



MJS Safety EXPANDING EARLY APRIL

• **We've Doubled Our Office Space** •
More Room for Fit Testing, Audiometric Testing
and Operator Qualifications
As Well As Drug Testing Collections

▶ **MJS SAFETY TRAINING ANNOUNCEMENT**

MJS SAFETY LLC is proud to announce the addition of NCCER and O.Q.S.G. to our OQ Services. **MJS SAFETY LLC** is an "Authorized Assessment Center" for Proctoring Final Assessments and completing Performance Evaluations for O.Q.S.G. and NCCER – as well as other OQ disciplines such as MEA-EnergyU, Veriforce & EnergyWorldNet. [call to schedule](#) [read more...](#)

▶ **Schedule of classes April 2019:** • *TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543* • [read more...](#)

OSHA / CONSTRUCTION NEWS SUMMARY

▶ **OSHA Requests Information on the Powered Industrial Trucks Standard**

The U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** is requesting information as the Agency considers rulemaking to update the powered industrial trucks standards for general, maritime, and construction industries. [read more...](#)

▶ **HIREVets.gov**

Honoring the Employers who Hire our Nation's Heroes

The Department of Labor is establishing this program under the **Honoring Investments in Recruiting and Employing American Military Veterans Act...** [read more...](#)



▶ **THE WHISTLEBLOWER Protection Programs**

About the Program

OSHA's Whistleblower Protection Program enforces the whistleblower provisions of more than twenty whistleblower statutes protecting employees who report violations... [read more](#)

▶ **Employers Must Post Injury/Illness Summary Through April 30**

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▶ **OSHA Addresses Increased Amputation Incidents in Nebraska**

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A [report](#) from the National Safety Council reviews how employers can increase productivity and safety by reducing workplace fatigue. [read more](#)

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The Commercial Vehicle Safety Alliance's (CVSA) **International Roadcheck** will take place **June 4-6**. Over that **72-hour period**, commercial motor vehicle **inspectors** in jurisdictions **throughout North America** will conduct **inspections** on **commercial motor vehicles** and drivers. [read more...](#)



▶ **It's Official: DOT Intends to Propose Hours of Service Reforms**

The U.S. Department of Transportation intends to **propose** a rule that would change **federal hours of service regulations** for truck drivers. [read more...](#)

▶ **April is Distracted Driving Awareness Month**

Just **one second** of **distraction** behind the **wheel** is all it takes to change a **life forever**. [read more...](#)



▶ **From Within or Without? — Pressure to Run Over Hours in the Wake of the ELD Mandate**

There's been a **mighty strong interest** in the poll that **Overdrive** ran recently, something of a **follow-up** about **pressure** from whatever **external quarter** it comes to **run counter** to the **code** that so many longtime truck drivers operate by — the very simple and sensibly safe *drive when rested, sleep when tired*. [read more...](#)



▶ **Drivers Will Need to Register in Drug and Alcohol Clearinghouse to Change Jobs, Ensure Accuracy**

The federal CDL Drug and Alcohol Clearinghouse, which will be a **database** of **truck drivers** who have **failed** or **refused** a drug or **alcohol test**, takes effect in **January 2020**, and **drivers** intending to **transition** to **new jobs** or **ensure** a clean **record** within the **Clearinghouse** will need to **register** as users. [read more...](#)



▶ **FMCSA Acts to Upgrade Entry-Level Driver Training (ELDT) Regulations and Slash Burdensome Regulatory Costs by \$18 Million Annually**

The U.S. Department of Transportation's **Federal Motor Carrier Safety Administration (FMCSA)** recently **announced** a **final rule** streamlining the **process** and **reducing costs** to upgrade from a **Class B** to **Class A Commercial Driver's License (CDL)**. [read more...](#)

MSHA NEWS SUMMARY

▶ **Powered Haulage Safety Initiative**

About half of all US mining fatalities in recent years - including 13 of the 27 deaths in 2018 - were due to accidents involving powered haulage. [read more...](#)



▶ **Provide or View Comments on MSHA Regulations to Repeal, Replace or Modify**

On February 24, 2017, President Trump signed Executive Order 13777, entitled "**Enforcing the Regulatory Reform Agenda**." [read more...](#)

MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ **Spring Cleaning in the Workplace**

Spring is here. This would be an excellent time to take a look around your workplace. There are likely some housekeeping items that may have fallen through the cracks and need some attention. [read more...](#)



MJS SAFETY TRAINING ANNOUNCEMENT

MJS SAFETY LLC is proud to announce the addition of NCCER and O.Q.S.G. to our OQ Services.

MJS SAFETY LLC is an "Authorized Assessment Center" for Proctoring and Testing for ENERGY worldnet, Inc., as well as OQ Performance Evaluation Services.

