

MJS Legacy Safety Consulting Services LLC

continues to focus our attention on
'Providing Great Service and Building Lasting Relationships'

It has been our distinct pleasure to serve the needs of businesses both big and small since 1995. MJS Safety transitioned to **MJS Legacy Safety Consulting Services** in 2021 with the passing of our founder, Mike Stookey. But our goal has not changed. We continue to grow the legacy of customized service and individual attention that we have provided to so many companies in Colorado, Wyoming, Montana, and surrounding states. Meeting your unique safety and regulatory needs is our mission.

We look forward to continuing a productive and successful business relationship with you through **MJS Legacy Safety Consulting Services** for many years to come.

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The U.S. Department of Labor's Occupational Safety and Health Administration civil penalty amounts based on cost-of-living adjustments for 2024...

In 2015, Congress passed the Federal Civil Penalties Inflation Adjustment Act Improvements Act to advance the effectiveness of civil monetary penalties and to maintain their deterrent effect. Under the Act, agencies are required to publish "catch-up" rules that adjust the level of civil monetary penalties and make subsequent annual adjustments for inflation no later than January 15 of each year.



OSHA's current maximum penalties for serious and other-than-serious violations are \$16,131 per violation. Failure to Abate, \$16,131 per day beyond the abatement date. The maximum penalty for willful or repeated violations is \$161,323 per violation. Visit the [OSHA Penalties page](#) for more information.

▪ Inspections, Citations, and Proposed Penalties Standard Number: [1903.15](#)

JUNE 2024: TRENCH SAFETY MONTH!

Did You Know?

OSHA is hosting a **June 5 webinar covering [trenching safety](#), the [National Emphasis Program on Trenching and Excavations](#), and the [National Trench Safety Stand Down](#) (June 17-23). [Registration is free.](#)**

¿Sabías?

OSHA organiza el 5 de junio un seminario web sobre [seguridad en zanjas](#), nuestro [Programa de Énfasis Nacional en Zanjas y Excavaciones](#), y la [Campaña Nacional de Seguridad en Zanjas](#) (17-23 de junio). La [inscripción es gratuita.](#)

- ▶ **DOL's OSHA Civil Penalties for 2024** [read more...](#)
- ▶ **JUNE 2024: TRENCH SAFETY MONTH....Did You Know?** [read more...](#)
- ▶ **Schedule of Classes – June 2024** [read more...](#)
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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...](#)
- ▶ **Report a Fatality or Severe Injury**
All employers are required to notify **OSHA** when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye... [read more...](#)
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- ▶ **FILING A WORKPLACE COMPLAINT — whistleblower or safety and health complaint?** [read more...](#)
- ▶ **SAVETHE DATE: AUGUST 12-18, 2024 Safe + Sound Week** recognizes the successes of workplace health & safety... [read more...](#)
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Small business owners often find themselves in a pickle when a new **OSHA** regulation is enacted. [read more...](#)
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OSHA creates two regions to reflect changing demographics, population, areas of need [read more...](#)
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Annual commemoration in October celebrates contributions of workers with disabilities [read more...](#)
- ▶ **Department of Labor Takes Critical Step in Heat Safety Rulemaking,**
CONTINUES HEIGHTENED ENFORCEMENT EFFORTS, FOCUSES ON DANGERS TO AGRICULTURAL WORKERS [read more...](#)



Your Right to Know

- ▶ **Requiring Employers to Keep Employees Informed**
A new topic every month..... The Uniformed Services Employment And Reemployment Rights Act [read more...](#)

TRANSPORTATION NEWS SUMMARY

- ▶ **Reminder - Federal Drug Testing Custody and Control Form Mandatory...** [read more...](#)
- ▶ **DOT 2024 Regs Violation Penalty Increases** [read more...](#)
- ▶ **Inspection Bulletin**
2024-01 – Unified Carrier Registration Enforcement Bulletin for 2024 Registration Year [read more...](#)
- ▶ **UCR fees for 2024 registration year** are approximately 9% less than fees for 2023 [read more...](#)
- ▶ **Colorado Senate Bill 23-012 and CMV registration changes**
Law brings changes to how civil penalties are handled for commercial motor carriers who don't comply with safety rules [read more...](#)
- ▶ **Marijuana Legalization, Trucking, and the Future Of Drug Testing**
...bill would de-schedule marijuana removing "controlled substance" status altogether. [read more...](#)



TRANSPORTATION NEWS SUMMARY cont'd

- ▶ **Colo. Law: Move Over for Me** "*Slow Down, Move Over*" protections to **ALL disabled vehicles**. [read more...](#)
- ▶ **CVSA Announces Dates for Operation Safe Driver Blitz** July 7-13 [read more...](#)
- ▶ **Do you have an email from the "FMCSA" in your inbox?** ...*you may want to think twice before clicking any links.* [read more...](#)
- ▶ **Truck History Reports** — *Look up reported accidents, inspection violations, insurance claim, owner history and more.* [read more...](#)
- ▶ **States Challenge Latest EPA, CARB Truck Emissions Rules**
Lawsuits challenge regulations imposing electric-vehicle mandates on truck owners across the U.S. [read more...](#)
- ▶ **2024 CVSA Out-of-Service Criteria Now Available in the CVSA App** [read more...](#)
- ▶ **FMCSA Revokes Registration of Two More Elds from Device List** [read more...](#)
- ▶ **FMCSA Officially Removing Driver-Facing Camera Requirement from Under-21 Pilot** [read more...](#)

MSHA NEWS SUMMARY

- ▶ **The Mine Safety and Health Administration is now on FACEBOOK!** [read more...](#)
- ▶ **Customer Truck Drivers**
Since 2021, customer truck drivers have been involved in six fatal accidents. [read more...](#)
- ▶ **Battery Fire/Explosion Hazard** [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

- ▶ **Women Often Experience Different Safety Hazards Than Men in Construction Industry** [read more...](#)
- ▶ **OSHA Workplace Mental Health Bulletin**
Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. [read more...](#)

COVID/RSV/FLU INFORMATION/RESOURCES SUMMARY

For your convenience, we have moved all COVID/flu/RSV information and resource [links](#) to the last page of the newsletter.



“Training Spotlight”

(a different course will be featured monthly)

> 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 June 2024: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND**: June 11 (All Virtual); June 18, 28; 8 – 4:30;
- *First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): June 10, 25; 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 10, 25; 12:30 – 4:30;
This class available via Instructor Led video conference

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

Need any classes in Spanish? Contact Carrie to schedule.

