiative aimed at improving the driving behaviors of passenger vehicle drivers and commercial motor vehicle drivers through educational and traffic enforcement strategies and interactions with law enforcement.



Commercial Vehicle Safety Alliance announced this summer's **Operation Safe Driver Week** targeting unsafe driving behaviors is scheduled for July 10-16.

Law enforcement personnel in the U.S., Canada and Mexico will be on the lookout for commercial motor vehicle drivers and passenger vehicle drivers engaging in risky driving such as speeding, distracted driving, following too closely, improper lane change, drunk or drugged driving, etc. Identified unsafe drivers will be pulled over and issued a citation or warning.

Earlier in March, the U.S. Department of Transportation's National Highway Traffic Safety Administration released its latest [annual traffic crash report](#). Data shows that traffic stops and interactions with law enforcement help reduce problematic driving behaviors. By making contact with drivers during **Operation Safe Driver Week**, law enforcement personnel aim to make our roadways safer by targeting high-risk driving behaviors.

- *Speeding has been a factor in more than a quarter of crash deaths since 2008.*
- *Speeding of any kind was the most frequent driver-related crash factor for drivers of commercial motor vehicles and passenger vehicles.*
- *Speeding was a factor in 26% of all traffic fatalities in 2018, killing 9,378 people or an average of more than 25 people per day.*
- *Distracted driving claimed 3,142 lives in 2019.*
- *Of the 22,215 passenger vehicle occupants killed in 2019, 47% were not wearing seat belts. Seat belts saved an estimated 14,955 lives and could have saved an additional 2,549 people if they had been wearing seat belts, in 2017 alone.*
- *Every day, about 28 people in the United States die in drunk-driving crashes — that's one person every 52 minutes. In 2019, 10,142 people lost their lives due to drunk driving.*

The **Operation Safe Driver Program** was created to improve the driving behaviors of all drivers and reduce the number of crashes involving commercial motor vehicles on roadways through educational and traffic enforcement strategies.

Operation Safe Driver Week was created by **CVSA** with support from federal agencies in Canada, Mexico and the U.S., the motor carrier industry, and transportation safety organizations.

What is the Purpose of the Click It or Ticket Campaign?

The annual [Click It or Ticket](#) campaign aims at enforcing seat belt use to help keep travelers safe as they drive to their summer destinations.

According to NHTSA, in 2020, 10,893 unbuckled passenger vehicle occupants were killed in crashes in the United States. Among the young adults (18 to 34) killed, more than half (60%) were completely unrestrained – one of the highest percentages for all age groups.

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

Each year, centered around the Memorial Day holiday, you'll likely see more law enforcement on the roads as part of [Click It or Ticket](#). The campaign going on now, from May 23 - June 5, reminds drivers and their passengers of the importance of buckling up and the legal consequences – including fines – for not wearing a seat belt.

Buckle Up the Right Way

Always place the shoulder belt across the middle of your chest and away from your neck, and place the lap belt across your hips, not your stomach. You should never put the shoulder belt behind your back or under your arm.

TODAY, TOMORROW ... EVERYDAY - ALWAYS buckle up.
#ClickItOrTicket

Q & A ...

HOS Exemption Under State or FMCSA Emergency Declaration Extends to Interstate Transportation if Providing Direct Assistance

Q: If a State or **FMCSA** issues an emergency declaration for the transportation of goods in direct assistance of the emergency, for example aviation fuel for emergency wildfire suppression, and a driver picks up a load of aviation fuel in another State and transports it to the State with the emergency declaration, does the regulatory relief in the emergency declaration apply to the driver?

A: Yes. For example, if the Governor of the State of Wyoming issues an emergency declaration for the transportation of aviation fuel for wildfire suppression, and a driver picks up aviation fuel in Nevada to be transported to Wyoming for wildfire suppression and the trip goes through Idaho into Wyoming, the trip is covered by the emergency declaration.

If the driver then heads back to Nevada to pick up more aviation fuel to deliver to Wyoming, the trip is still covered by the emergency declaration.