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

SOURCES FOR THIS ISSUE

INCLUDE:

- OSHA
- FMCSA
- ISHN
- Foley
- Employers Resource
- MSHA
- US DOL
- Overdrive
- CMCA
- CCJ
- Safety First Consulting
- CVSA

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

— FEATURED TRAINING PROGRAMS —

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

Order
First Aid
& other
Safety Supplies

www.mjslegacysafety.com

Jeremy
720-203-6325
Carrie
720-203-4948

Want to schedule a class
On-Site at your Facility...

~ or ~

Attend a class at our Training Center?

Just give us a call !!

Need Help With

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

CALL US!!!

➔ **Distance Learning & Video Conference classes:** Through the Pandemic we have been able to offer Safeland and the PEC H2S Clear courses via video conferencing, and Veriforce has extended the authorization to continue this indefinitely. We are also able to offer the 1st aid/ CPR classes with an online blended learning option, and remote skills verification – as well as our In-House H2S Awareness Course. Ask about other distance learning opportunities for more information.

➔ **Video Conference Courses** Must Be Scheduled Separately and Are Available Upon Request.

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

Drug Testing

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



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

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

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

Report a Fatality or Severe Injury

- All employers are required to notify **OSHA** when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye.
- A fatality must be reported within 8 hours.
- An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.

To Make a Report

- Call the nearest [OSHA office](#).
- Call the OSHA 24-hour hotline at [1-800-321-6742](tel:1-800-321-6742) (OSHA).
- [Report online](#)

Be prepared to supply: Business name; names of employees affected; location and time of the incident, brief description of the incident; contact person and phone number. [FAQ's](#)



DOL Announces Final Rule Updating the Hazard Communication Standard to Better Protect Workers, First Responders

Chemicals in the workplace should carry clear labels and easy-to-understand information about their hazards. OSHA's new rule on hazard communication — aligned with other federal standards — will help reduce chemical-related illnesses and injuries for workers and first responders.



On May 20th the Department of Labor announced a final rule from its **Occupational Safety and Health Administration** that will update the current **Hazard Communication Standard** to better protect workers by improving the amount and quality of information on labels and safety data sheets and allow workers and first responders to react more quickly in an emergency. The updates take effect on July 19, 2024.

Aligned primarily with the seventh revision of the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals, [the updated standard](#) will require labels on small packaging to be more comprehensive and readable and makes changes to help ensure trade secrets no longer prevent workers and first responders from receiving critical hazard information on safety data sheets.

Workers will also benefit from other changes in the updated standard, including a clearer hazard classification process to provide more complete and accurate hazard information on labels and safety data sheets; updated physical hazard classes to better inform users on safe handling of explosives, aerosols and chemicals under pressure; and updated precautionary statements on how to safely handle, store and dispose of hazardous chemicals.

The final rule also addresses issues that arose since the implementation of the 2012 standard and improves alignment with other federal agencies and Canada.

Established in 1983, the Hazard Communication Standard provides a standardized approach to workplace hazard communications associated with exposure to hazardous chemicals. OSHA updated the standard in 2012 to align with the third revision of the GHS to provide a common and coherent approach to classifying chemicals and communicating hazard information.

Learn more about OSHA's [hazard communication](#).



2024 fees for Student Course Completion Cards for Outreach Training Program

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

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



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

[Authorized outreach trainers and online providers](#)

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

MJS Legacy Safety

is an [Authorized Outreach Trainer](#).

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

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

Give us a call!

Is the OSHA Officer Real? HERE'S HOW TO SPOT THE SCAMMERS



Scammers impersonating **Occupational Safety & Health Association Compliance Safety & Health Officers**, otherwise known as “**OSHA CoSHOs**”, is a pesky and pricey hoax that never seems to go away despite the relative ease involved in identifying the fake **OSHA CoSHO**.

This article will review some common and notorious scams, how to spot a fake CoSHO, and what to do if a scammer is suspected of posing as an **OSHA CoSHO**.

The Scams

Can you identify the red flags in the following four sample **OSHA** scams? When you are done with this section, continue reading “How To Spot the Fake CoSHOs” below to see how you did.

1. The most common scam involving fake **CoSHOs** is the **Poster Scam**. With this particular scam, fake **CoSHOs** typically call a business and tells them they need to purchase and post the **OSHA “It’s the Law” Poster** or the business would be fined. Variations of the scam include threats, if the business does not want to pay for the poster, of a full **OSHA** inspection or threats of closing the business down.
2. Another popular scam involves a fake **CoSHO** that shows up to a place of business or construction site, shows some sort of identification, and immediately begins the inspection. One or more violations are pointed out to business officials and one or more citations are written that require immediate payment of fines. If the business isn’t able to pay the amount of the fines immediately, the fake **CoSHO** negotiates an amount of fine that the business is able to pay on the spot.
3. A woman in Central California was involved in scamming construction companies out of \$500,000 by impersonating an **OSHA CoSHO**. The woman offered training classes, for a fee, to clear up **OSHA** violations that she said she found on the job sites. She was said to have shammed one company out of \$35,000 before getting caught.
4. Following the Deepwater Horizon oil spill, a woman visited small fishing communities in Louisiana, represented herself as a high-ranking **OSHA** hazardous waste safety instructor and inspector. She promised residents in the small fishing communities that lucrative employment opportunities were available for cleaning up the oil spill –provided they were properly trained. However, the woman had no connections with **OSHA** or the oil spill cleanup effort, and she did not have any training whatsoever in hazardous waste safety. The woman eventually plead guilty to criminal charges that landed her in prison for 57 months.

How do you know if someone claims to be an **OSHA CoSHO** is actually the real deal? Here’s how you spot the fakes:

Red Flag 1: The fake CoSHO will not show an ID or will show a bogus ID.

Upon appearing at a place of business or job site, the real **CoSHO** should always immediately display his or her credentials (if they forget, remind them to do so), which is a formal ID, and is actually in three parts. The first part is a Department of Labor shield on the cover, and on the inside is an identification card and another identification card with the person’s photograph on it. **OSHA** does not allow photocopying **CoSHO IDs**, but an **OSHA** Area Director in Texas shared a partial photograph of his credentials with us to help employers get an idea of what official **OSHA** credentials look like.



Red Flag 2: The fake CoSHO will not hold formal opening/closing conferences with the employer.

OSHA CoSHOs always (or at least attempt to) hold opening and closing conferences with the employer. The opening conference, although brief, covers why **OSHA** is at the workplace and the scope of the inspection. The closing conference will preferably be on-site, but sometimes it could be held by teleconference, as circumstances require. In the closing conference, the **CoSHO(s)** will describe the alleged violations found during the inspection. The employer is always advised of their rights to participate in any subsequent conferences, meetings or discussions, and their context rights. The fake **CoSHO** will be more interested in doing a quick inspection, getting paid for fake citations, and getting out of there as soon as possible.

Red Flag 3: The fake CoSHO won’t be agreeable with a call to the OSHA Area Office to confirm their identity.

OSHA CoSHOs will always support the employer’s desire to confirm the **CoSHO’s** identity. The fake **CoSHO** will make threats and show agitation with such a request from an employer because a call to the **OSHA Area Office** will expose the scam. Tip: Never use a phone number a **CoSHO** (real or fake) provides as a number to call to confirm their identity –it could be a phone number to an accomplice scammer. Always look up the number to the closest **OSHA Area Office** yourself.

Red Flag 4: The fake CoSHO will issue citations.

OSHA CoSHOs never issue citations; they merely collect facts and bring them back to the **Area Office**. The **Area Director** and staff attorneys formulate and issue citations to employers, but always from the **Area Office** in a formal letter.



Red Flag 5: The fake CoSHO will ask for payment on the spot.

OSHA CoSHOs never issue financial penalties or collect payments. Again, the **Area Director of OSHA** is in charge of setting and issuing financial penalties to employers, not the **CoSHO**. If a “**CoSHO**” offers a reduction in financial penalty if the employer pays the penalty up front, then it’s a scam.

Red Flag 6: The fake CoSHO will attempt to sell goods and/or services.

OSHA CoSHOs never sell goods or services. Fake **CoSHOs** will almost always try to sell a “**compliance kit**”, **OSHA “It’s the Law” poster**, or some sort of **training/service**. The most popular gimmick is to sell the free **OSHA “It’s the Law” poster**, which is available free on **OSHA’s** website.

The Inspector Is A Fake. Now What?

If someone purporting to be an **OSHA CoSHO** is suspected of being a scammer, you should:

- *Call the local police immediately.*
- *Contact the Federal Bureau of Investigation.*
- *If you haven’t already, contact OSHA at 800-321-OSHA.*
- *If possible, get photographs of the suspected scammer.*
- *Get photographs of the suspected scammer’s vehicle, including the license plate number.*

Above all else, be careful. Impersonating a federal official is a big-time crime and a scammer will likely not go down easily and calmly.



**SAVE THE DATE:
AUGUST 12-18, 2024**

Safe + Sound Week is a nationwide event held each **August** that **recognizes the successes** of workplace **health** and safety programs and **offers information** and **ideas on how** to keep America’s **workers safe**. This year **Safe + Sound Week** will **provide resources** for **businesses** on mental health and wellbeing. These **materials will** be posted **before the start** of **Safe + Sound Week**. Please check back soon!

WHY PARTICIPATE?

Successful safety and health programs can **proactively identify** and **manage** workplace hazards before they **cause injury** or illness, **improving** sustainability and the bottom line. **Participating** in **Safe + Sound Week** can help get your program started, **energize an existing** one, or provide a **chance to** recognize your **safety successes**.

WHO PARTICIPATES?

All **organizations** looking for an opportunity to **recognize** their **commitment to safety** are welcome to participate. Last year, **more than 3,300 businesses** helped to raise awareness about **workers' health** and **safety!**

Check out our [event archive](#) for information on **previous years' engagement**.

**FILING A WORKPLACE COMPLAINT
CHOOSING THE RIGHT ONE**



Workers have the right to report injuries, safety issues, and actions taken against them for speaking up including being fired, demoted, or disciplined.

Workers have the right to file a whistleblower or safety and health complaint, and in some instances both. This [chart](#) outlines the differences.

Remember, employers are required to follow safety laws and keep you safe. Employers must also maintain a workplace free from retaliation for voicing concerns about hazards or violations of federal law.

How to Avoid OSHA Compliance “Scams”

Small business owners often find themselves in a pickle when a new OSHA regulation is enacted. Chances are that unless you are connected to a source that can supply you with the simple facts about exactly what the new rules cover and how they affect your business, you are definitely behind the curve. You may not even be aware that a new regulation has already been enacted and you find yourself subject to citations and fines. As with most government regulations, ignorance of the law is not a defense.

Contrary to popular belief, OSHA doesn't just think up a new regulation and then immediately spring it on unsuspecting employers. In fact, it can be years before the final version of a new regulation passes through the exhaustive vetting process. OSHA seeks input from individuals and employers who will be affected by a new regulation – and they take the input seriously. Nonetheless, many employers fail to keep up with the process and are caught unaware when the regulation is enacted.



What Is an OSHA “Scam?”

There is a cottage industry of individuals, companies and organizations out there who make money keeping abreast of all things OSHA. Long before the final version of a new regulatory standard is enacted, these folks develop training materials and compliance packages designed to meet the requirements of the new standard. Once their materials are complete, their marketing department begins targeting prospective customers for their products. Pricing for these materials can vary greatly. If your business is even remotely in the area covered by the new rule, you've probably seen these sales pitches in your inbox.

Purchasing one of these offerings without a good understanding of how the new rules will affect your business is usually ill advised. Sadly, there are business owners who have spent hundreds or thousands of dollars for a “compliance kit” to meet the requirements of a new OSHA regulation that really doesn't apply to them! Unfortunately, some compliance companies prey on small businesses.

How to Avoid Getting Scammed

What's a business owner to do? Here are some ideas that will help you make the right decision concerning OSHA compliance assistance:

1. **Bookmark OSHA's website.** If you get wind that a new regulation is coming that may affect your business, this is the place to get the straight facts. OSHA always uses the front page of their website to highlight coming regulatory compliance standards. You can spend a little time on this site and get a good understanding of what you need to do. The website is free and OSHA often publishes sample compliance programs and training materials which are also free.
2. **Check with your industry's professional association.** An industry association to which you pay annual membership dues certainly wants to make sure their members are up to date on the latest compliance issues. Newsletters and correspondence from your professional organization will often contain exactly what you need – without the scare tactics or pressure to purchase a particular compliance kit or training guide. The best associations often offer members a comparison of the various compliance packages available.

3. **Don't purchase the first compliance package that you see.** Shop around and weigh the benefits and costs. Make sure that any package you buy exactly suits the needs of your business. If you have a good understanding of how a new regulatory standard applies to your business you may be able to create your own program – without purchasing any prepared materials.

4. **Don't rely solely on information or advice you get from friends or competitors in the same industry.** Remember that they could be as in-the-dark as you are, and that “a little knowledge is a dangerous thing.”

5. **Get help from a professional.** If you don't have a professional association or an in-house safety department, you may need some additional support.

Choosing Your Compliance Method

“Compliance” with an OSHA regulatory standard often involves an employee training component. Training is required on specific elements of the regulation to make sure that employees are aware of the workplace dangers covered by the law. The training must be documented and training records must be maintained by the company. Some OSHA regulatory standards – like the Hazard Communication Act – require “refresher” training for all employees annually, or whenever a new chemical is introduced into the workplace.