BUT, once the driver is no longer providing direct assistance to the state emergency, in Wyoming in this example, such as deadheading back to Nevada to pick up cargo not related to the Wyoming emergency, OR later transporting aviation fuel again from Nevada to be delivered to a state not subject to a specified emergency declaration, the driver is no longer covered by the emergency declaration.

FMCSA: ABOUT THE Our Roads, Our Safety CAMPAIGN

Road safety is everyone's responsibility - passenger vehicle drivers, truck drivers, bus drivers, bicyclists and pedestrians. **FMCSA** developed [Our Roads, Our Safety](#), a national safety campaign to encourage road users to share the road safely with large trucks and buses. Watch this [video](#) to see the highlights of what the campaign offers and visit the [Outreach Toolkit](#) to download materials for your own promotion of safety messages.

Nearly every possession we own and almost all the food we eat are brought to our local store or warehouse by truck. Perhaps you have ridden on a bus between cities or as part of a group to a national park or other attraction. Twelve million large trucks and buses (also known as commercial motor vehicles or CMVs) are registered to operate on America's roadways and play a critical role in helping move our nation's economy and transporting our loved ones.

It's easy to think all vehicles operate like cars. But trucks and buses are much more difficult to maneuver, have massive blind spots, and take far longer to stop. [Awareness of these differences](#), and some simple adjustments, can help everyone using the roads and keep us all as safe as possible.

The [Our Roads, Our Safety](#) campaign supports **FMCSA's** mission of reducing crashes, injuries and fatalities involving large trucks and buses. As part of this effort, **FMCSA** partners with [other organizations](#) to educate all drivers, cyclists and pedestrians on the importance of sharing the road.

The more we understand each other's road experience, the better we can look out for one another. **FMCSA's** public safety awareness campaign for [Our Roads, Our Safety](#), provides unique points of view across the full range of road users.

Survey: WORK ZONE CRASHES UP 4% IN 2022

64% of highway contractors report that motor vehicles had crashed into their construction work zones during the past year, up from 60% last year ...

...putting motorists and workers at risk, according to the results of a new highway work zone study conducted by the Associated General Contractors of America and HCSS. In response, officials urged drivers to slow down and remain alert while passing through work zones during the summer driving season.



“The men and women of the construction industry are frequently working just a few feet, and sometimes inches, away from speeding vehicles,” said Ken Simonson, the association’s chief economist and author of the annual survey. ***“Drivers who are too often distracted, speeding and/or under-the-influence crash into those work zones, putting workers and themselves at risk of serious harm and death.”***

According to the survey results, motorists are in even greater danger from highway work zone crashes than construction workers, Simonson noted. Eighteen percent of contractors participating in the survey experienced crashes that resulted in injury to construction workers. But more than twice as many firms—41 percent—reported experiencing a crash in which drivers or passengers were injured.

Drivers and passengers also are twice as likely as construction workers to be killed in work zone crashes. Seven percent of contractors in the survey report that construction workers were killed in work zone crashes, while 15 percent of survey respondents report drivers or passengers were killed in those crashes.

“In many cases, vehicle speeding contributes to these crashes in work zones,” said Steve McGough, President and CEO of HCSS. ***“Utilizing speed cameras with a zero-tolerance policy would go a long way to protect the traveling public and our workforce.”***

Simonson noted that 97 percent of contractors report that highway work zones are either as dangerous, or more dangerous, than they were a year ago. He said that figure is consistent with newly released federal data that reported motor vehicle fatalities rose to a 17-year high in 2021.

The economist added that construction firms are taking steps to improve work zone safety, through special training programs, new technology and software made available by firms like HCSS.

He added that public officials need to take steps to better protect highway work zones, by boosting police presence and enacting tougher laws and penalties for drivers using their cell phones, for example.

Simonson added that the association was urging motorists, particularly those heading out for summer vacations, to be careful when passing through highway work zones. And the association is releasing a new public service video highlighting the story of a young worker who was killed by a distracted driver. ***“The best thing anyone can do to protect themselves and workers is to slow down, put the phone away, and pay attention when they are in a highway work zone,”*** Simonson urged.