“Compliance” is not necessarily a huge expense for a company. Once you reach an understanding of the requirements of the new regulatory standard, you should be able to select from several compliance options that fit your needs.

OSHA looks at abatement of workplace hazards three ways:

1. Remove the hazard entirely
2. Engineer controls to ensure that employees will not be exposed to the hazard
3. Use Personal Protective Equipment (PPE) issued to exposed employees to keep them safe

Removing the hazard entirely is the preferred way to ensure compliance, but it is probably the most expensive option. Engineering controls is the next best method, but this too can be expensive – especially if safeguards must be fabricated and installed. Using PPE to abate a hazard is OSHA's least preferred method but it's often the least expensive for a business owner.

Need help with
OSHA compliance assistance?
Give Carrie or Jeremy a call – MJS Legacy Safety!

Department of Labor Plans to Restructure Workplace Safety, Health Regional Operations Strategically to Protect Workers

OSHA creates two regions to reflect changing demographics, population, areas of need

The Department of Labor recently announced strategic changes to the structure of its **Occupational Safety and Health Administration's** regional operations designed to direct its resources effectively and make the agency more resilient.

The changes include the creation of a new **OSHA** regional office in Birmingham, Alabama, overseeing agency operations in the state, and those in Arkansas, Kentucky, Louisiana, Mississippi and Tennessee as well as the Florida Panhandle. The Birmingham Region will address the area's growing worker population and the hazardous work done by people employed in food processing, construction, heavy manufacturing and chemical processing.

OSHA is also planning to merge Regions 9 and 10 into a new San Francisco Region to improve operations and reduce operating costs.

As part of the changes, the agency will also rename its regions to associate them by geography, rather than its current practice of assigning numbers to regions. As such, the area **OSHA** calls Region 4 will be renamed the Atlanta Region with jurisdiction over Florida, excluding the Panhandle; Georgia, North Carolina and South Carolina. The current Region 6 will be renamed the Dallas Region and have jurisdiction over workplace safety issues in New Mexico, Oklahoma and Texas.

The composition of **OSHA's** other regions will remain the same. When completed, the agency's regions will be renamed as follows:

Current regional assignment	New regional designation
Region 1	Boston Region
Region 2	New York City Region
Region 3	Philadelphia Region
Region 4	Atlanta Region
Region 5	Chicago Region
Region 6	Dallas Region
Region 7	Kansas City Region
Region 8	Denver Region
Regions 9 and 10	San Francisco Region
	Birmingham Region

[View a map of OSHA's new regional structure and boundaries.](#)

"The changes reflect the nation's demographic and industrial changes since the passage of the OSH Act and will allow our professionals to better respond to the needs of all workers, including those historically underserved," explained Assistant Secretary for Occupational Safety and Health Doug Parker. *"With a stronger enforcement presence in the South and more consolidated state oversight and whistleblower presence in the West — an area dominated by states that operate their OSHA programs — we can direct our resources where they're needed most."*

OSHA plans to fully transition to its new regional structure later in fiscal year 2024. Once implemented, the agency's regional maps and contact information online will be updated publicly.

DOL Announces 'ACCESS TO GOOD JOBS FOR ALL' as National Disability Employment Awareness Month's 2024 Theme

Annual commemoration in October celebrates contributions of workers with disabilities

National Disability
Employment
Awareness Month

The Department of Labor recently announced that its **Office of Disability Employment Policy** has chosen '**ACCESS TO GOOD JOBS FOR ALL**' as the theme for **National Disability Employment Awareness Month**, to be observed in October.

NDEAM annually celebrates the contributions of the nation's disabled workers and showcases supportive, inclusive policies and practices that benefit employees and employers alike.

"Our theme in 2024, 'ACCESS TO GOOD JOBS FOR ALL' speaks to our commitment to expand the number of employment opportunities for people with disabilities and the quality of those opportunities," explained **Assistant Secretary for Disability**

Employment Policy Taryn M. Williams. *"Good jobs change lives and all workers — including disabled people — deserve the opportunity to prepare for success in high-quality, good-paying jobs in workplaces free of discrimination."*

In 1945, the nation first designated a national week to recognize the contribution of people with physical disabilities. Designated by Congress as **NDEAM** in 1988, the commemoration evolved to acknowledge the importance of increasing the number of people with disabilities in the workforce. In 2001, **ODEP** was created and was given responsibility for **NDEAM** and for selecting and helping promote its annual theme.

ODEP provides leadership, develops policy and initiatives, and awards grants to increase the number and quality of employment opportunities for people with disabilities. [Learn more about NDEAM and how organizations can participate.](#)

Department of Labor Takes Critical Step in Heat Safety Rulemaking,

CONTINUES HEIGHTENED ENFORCEMENT EFFORTS, FOCUSES ON DANGERS TO AGRICULTURAL WORKERS

As temperatures rise across the country, **OSHA** has taken a critical step in the rulemaking process to address heat safety, renewed its national emphasis program on outdoor and indoor heat-related hazards, and is prioritizing targeted inspections in agricultural industries with workers who are at high risk of hazardous heat exposure.

On April 24, 2024, the department's **Occupational Safety and Health Administration** presented the draft rule's initial regulatory framework at a meeting of the **Advisory Committee on Construction Safety and Health**. The committee, which advises the agency on safety and health standards and policy matters, unanimously recommended **OSHA** move forward expeditiously on the **Notice of Proposed Rulemaking**. As part of the rulemaking process, the agency will seek and consider input from a wide range of stakeholders and the public at-large as it works to propose and finalize its rule.

In the interim, **OSHA** continues to direct significant existing outreach and enforcement resources to educate employers and workers and hold businesses accountable for violations of the **Occupational Safety and Health Act's** general duty clause, [29 U.S.C. § 654\(a\)\(1\)](#) and other applicable regulations. Record-breaking temperatures across the nation have increased the risks people face on-the-job, especially in summer months. Every year, dozens of workers die and thousands more suffer illnesses related to hazardous heat exposure that, sadly, are most often preventable.

"Workers at risk of heat illness need a new rule to protect workers from heat hazards. OSHA is working aggressively to develop a new regulation that keeps workers safe from the dangers of heat," explained **Assistant Secretary for Occupational Safety and Health** Doug Parker. *"As we move through the required regulatory process for creating these protections, OSHA will use all of its existing tools to hold employers responsible when they fail to protect workers from known hazards such as heat, including our authority to stop employers from exposing workers to conditions which pose an imminent danger."*

The agency continues to conduct heat-related inspections under its [National Emphasis Program – Outdoor and Indoor Heat-Related Hazards](#), launched in 2022. The program inspects workplaces with the highest exposures to heat-related hazards proactively to prevent workers from suffering injury, illness or death needlessly. Since the launch, **OSHA** has conducted nearly 5,000 federal heat-related inspections.

In addition, the agency is prioritizing programmed inspections in agricultural industries that employ temporary, nonimmigrant **H-2A workers for seasonal** labor. These workers face unique vulnerabilities, including potential language barriers, less control over their living and working conditions, and possible lack of acclimatization, and are at high risk of hazardous heat exposure.

By law, employers must protect workers from the dangers of heat exposure and should have a proper safety and health plan in place. At a minimum, employers should provide adequate cool water, rest breaks and shade or a cool rest area. Employees who are new or returning to a high heat workplace should be allowed time to gradually get used to working in hot temperatures. Workers and managers should also be trained so they can identify and help prevent heat illness themselves.

"No worker should have to get sick or die because their employer refused to provide water, or breaks to recover from high heat, or failed to act after a worker showed signs of heat illness," Parker added.

As always, **OSHA** will share information and coordinate enforcement and compliance assistance efforts with states operating their own occupational safety and health programs. At the same time, the agency's compliance assistance specialists regularly meet with employer associations, workers and their advocacy groups and labor unions to supply information and education on heat hazards.

Hydration is
always trendy



Prevent heat illness among indoor and outdoor workers. Stay hydrated before, during and after work by drinking at least 8 ounces of water every 15-20 minutes!

Requiring Employers to Keep Employees Informed

Labor Law Posters

Some of the **statutes** and **regulations** enforced by the **U.S. Department of Labor (DOL)** require that **notices be provided** to employees and/or **posted** in the **workplace**. **DOL** provides **free electronic copies** of the **required posters** and some of the **posters** are available in **languages** other than **English**.

Posting requirements vary by **statute**; that is, **not all employers** are **covered** by each of the **Department's statutes** and thus **may not be required** to post a **specific notice**. For example, **some small businesses** may **not be covered** by the **Family and Medical Leave Act** and thus **would not** be subject to the **Act's posting requirements**.

The [elaws Poster Advisor](#) can be used to **determine** which **poster(s)** employers are **required to display** at their **place(s) of business**. Posters, **available** in **English** and **other languages**, may be downloaded **free of charge** and printed **directly** from the **Advisor**. If you **already know** which **poster(s)** you are **required to display**, the **site** makes it easy to **download and print** the appropriate poster(s) **free of charge**.

Please note that the **elaws Poster Advisor** provides **information** on **Federal DOL poster requirements**. For **information** on **state poster requirements**, please visit [state Departments of Labor](#). For **Colorado posters**, use this [link](#).

Each month we'll highlight a different topic and do our best to keep you up to date on any new or changing statutes and regulations.

The Uniformed Services Employment And Reemployment Rights Act

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System.

USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

- * REEMPLOYMENT RIGHTS
- * RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
- * HEALTH INSURANCE PROTECTION
- * ENFORCEMENT

[Your Rights Under USERRA poster \(pdf\)](#)



Reminder - Federal Drug Testing Custody and Control Form Mandatory



▶ **DOT-regulated employers and their service agents [collectors, laboratories, Medical Review Officers (MRO)] must use the 'revised CCF'.** ◀

[Learn more](#) about what this means for DOT drug testing.



COLORADO
Department of Revenue

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

DOT 2024 Regs Violation Penalty Increases

The Department of Transportation published a [final rule](#) in the *Federal Register*, Thursday, Dec 28, 2023, updating the civil penalty amounts (*effective immediately*) that may be imposed in 2024 for violations of certain DOT regulations, including **Federal Motor Carrier Safety Administration** regulations focused on in trucking-company audits.

This is an annual move required by the Federal Civil Penalties Inflation Adjustment Act Improvements Act.

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

Inspection Bulletin

2024-01 – Unified Carrier Registration Enforcement Bulletin for 2024 Registration Year

Created: Jan. 1, 2024

Summary

- This [bulletin](#) (pdf) provides guidance for verifying compliance with Unified Carrier Registration (UCR) during a roadside inspection and encourages roadside enforcement for the 2024 registration year, effective Jan. 1, 2024.

Want to learn more about the UCR Plan?

- To learn more about the UCR Plan, go to <https://plan.ucr.gov/>.

Enforcement Guidance

- The 2024 UCR enforcement begins Jan. 1, 2024. The UCR Board recommends that states begin enforcement for the 2024 registration year on Jan. 1, 2024.
- The **Federal Motor Carrier Safety Administration (FMCSA)** has a Title 49 Code of Federal Regulations (CFR) violation code in the inspection software to indicate that a carrier is not in compliance with UCR, which is 392.2 UCR - Failure to pay UCR fees.
- Any non-compliance of the UCR registration should be documented on the Driver/Vehicle Examination Report as a “392.2 UCR - Failure to pay UCR fees” violation.



UCR fees for 2024 registration year are approximately 9% less than fees for 2023, depending on the applicable fee bracket.

The changes reduce the fees paid by motor carriers, brokers, freight forwarders, and leasing companies to the UCR Plan and the participating states.

The official website of the UCR plan is Plan.UCR.gov.

The fees for the 2024 registration year:

2023 vs. 2024 Unified Carrier Registration Plan fees						
No. of power units	0-2	3-5	6-20	21-100	101-1,000	1,001 and above
2023 fee (previous)	\$41	\$121	\$242	\$844	\$4,024	\$39,289
2024 fee (new)	\$37	\$111	\$221	\$769	\$3,670	\$35,836
Difference	-\$4	-\$10	-\$21	-\$75	-\$354	-\$3,453



COLORADO
Department of Revenue
Division of Motor Vehicles



Colorado Senate Bill 23-012 and CMV registration changes

We're informing you about Senate Bill 23-012, pivotal legislation passed during the 2023 legislative session. This law brings changes to how civil penalties are handled for commercial motor carriers who don't comply with safety rules while operating their vehicles.

Starting May 1, 2024, county motor vehicle offices will be implementing a new requirement. They will collect the USDOT number along with either an Employer Identification Number or Social Security Number when registering a commercial vehicle weighing 10,001 pounds or more. This requirement applies even if these vehicles are not part of the International Registration Plan (IRP) program.

SB23-012 is a stepping stone for Colorado to join the FMCSA's Expanded PRISM program. This transition signifies a major milestone in improving road safety and ensuring regulatory compliance throughout the state.