The work zone safety study was based on a nationwide survey of highway construction firms the association conducted this April and May. Over 500 contractors completed the survey. Click [here](#) to view the survey results.

Safety Beyond the Barrels

We can do everything possible to keep our workers safe, but the traveling public also has to do their part. Work zone safety really is everyone’s responsibility. It takes contractors, engineers and traffic control plan supervisors to properly plan and design the work zones; flaggers to guide the public through the work zones; drivers, cyclists and pedestrians to remain alert and pay attention while entering and driving through the work zones; and local and state government, area police and emergency responders to help ensure that everyone goes home safe at the end of the day.

Here are some things we need to consider:

- Devices such as attenuators and rumble strips can be used to alert motorists to upcoming work zones
- Automatic flagging devices: If there are ever opportunities to keep workers off the road, like with automatic flagging devices, your company should take advantage.
- Effective signage, even those that appeal to the emotions of drivers, can also help keep drivers alert that there are workers ahead.
- When possible, work zones should build law enforcement protection in to the bid. This is considered one of the most effective for controlling driver behavior in work zones. Make sure they are positioned correctly to provide the best protection possible.
- Some states have also started to deploy automatic speed enforcement in work zones which is another very effective way to keep motorists from speeding through work zones.



FMCSA extending speed limiter comment period

After receiving requests from the OOIDA and the ATA to extend the comment period of FMCSA's speed limiter proposal, the agency agreed and is adding 45 days for industry experts to weigh in.

The advance notice of supplemental proposed rulemaking [docket](#) will now remain open for comments through July 18. It was previously set to close June 3.

As of May 26, 2022, the proposal had received more than 12,000 comments since the comment period opened May 4, with the majority of those comments coming in opposition to any sort of speed limiter mandate.

FMCSA's notice is an exploratory measure to determine how best to potentially implement speed limiters and does not offer specifics as to any speed to which trucks would be limited. The agency's notice leans heavily on trucks' engine control unit (ECU) as the means to limit trucks to a certain speed.

In its notice, FMCSA asks [commenters questions](#) mostly related to ECUs and how speed limiters would work with ECUs.



If We're Going to Limit Vehicles' Ability to Speed, Start with the Real Problem: Cars

May 27, 2022

SOURCE: *Clifford Petersen, Overdrive Extra contributor*

Several times over the last couple of decades truckers have expressed concerns on how dangerous differential speed limits, or separate limits for cars and heavy trucks, can be for our nation's highway users. Yet once again, the **Federal Motor Carrier Safety Administration** appears to be ignoring its own findings and disregarding the many studies whose results speak to that effect.

FMCSA is making moves to mandate more control over truckers' businesses and personal safety with a potential rulemaking to require use of speed-limiting technology.

As far back as 1964, studies noted the variance created by different speed limits for cars and trucks increased the likelihood of interaction, resulting in more cars' rear-end collisions with trucks. Up closer to the present day, implementation of differential speed limits on two-lane rural highways were found in 2012 to have correlated with a more than 60% increase in fatal accidents.

Those are but two studies. Others have clearly shown increased accident probability by virtue of the simple fact that two classes of vehicles traveling at differing speed limits will inevitably lead to an increase in overtaking maneuvers, shorter following distances, and more.

An analysis conducted by the **Federal Highway Administration** division devoted to technology and research in 2004 analyzed the safety impacts of a wide variety of speed-limit policy changes, including shifts to and away from differential speed limits and unified speed limits. Not one single state experienced a significant decrease in crash rates. Yet in states that moved from a unified to a differential speed limit, a fatality became a more likely result for a crash.

In other words, states that changed from a single speed limit for both cars and trucks to a differential speed limit recorded an increase in crashes where fatalities were the result.

This, folks, is simple physics. Newton's third law of motion states that when two objects interact, their collision transfers force equal in magnitude and opposite in direction – the proverbial *equal and opposite reaction* we've all been taught. If a car traveling at 75 mph impacts a wall, the sudden decrease in velocity transfers as much force of impact back to the vehicle formerly in motion as it does the wall.

Personally, I was taught in high school drivers' ed that when a vehicle impacts an object, occupants in the vehicle not secured by restraints will also impact the object collided, or the roadway, as it were, at the same speed of travel upon impact. As noted, simple physics.

As an over-the-road trucker for nearly 25 years, I observed that the average speed of cars is about 5-15 mph above the posted speed limit. If trucks are limited to 65 mph in a state with a 75 mph speed limit, cars traveling at 75 to 90 mph create a differential of 10 to 25 mph.

This puts the trucker and car occupants themselves at greater risk than otherwise might be the case.

Another lesson in simple physics: if a truck blows a steer tire at 65 mph, the only possible way to maintain some control in the moment is to increase speed two to three mph and slowly guide the truck off the highway.

However, if that **truck is technologically limited** at that **speed** when the **tire blowout** happens and **cannot increase** to a **controlling speed**, the **driver is** at the mercy of **gravity**. If that **governed truck blows** a left steer tire, it **will enter** the lanes of **oncoming traffic**, or the **highway median**, as the case may be. A **right-steer blowout** will send the **vehicle off** of the roadway into a **ditch**, culvert, **tree**, embankment, **cliff ...** with **probable roll-over**, impact with a **stationary object**, death. **The Stakes Are High.**

As a **professional trucker**, I set my **cruise control** at **65 mph**. I saved **fuel and wear** and tear, thus reducing **maintenance expense**. It's a business **decision**, but also a **safety decision**. Without a governed **top speed**, I retain the **ability to safely** overtake and **pass a vehicle**, if need be, instead of **delaying traffic behind** me and **creating road rage** in aggressive drivers by **holding them up**.

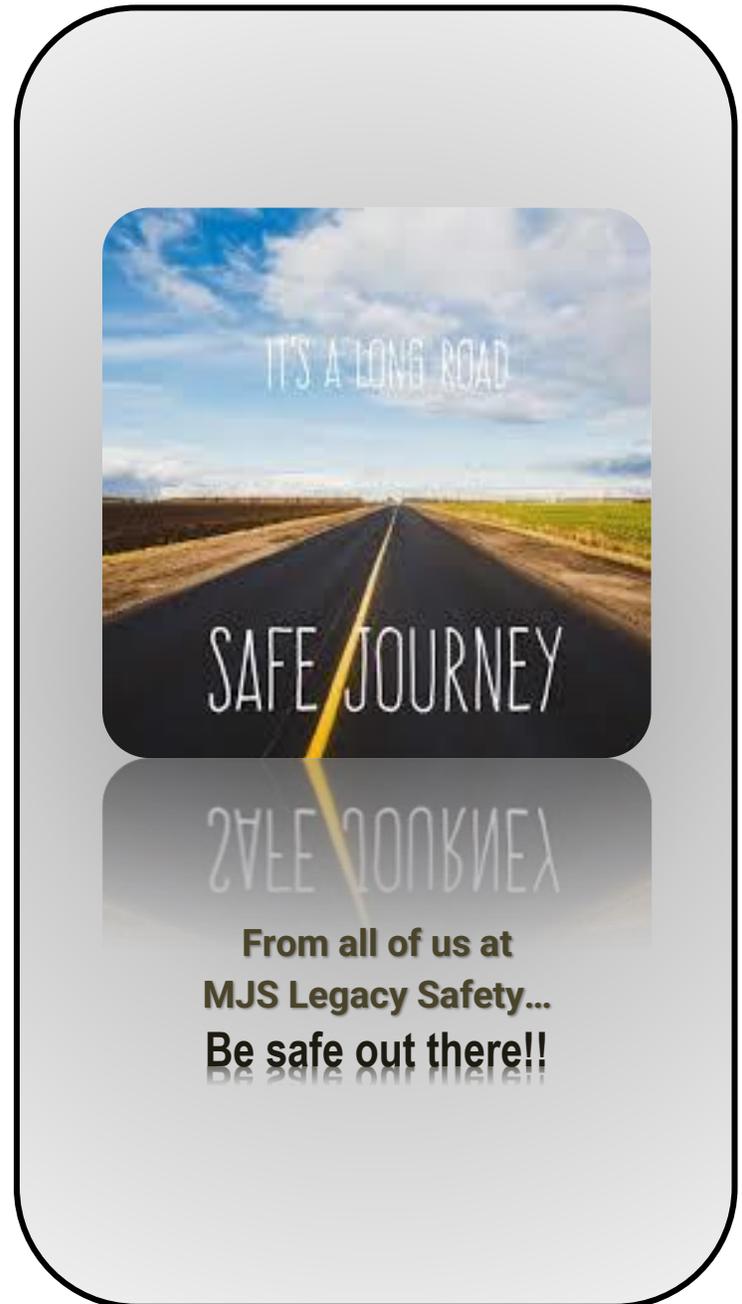
Professional **truckers are not** the problem. **Excessive speeding** by automobile **operators is**. If government is **going to limit** the ability to **speed**, start with **cars**.