Below is some essential information you may need due to these changes:

- **If you don't have a DOT number, you can register for your FREE number at:**
<https://portal.fmcsa.dot.gov/UrsRegistrationWizard>
 - **Note the dot.gov address!** Lots of CMV services will offer to help you. Some are real companies, some are fraud attempts. Stay aware!
 - After you register your DOT number, you may receive a lot of mail or email. Some of these might be scams. It's best to always check for legitimate correspondence directly on the federal website.
- **CSP may ask you to provide an Operating Authority - or MC - number.**
 - You may not need an Operating Authority number if you never haul outside of Colorado, or you only haul exempt commodities.
 - If you don't need it now, you can always apply later
 - There is a fee to apply for an Operating Authority number.
 - To apply for one, please visit
<https://www.fmcsa.dot.gov/registration/get-mc-number-authority-operate>.
 - Plan Ahead! Operating Authority can take several weeks to activate.

Colo. Law: Move Over for Me

THESE PROTECTIONS TOOK EFFECT IN AUGUST 2023.

Colorado joined the ranks of just nine other states in offering robust "**Slow Down, Move Over**" protections to **ALL disabled vehicles.**

HB23-1123 requires that drivers move over a lane whenever they encounter **ANY** stationary vehicle with its hazards flashing –
and if they can't move over, they **must slow down.**

Marijuana Legalization, Trucking, and the Future Of Drug Testing

Just a week after President Biden's administration began winding down a long road toward marijuana rescheduling, Senate Democrats [introduced a bill that would deschedule it entirely](#). That is, the bill would remove marijuana's "controlled substance" status altogether.



Needless to say, after five decades of the federal government treating marijuana like it was cocaine or heroin, things are rapidly evolving with America's favorite illicit drug. Evolving, but not changing. As anyone in trucking knows, the government moves slowly.

Previous reporting on marijuana rescheduling highlighted attorney Brian Vicente's sobering commentary that, even if the feds reschedule marijuana, recognizing its medical value and creating a pathway for Food and Drug Administration approval of products derived from it, legitimate and approved prescriptions remain many years down the road.

But **descheduling it entirely?** In light of the Senate's move in that direction, what might something closer to **federal legalization** really mean for trucking? And how might required professional driver drug testing evolve to accommodate?

Time will tell for certain, but evolution seems inevitable, according to closer watchers, who feel it's time for regulators and trucking companies to really engage with the substance of the national conversation around marijuana.



HELLO FROM THE OTHER SIDE,
YOU FORGOT TO PUT YOUR TRASH
OUTSIDE



CVSA Announces Dates for Operation Safe Driver Blitz

The **Commercial Vehicle Safety Alliance**, the body that **helps annually update** out-of-service criteria, the agenda at **Roadcheck** and more, has **announced July 7-13** for this year's **Operation Safe Driver Week**, which it calls "*a safe-driving enforcement and outreach initiative aimed at improving driving behaviors through educational and traffic-enforcement strategies and driver interactions with law enforcement.*"

During **Operation Safe Driver Week 2024**, law enforcement in Canada, Mexico and the U.S. **will look out for commercial motor vehicle drivers and passenger vehicle drivers** "*engaging in unsafe driving behaviors, such as speeding, distracted driving, following too closely, drunk or drugged driving, etc.*" the group said.

"Drivers engaging in such behaviors will be pulled over by law enforcement and may be issued a warning or citation," it warned.

This year's blitz will target **reckless, careless or dangerous driving**. "*Any person who drives a vehicle in willful or wanton disregard for the safety of persons or property is driving recklessly,*" **CVSA** said. "*Careless/dangerous driving is defined as operating a vehicle without due care and attention or reasonable consideration for other motorists or people on the road.*"

CVSA cited the **National Highway Traffic Safety Administration** as saying **communication** and outreach **help safety programs**, but that alone is "*unlikely to have an effect unless they are tied to vigorous enforcement.*"

CVSA believes the **enforcement effort** can fill that role, the group noted. "**Operation Safe Driver Week** aims to improve the **safety of our roadways** through **proactive driver safety** outreach and **education**, and by **addressing unsafe** driving behaviors through **responsive** traffic enforcement when drivers are **identified engaging** in dangerous driving behaviors on our roadways."



Do you have an email from the "FMCSA" in your inbox?

...you may want to think twice before clicking any links.

The **Federal Motor Carrier Safety Administration (FMCSA)** has **issued an alert** regarding **phishing attempts** targeting motor carriers and the companies it regulates.

Criminals are posing as FMCSA auditors through fraudulent emails, attempting a "fake safety audit" scam.

These emails are sent to registered entities, including motor carriers, and falsely claim the need to schedule a safety audit.

The **deceptive email** includes a link that appears to lead to a legitimate URL on the **Safer website**, mimicking **FMCSA's MCS-150 form updates**. However, the **linked page** contains fields requesting **sensitive information** such as the carrier's **PIN**, **Employer Identification Number (EIN)**, and **Social Security** number.

The **FMCSA** warns that **providing these details** would grant **unauthorized access** to the perpetrator, **compromising the FMCSA** account. With such access, criminals could **manipulate information** to impersonate carriers and engage in **fraudulent freight transactions**.

FMCSA provided this image of the fake web page, linked in the email.

How to Avoid the Email Phishing Scam

At **first glance**, the email appears **highly convincing** as if it originates from **FMCSA**. But the **agency emphasizes** that official **safety audit communications** typically come **directly from an FMCSA -dedicated mailbox** or the **responsible entity** within the **State** assigned to conduct the **audit**. Legitimate emails from **FMCSA** usually have a **.gov extension**.

To **ensure the authenticity** of any **suspicious email** or communication, **companies are encouraged** to verify with the **appropriate agency** or contact their **FMCSA Division Office** directly. A **list of division offices** can be found [here](#).

States Challenge Latest EPA, CARB Truck Emissions Rules

Two separate lawsuits filed Monday, May 13, challenge regulations imposing electric-vehicle mandates on truck owners across the U.S.

Nebraska Attorney General Mike Hilgers is leading multi-state coalitions in the two lawsuits challenging both the Biden Administration and the state of California.



The first lawsuit challenges the [Environmental Protection Agency's Phase 3 Greenhouse Gas emissions standards for heavy-duty trucks](#). A coalition of 24 states filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit to challenge the new regulation.

A separate coalition of 17 states and the Nebraska Trucking Association filed a lawsuit in the U.S. District Court for the Eastern District of California that seeks to block the California Air Resources Board's Advanced Clean Fleets (ACF) rule that requires a transition to zero-emission trucks.

"California and an unaccountable EPA are trying to transform our national trucking industry and supply chain infrastructure," Hilgers said. "This effort -- coming at a time of heightened inflation and with an already-strained electrical grid -- will devastate the trucking and logistics industry, raise prices for customers, and impact untold number of jobs across Nebraska and the country. Neither California nor the EPA has the constitutional power to dictate these nationwide rules to Americans. I am proud to lead our efforts to stop these unconstitutional attempts to remake our economy and am grateful to our sister states for joining our coalitions."