While **mandated electronic logging** devices may well **have aided** in **professionals' compliance** with the **hours-of-service rules**, they've also **raised** the stakes when it **comes to time**. Even a **mere 3 mph** can mean the **difference between** a trucker **getting home** in time for a **34-hour restart** and **shutting down** 50 miles **away**.

While that **may not sound** like much, a **speed limiter mandate** is bound to **impact capacity** and **exasperate** the **limited parking** situation. At the same time, there is **currently a proposal** to redefine **overtime pay** as it **applies to employee** truck drivers. In my view, if **that is done**, speed-limiter **use by truckers** will be **even less** necessary. The few **nonprofessional truck drivers** who **ignore speed** limits will **see clearly** the **benefit of** slowing down **instead of rushing**.

My **reading of the research suggests** a more **effective approach** to **speed limits** with a mind **toward pushing down** **accident rates** would be **implementation** of variable **speed limits** in congested areas – **and/or during weather anomalies**.

Truckers are **already heavily regulated**, and far **less likely to be at fault** in an **accident** where a passenger **vehicle is also** involved. If **regulation** is required, then **perhaps you should** look at regulating those **who are more likely to be at fault**.



Federal Appeals Court Unanimously Rules Kentucky Mine Operator Illegally Gave Advance Notice of Inspection to Miners Underground

Affirms US Department of Labor citation after more than a decade

A federal appeals court has ruled unanimously that the operator of a Muhlenberg County, Kentucky, coal mine violated the federal [Mine Safety and Health Act](#) more than a decade ago by giving underground miners advance notice that mine inspectors were conducting an inspection.

The 6th Circuit Court of Appeals' decision on May 11, 2022, is the latest action in long-standing litigation involving an incident on April 20, 2012, at the Paradise No. 9 mine.

During a statutorily required inspection, U.S. Department of Labor [Mine Safety and Health Administration](#) inspectors were monitoring a phone used to contact miners underground when, as they prepared to descend, they overheard someone down in the mine ask the dispatcher on the surface level if they "have company outside," to which the dispatcher responded affirmatively.

MSHA inspectors then issued a citation to the operator for providing advance notice of an inspection. Federal law prohibits mine operators from such notice.

The mine operator appealed the citation, arguing the law against giving advance notice of an inspection does not apply to mine operators. They also argued that they had only provided advance notice that MSHA was "at the mine," and had not provided advance notice of an inspection. The operator also argued the citation violated their free-speech rights.

"The 6th Circuit has reaffirmed that the mine operator's actions violated federal law," said Solicitor of Labor Seema Nanda. "Mine workers are safer when federal inspectors can see mine conditions as they exist on a day-to-day basis, not when conditions have been altered to avoid violations."

In its decision, the court rejected all arguments made to challenge the citation and held that the law plainly prohibits operators from providing advance notice. The court also found the case's facts clearly show the mine's operator provided advance notice that MSHA inspectors were conducting an inspection.

"Our statutorily mandated inspections are at the heart of the [Mine Safety and Health Administration's](#) enforcement program. This decision affirms MSHA's ability to conduct inspections without interference from mine operators as Congress intended," said Assistant Secretary for Mine Safety and Health Christopher J. Williamson.

Federal Judge Orders Hannibal Cement Mine to Pay \$17.5K Penalty for Shorting Pay of Worker Who Assisted Safety Inspectors

Worker paid less per hour in violation of workplace retaliation protections



A federal administrative law judge in Washington, D.C., has ordered a Hannibal, MO cement company to pay a worker who the company penalized for assisting federal safety investigators during a site visit.

On March 1, Administrative Law Judge William B. Moran also ordered the company to pay a \$17,500 penalty after the U.S. Department of Labor's [Mine Safety and Health Administration](#) determined the company punished the worker for acting as the miners' representative, an employee representative designated to accompany and provide information to MSHA inspectors during mine inspections. Under the [Mine Safety and Health Act](#), the miners' representative shall "suffer no loss in pay" for this work.

An MSHA investigation determined that the cement company paid the worker the hourly rate of a laborer on multiple days in March and April 2020 when she accompanied inspectors at the Hannibal mine, instead of the wages she should have received as a mobile equipment operator, the work she would have been doing had she not been acting as the miners' representative. As a result, the company shortchanged the worker \$388 in wages. The company argued it did not have to pay the miner the higher wage since they were not actually operating mobile equipment.

Judge Moran rejected this argument. He determined the cement company's actions resulted in a loss in pay because of her miners' representative duties -- in violation of provisions of the [Federal Mine Safety and Health Act](#) that protects miners, representatives of miners and applicants for employment from retaliation for engaging in safety and health-related activities. These activities include identifying hazards, asking for MSHA inspections, or refusing to engage in an unsafe act.

"The [Mine Safety and Health Administration](#) investigation found the company clearly discriminated against the worker for serving as the miners' representative," said MSHA District Manager Robert Simms in Madisonville, Kentucky. "Federal discrimination laws exist to protect workers from penalties for serving as safety and health representatives while on the job. The judge's decision sends the message that retaliation is a costly mistake for employers."

In addition to paying back wages, the judge ordered the cement company to expunge any adverse information related to the whistleblower complaint from the employee's personnel record and to post information on miner's rights in employee areas. The company must pay the penalty to the U.S. Treasury.

MSHA enforces the [discrimination provisions of the Mine Safety and Health Act](#).

MSHA Releases Report on Jan. 26 Fatality

The **Mine Safety and Health Administration (MSHA)** just released a report stating that on Jan. 26, a dump truck at a construction sand and gravel company in Polk County, Ark., rolled backward onto a 54-year-old miner while the miner was attempting to troubleshoot a brake issue. The dump truck operator was unaware that the miner was under the truck when he released the parking brake, allowing the dump truck to roll backward.

This was the fifth fatality reported in 2022, and the first classified as “Powered Haulage.”

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

- *Block machinery or equipment against hazardous motion before performing repairs or maintenance.*
- *Communicate with mobile equipment operators and assure they acknowledge your presence, before traveling near mobile equipment. Do not assume that mobile equipment operators know that you are in the vicinity.*

MSHA Reports 12th Fatality

The **Mine Safety and Health Administration (MSHA)** reported that on March 22, a 44-year-old heavy equipment operator drowned at a Silica operation in Jackson County, Wis., after the floating pump station he was standing on capsized. At the time of the accident, the miner was assisting a co-worker in connecting a water discharge line.

This is the 12th fatality reported in 2022, and the first classified as “Drowning.”