EPA's Phase 3 GHG regs set strict emissions standards for heavy-duty trucks covering model years 2027 through 2032. It requires, among other things, a 25% reduction in CO2 emissions from all sleeper tractors sold in 2032. The rule does not specify any particular emissions solution for truck makers in its rules, maintaining its promise of a "technology-neutral" approach. However, it will be difficult for manufacturers to hit emissions benchmarks without sales of either hybrid, battery-electric or hydrogen-electric trucks, many watchers believe.

Truck History Reports

Look up the full history of any truck, including: reported accidents, inspection violations, insurance claim, owner history and more.

[Find Report](#)

And learn more about truck history reports

2024 CVSA Out-of-Service Criteria Now Available in the App

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

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

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

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

The app is just one of several ways you may access the criteria. The out-of-service criteria are also available as a spiral-bound [handbook](#), in an electronic format as a restricted [PDF](#), and as an 8.5" x 11" document in [French](#), [Spanish](#), and bilingual [English-French](#) and [English-Spanish](#).

FMCSA Revokes Registration of Two More Elds from Device List

The **Federal Motor Carrier Safety Administration** on May 21 removed two electronic logging devices from its [list of registered ELDs](#).

Drivers and carriers utilizing the Blue Star ELD and the ELD Mandate Plus are required to stop using the devices and revert to paper logs or logging software to record required hours of service data.

Additionally, the devices must be replaced by compliant ELDs from the registered devices list before July 20. There are currently 24 ELD devices listed on FMCSA's revoked devices list that were revoked by FMCSA and have not been reinstated to the registered devices list.

As with previous ELDs that have been placed on the "revoked devices" list by FMCSA, the agency did not provide specifics on what led to their removal. FMCSA said the devices fail "to meet the minimum requirements established in [49 CFR part 395, subpart B, appendix A](#)," which contains the "functional specifications" for ELDs.

Ratan Baid, CEO of ELD Mandate, said the company "will remedy any deficiency and get our software reinstated," adding that the company is "in the process to find out the reasons/deficiencies from FMCSA."

Blue Star ELD, as of May 13, had not yet responded about any plans to remedy the issues with its device.

Motor carriers have up to 60 days to replace the revoked ELDs with compliant ELDs. If the ELD providers correct all identified deficiencies for their devices, FMCSA will place the ELDs back on the list of registered devices and inform the industry of the update.

During the 60-day period, safety officials are encouraged not to cite drivers using these revoked ELDs for [395.8\(a\)\(1\)](#), "No record of duty status," or [395.22\(a\)](#), "Failing to use a registered ELD." Instead, officers should request the driver's paper logs, logging software, or use the ELD display as a back-up method to review the hours-of-service data.

Beginning July 20, carriers and drivers who continue to use the revoked devices will be considered as operating without an ELD. Officers who encounter a driver using a revoked device on or after July 20 should cite 395.8(a)(1) and place the driver out-of-service, FMCSA noted.

FMCSA Officially Removing Driver-Facing Camera Requirement from Under-21 Pilot

The **Federal Motor Carrier Safety Administration** announced via a *Federal Register* notice that was published mid-May, that it is removing two requirements from its under-21 interstate pilot program, as directed by Congress.

The agency's notice revises the [Safe Driver Apprenticeship Pilot \(SDAP\) program](#) to remove the requirement that fleets in the program install or use in-cab, driving-facing cameras, as well as the requirement for carriers to obtain a Registered Apprenticeship number from the Department of Labor before being allowed to participate in the SDAP program.

The transportation spending package passed by Congress in March required FMCSA to remove those stipulations to potentially boost participation in the program, which has suffered from little participation. FMCSA quickly got to work on revisions, requesting approval to amend the SDAP from the White House Office of Management and Budget in April.

With the change in effect, motor carriers who are already participating in the SDAP program will no longer be required to use driver-facing cameras, or to maintain their approved Registered Apprenticeship program.

Motor carriers still may voluntarily decide to install or use the cameras or become an approved Registered Apprenticeship. They may also choose to include safety alerts from driver-facing cameras as part of their monthly data submissions, yet they will not be required to do so, even if they choose to use the cameras.

The agency noted that it is again [accepting applications from motor carriers to participate](#) in the pilot program. FMCSA will also reach out to carriers who previously applied but had not obtained a Registered Apprenticeship.

Connect with MSHA

The Mine Safety and Health Administration is now on [FACEBOOK!](#)

FOLLOW NOW FOR MINING NEWS, REGULATIONS, AND SAFETY & HEALTH BEST PRACTICES.



Customer Truck Drivers

Since 2021, customer truck drivers have been involved in six fatal accidents.



A truck driver was electrocuted when he tried to re-enter the truck's cab while the trailer's tarping mechanism was in contact with an energized overhead high-voltage power line.



A truck driver died when his trailer tipped over onto the cab of the tractor. The driver was dumping part of the load of gravel from the trailer.



A truck driver died from injuries he sustained after he fell from a large container mounted on the trailer of his truck.



A truck driver died after he was pinned between his truck and the back of the other driver's truck.

Best Practices

- Provide site-specific hazard awareness training to customers, including commercial over-the-road truck drivers.
- Alert customer truck drivers to changes in traffic procedures, patterns, or road conditions.
- Provide fall protection or safe means of access to customers who need to gain access to containers or tankers on their vehicles if there is danger of falling.
- Provide and maintain a safe location for drivers to tarp their loads.
- Ensure customers follow proper loading and dumping procedures.

Battery Fire/Explosion Hazard



On 4/11/2024, a Continuous Personal Dust Monitor (CPDM) device was placed on top of a continuous mining machine and was struck by a rock (approximately 24-inch diameter and 10 inches thick) that fell approximately 6 feet. Immediately after impact, miners reported flames coming from the device, followed by an explosion and larger flames encompassing the unit for a short period of time before extinguishing.

Many devices, such as the CPDM, hand-held radios, cell phones, and cap lamps are powered by lithium batteries. When designed, manufactured, used and maintained properly, lithium and other battery sources for these hand-held devices are a safe power source.

Best Practices

- Ensure miners appropriately use and protect lithium battery-powered devices from unusual and excessive heat, stress, impacts, and other hazards.
- Conduct workplace examinations and eliminate hazardous conditions.
- Control roof, face, and ribs where persons work or travel.
- Train miners in the use and proper care of lithium battery-powered equipment including the proper use of PPE.
- Follow manufacturer's instructions for storage, use, charging, and maintenance of lithium batteries.
- Keep fire extinguishing equipment readily available.

Women Often Experience Different Safety Hazards Than Men in Construction Industry



Construction can be a gratifying career. It also comes with many potential risks companies must be aware of and accommodate accordingly. Some dangers are to be expected, but these four hazards pose a more significant threat to women than men. Construction managers should ensure female workers are safe on the job by focusing on these issues.

Ill-fitting PPE

Women are issued the same personal protective equipment (PPE) as men, but it's often less safe. It must fit adequately to be most effective, but women's bodies differ from men's.

About 77% of women face unnecessary exposure to safety hazards due to ill-fitting PPE, including chemical inhalation, eye damage and falls.

Women are more vulnerable to the fatal four construction accidents. They're more likely to slip out of fall protection harnesses that aren't tight enough. Loose safety goggles lead to debris and chemicals getting underneath the lenses. A poor-fitting hard hat could be useless because a falling item could knock it off. Therefore, a woman would be more likely to suffer a head injury since her skull could rattle around in the hat.



Loose-fitting vests, gloves and other protective clothing are another problem. The [Occupational Health and Safety Administration](#) requires all on-site employees to wear PPE. However, loose items can get caught in machinery and hinder someone's mobility, which is unacceptable in hazardous conditions. Women might remove PPE that gets in the way, leaving them vulnerable to injury.

All construction workers need properly fitting PPE to work on a site confidently and productively.

Heat-related illnesses

More than one-third of worksite deaths in the United States are caused in part by heat. Prolonged exposure to high temperatures can be deadly. Most heat-related deaths on construction sites happen on the worker's first day, so they should be aware of vital safety measures. Construction workers are at a higher risk of heat-related illnesses due to materials and tools holding more heat than is in the air.



Research shows that women are nearly four times as likely to be heat intolerant than men. There's debate over why, but experts believe they are more sensitive to nociceptive stimuli — making them more susceptible to both hot and cold.

The lack of safety measures can lead to heat exhaustion and heat stroke, with the latter causing fatalities. Since women are less likely to complain about working conditions than men, they're more likely to ignore the warning signs of heat exhaustion like dizziness, nausea and excessive sweating. Without cooling down and resting, these symptoms can turn into heat stroke.

Someone who stops sweating, gets confused or falls unconscious urgently needs emergency medical care. At that point, the body stops regulating its temperature, which makes heat stroke deadly.

Construction companies can help women and all workers avoid heat exhaustion and stroke by providing an abundant supply of cold water and electrolytes on hot days, encouraging people to rest when needed and providing shady areas to relax in. Creating a workplace culture that minimizes judgment about taking that time is crucial for women to feel comfortable doing so in a male-dominated workplace.

Bladder problems

Most portable work site restrooms aren't suitable for women to use. They're either just a urinal or have unsanitary toilets that pose a threat for infection. According to [OSHA](#), these issues [make women drink less water](#) to avoid having to urinate, but that is unsafe.

Dehydration puts someone at a [higher risk for heat-related illnesses](#) and can lead to kidney damage and infection. It's harder for kidneys to filter waste when the body doesn't have enough water. It also can cause a buildup of bacteria in the urinary tract.

Women are also more likely to hold in urine until the end of their shift. Bacteria can multiply when urine stays in the body too long, causing a urinary tract infection. Someone prone to UTIs can end up with a severe illness.

Holding urine long term means the bladder stretches to its maximum capacity, which can cause it to back up into the kidneys. It also makes it less likely for the bladder to return to its typical size when emptied. A stretched bladder could eventually lead to inelasticity, requiring women to need diapers or a catheter as they age.



Not urinating enough can cause weakness in the pelvic floor. That weakness can lead to cramping and bladder leaks, making working on a site challenging. While Kegel exercises can help, going to the bathroom every three to four hours reduces stress on the bladder.

Holding in urine can cause a buildup of uric acid and calcium oxalate, which can cause kidney stones. These are painful and could lead to severe complications, including a blocked or damaged ureter and sepsis. You're more likely to get kidney stones if you had them previously.

Providing appropriate and clean portable restrooms and maintaining them on-site can lessen these problems.

Mental health conditions



Mental health is a top concern for all construction workers, but culture and genetics can make women more susceptible to depression, anxiety and other conditions.

Long shifts, uncertain employment and intense working conditions can lead to physical and mental strain. Construction workers can suffer from burnout, insomnia and severe stress. More employees die from suicide each year than on-site accidents.

The stigma around mental illness and unsupportive co-workers can discourage people from seeking treatment. The idea that women must “prove themselves” can prevent them from speaking up when struggling.

Women are three times more likely to experience mental health symptoms than men. Societal pressure plays a huge role, but genetics can also be a component. Research shows that up to 50% of a diagnosed major depressive disorder could be genetic. Anxiety is also more likely to get passed from mother to daughter.

Maternity leave policies can also impact a woman's mental health. While men can also struggle with going back to work too soon after welcoming a baby, mothers have hormonal changes that can contribute to postpartum depression and anxiety. The stress from having a newborn at home can exacerbate those conditions. The United States is one of the worst countries for providing parental leave.

Systemic changes, having a no-tolerance harassment policy and creating support can improve mental health for all — especially women.

Creating a fair industry for all

Women deserve to feel safe in the construction industry. If they can complete a job as well as a man, they should have the resources to comfortably perform their duties without risking their physical or mental health. The industry can improve the environment for everyone working within it by making small changes.

Take Care of your Mental Health!
**A healthy mind is very important
for a healthy body!**

OSHA Workplace Mental Health Bulletin

Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. Mental health concerns due to work have the potential to adversely impact an employee's social interactions, productivity, performance, and absenteeism.

Stress affects people in a variety of ways such as muscle tension, headaches, stomach discomfort, high blood pressure, and heart disease. Ignoring workplace stress can have lasting harmful effects on individuals, families, co-workers, and communities.

Here's a link to the OSHA [Bulletin](#) (pdf)

Hopefully, most viruses will take a break for the summer. However, for your convenience, we'll continue to provide links so that you can access the most updated information.

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

- [CDC – Centers for Disease Control](#) – Important info re: [COVID-19 vaccine & boosters](#), [RSV & flu](#)
- [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.

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

OSHA's Recordkeeping Requirements for Exposure to COVID-19

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.

SUPPORTING WORKERS WITH LONG COVID: A Guide for Employers

SINCE THE COVID-19 PANDEMIC BEGAN IN THE SPRING OF 2020, COVID-19 HAS IMPACTED PEOPLE IN MANY WAYS.

Government reports estimate that millions of Americans have experienced prolonged, lingering symptoms, a condition known as Long COVID. These symptoms can be severe enough to affect an individual's ability to function, including the ability to work.

This [publication](#) (pdf - developed by EARN and the Job Accommodation Network) provides information and resources to help employers support employees with Long COVID.



From all of us at
MJS Legacy Safety...

Be safe out there!!