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

- *Design and use floating platforms in a manner that complies with the manufacturer’s specifications and recommendations.*
- *Before working on a floating platform:*
 - *Implement safe work procedures that take into account potential hazards from rain, ice, freezing temperatures, and other environmental conditions.*
 - *Perform adequate work place examinations, especially on floating platforms that are infrequently used. Check parts that are subject to rust, sun damage, water damage, etc. over long periods of time.*
- *Wear life jackets where there is danger from falling into water.*

Report Accidents & Hazardous Conditions

1-800-746-1553

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

Improving Safety Leadership: Lessons Learned from the Sports World

SOURCE: Dr. Josh Williams, Ph.D, Partner with Propulo Consulting



There are **many parallels** between **exceptional safety leadership** and **sports**. It takes **proper planning** and execution to be a **consistent winner**. Doing things **right on the front end** influences the **scoreboard** on the **back end**...whether it's Michigan vs. Ohio State or **SIF rate reductions** (*Serious Injury and Fatality*). Great leadership is **great leadership**, regardless of the **context**. Here are **some lessons learned** from the **sports world** to improve your **own safety leadership**.

Recruit Better

There's an **axiom in sports** that *"it's as much about the Jimmys and Joes as it is the Xs and Os."* To be a **winner**, you've got to **recruit the best players**. Back in the 70's, **Barry Switzer** built a **powerhouse football program** at the **University of Oklahoma**. He did it, **primarily**, by being a **master salesman** on recruiting **visits** more than being an **offensive** (or *defensive*) **mastermind**. For football buffs, you **might also remember** the scandals **associated** with **paying players** in the old **Southwest Conference**. SMU received the **"death penalty"** for repeatedly paying **players large sums of money** to **come to their school**. This **"arms race"** amongst **football programs** reflected a very **simple truth**: you need the **best players to win**.

Company **leaders also need** to hire the **best talent** to stay ahead of the **competition**. When it **comes to safety**, some companies **simply look** for **"a warm body who can pass a drug test."** More **rigorous vetting** is needed when **selecting employees** with the **right values** for safety, from the **C-Suite** to **entry level** positions. Improve **your hiring** (and *pay!*) to better recruit and **retain the best talent** to help you **build your ideal safety culture**.

Train People Up

The **charismatic Bum Phillips** once joked about **legendary coach Paul "Bear" Bryant**, *"Bryant can take his players and beat your players, and then he can turn around and take your players and beat his players."* In other words, the **man could coach** and much of this **was preparation**. Bryant was **legendary** for his **grueling practice sessions** memorialized in the movie, *"The Junction Boys."* Lost in the **narrative of long practices** in the **grueling sun** was the **relentless dedication** to running plays **over and over again** until they **got it right**. This level of **accountability helped ensure** everyone was **on the same page**. Also, creating this **"muscle memory"** made it **easier for his players** to **perform at the highest levels** under the **greatest duress** and pressure.

Safety leaders also need to **provide exceptional training** to get **desired results**. Too often, **safety training** is boring **computer-based** or **classroom sessions** (*"death by powerpoint"*). You know **your safety training** is bad when **people are passing around cheat-**

sheets to quickly complete the CBT. Safety training should be **hands-on**, **interactive**, and **even entertaining**. Years ago, I spoke with a **woman who won** a competition **against all of her male co-workers** using **fire extinguishers** to put out **controlled fires**. This gave her **bragging rights** but also **legitimate preparation** if a **fire were to break out** at work or **at home**. You're **not going to have many safety incidents** if you train **your employees** like **Bear Bryant** trained his players.

Get a Smart Game Plan

Arthur Ashe was a **legendary tennis player** and **humanitarian**. In 1975, at **age 32**, he faced the **dominant Jimmy Connors** at Wimbledon. The **younger** (and *better*) Connors had **gone 99-4** the prior year and **won several major championships**. **Complicating matters**, Connors had recently **filed two lawsuits** against Ashe for **defamation of character** because **Ashe suggested** he was **unpatriotic** for not representing the **U.S.** in **Davis Cup world competitions**.

All **indications** were that **Connors would rout Ashe in the finals**. As British journalist **Richard Evans** wrote, *"Connors was primed and ready for one of the most awesome and terrifying displays of attacking tennis ever seen on the Centre Court....Pumped and rolling like never before, Jimbo only just stopped short of beating his breast like some miniature tennis Tarzan."*

And then **something strange happened**. Rather than **play his patented serve and volley power game**, Ashe (*wearing red, white, and blue to irk Connors*) employed a **new strategy**: **dink and dunk with a dash** of slice and **dice**. He hit **soft drop shots**, **high lobs**, and everything **else except shots with power**. He won the **first two sets 6-1, 6-1** and **cruised to a four-set victory**. It was **tennis' version** of the Ali-Foreman **"rope a dope."**

Ashe had a **superior game plan** that fueled his **victory against a younger and better opponent**. Safety leaders also need a **sound game plan** to improve **safety culture** and performance. Honestly **assessing your strengths and weaknesses** is step one. **Safety culture assessments** are a great tool to **determine your current state** and then take **pragmatic steps** to get better. **Leaders need to charter a clear course** with **actions** to be done, **stakeholders** to involve, **potential barriers** to avoid, **timelines for completion** and other details to **increase the probability** of success. Striving for **zero incidents** without a **smart game plan** is similar to Thomas Edison's famous quote, *"Vision without execution is hallucination."*

Review Your Performance and Play to Your Standards

After a **62-10 victory** over New Mexico State **several years ago**, head coach **Nick Saban** had a **testy press conference** in which he **expressed frustration** about how his **team played** during parts of the **game**. Broadcasters **often suggest** that Saban does this to **motivate his players** or because he's **simply short tempered** with the **press corp**. However, during this **11-minute session**, Saban made some **very interesting points** including:

- *We didn't play up to our high standards for parts of the game.*
- *We didn't improve this week compared to the week before.*
- *Not improving leads to the development of bad habits.*
- *Bad habits lead to problems in the future with upcoming opponents.*
- *You have to play to your own high standards every day.*

There is a **lesson here** about doing **things the safe way even when injury rates are low**. Complacency **breeds subpar performance**. Also, there's a **reason teams review game tape**. It helps **them learn** and get **better for the next game**. Organizational **leaders need to be ever vigilant** when it comes to **proactive safety efforts to prevent SIFs**. Also, it's **important to honestly review your ongoing performance through conversations with employees, observations and audits, post-job briefs and other means**. Reinforce your **strengths** but also tighten up **weaknesses** that may **lead to incidents** and problems **down the road**. Simply reacting to the **ups and downs of TRIR rates (Total Recordable Incident Rate)** isn't enough. In **safety**, as in **football**, it's more than **just the scoreboard**. Play to your **high standards** every day!

Celebrate Wins

Many of us **remember great achievements** in **sports like:**

- *Tiger Woods pumping his fist after winning the U.S. Open at Torrey Pines on a broken leg*
- *Al Michael's famous exhortation, "Do you believe in miracles?" after the U.S. hockey team's dramatic victory at the Olympics*
- *Andre Agassi (and, well, every other tennis player) crying and falling to the ground after winning Wimbledon*
- *Michael Jordan clutching the NBA trophy after winning his last title*
- *Muhammad Ali standing over Sonny Liston, arms raised, after an amazing (phantom?) knockout*

The **list goes on and on**. After **championship victories**, people wait at **airports** to welcome home **their team**, parades are held on **Main Street**, and **merchandise sales** go through the roof. **Why?** Winning is **hard...and very, very satisfying!**

Safety **wins should be celebrated** too. Many **companies** celebrate **safety achievements** with **safety fairs** where employees **bring their families** for a **paid day** of music, **entertainment**, food, and even **safety themed presentations** and activities. In **many industries**, people **work very hard**, under **very trying circumstances**, and do a **remarkable job** of keeping **themselves and others safe**. This too **should be celebrated**. Safety **should not** be another **corporate obligation**. It should be **part of who we are and how we operate**. And unlike **Nick Saban**, sometimes it's **okay to take** a little time and **simply enjoy your victory**.

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

We are your One Stop Safety Shop

Give us a call!