MJS SAFETY LLC continues to offer Proctor and Testing Services, as well as Operator Qualification [OQ] Performance Evaluations under the "EnergyU" system – a service of Midwest ENERGY Association – as well as Veriforce.

MJS SAFETY LLC has "Authorized" Performance Evaluators on staff that can perform this service for specific "Covered Tasks."

MJS SAFETY LLC is also available to assist with the Knowledge Based Training for these tasks. Knowledge-based training is designed to help personnel successfully pass the OQ Knowledge Based Testing as well as the Performance Evaluation process.

The Operator Qualification Rule – commonly referred to as the "OQ Rule" addressed in Title 49 of the Code of Federal [US DOT] regulations, mandates that individuals who perform "Covered Tasks" on covered pipeline facilities be qualified through the Operator Qualification Process.

The intent of the OQ rule is to ensure protection of both pipeline personnel and the public at large. Providing individuals with the necessary knowledge and skills is an essential element of any Operator and Contractor OQ plan.

Acceptable requirements for qualification are determined by the operator. The quality and validity of data related to OQ training, testing, and performance is critical to meet these requirements.

If we can be of assistance with these types of services for your company, please [call to schedule](#).

MJS Safety — your “GO TO” Safety Resource in 2019

“SAFETY STARTS WITH YOU”

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

Just Some of the Courses Offered Include:

- ~PEC SafeLandUSA Basic Orientation
- ~OSHA 10 Hour General Industry
- ~OSHA 30 Hour General Industry
- ~NUCA Confined Space
- ~Hydrogen Sulfide [H₂S] - Awareness
- ~Respirator: Medical Evaluation & Fit Testing
- ~Hazard Communication – GHS Training
- ~Teens & Trucks Safety
- ~1st Aid/CPR Course- Medic 1st Aid
- ~HAZWOPER 8, 24 & 40 Hour
- ~PEC'S Intro to Pipeline
- ~Confined Space Rescuer Training
- ~PEC Core Compliance
- ~OSHA 10 Hour Construction
- ~OSHA 30 Hour Construction
- ~NUCA Competent Person for Excavation & Trenching
- ~Hands-on Fire Extinguisher training
- ~DOT Hazmat Training
- ~MSHA Sand & Gravel Training [Part 46 only]
- ~Fall Protection for the Competent Person
- ~Defensive Driving Safety for large and small vehicles
- ~Instructor Development for Medic 1st Aid/CPR
- ~Bloodborne Pathogens Compliance Training
- ~Respiratory Protection Training

► **MJS SAFETY offers these courses as well as custom classes to fit the needs of your company**

Schedule of classes Apr 2019: • *TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543*

- PEC Safeland Basic Orientation: April 3, 16, 25; 8 – 4:30
- First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): April 4, 17; 8 – noon
- TEEX H2S Operator Training – Awareness (ANSI Z390-2017 Course): April 4, 17; 12:30 – 4:30
- Excavation & Trenching Competent Person (NUCA Course): Call to schedule a class
- Fall Protection Competent Person Training: April 10
- Confined Space Training - Attendant, Supervisor, Competent Person & Entrant (NUCA Course): April 11
- Confined Space Rescuer: April 12 (Students must complete the Confined Space course to be eligible for the Rescue Course)

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

► **NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjssafety.com TO SCHEDULE TODAY** ◀

Go To mjssafety.com FOR UP-TO-DATE CLASS LISTINGS
 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 or Mike at 303-881-2409

— FEATURED TRAINING PROGRAMS —

- Safeland Basic Orientation • Hydrogen Sulfide Awareness • First Aid/CPR
- OSHA 10 Hour for General Industry or Construction • Confined Space for Construction

— ALSO OFFERING —

- PEC Basic 10 — 2 days that cover both Safeland and OSHA 10 for General Industry in 1 class

Unable to attend a class?

MJS SAFETY offers multiple “ONLINE TRAINING COURSES” including OSHA Construction, General Industry, Environmental, Hazardous Waste Public Safety, DOT, Human Resource, Storm Water & ISO Training Courses.

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 Jeremy 720-203-6325
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EMPLOYERS & EMPLOYEES to complete
MANDATED, REQUIRED or HIGHLY RECOMMENDED
 training in today's industry

~ **MANY COURSES ARE ALSO AVAILABLE IN SPANISH** ~

FOR ADDITIONAL INFORMATION CALL

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Need Help With

- ISNETworld
- PEC/Premier
- PICS
- BROWZ

CALL US!!!

SOURCES FOR THIS ISSUE INCLUDE:
 OSHA
 FMCSA
 Overdrive
 CCJ
 CVSA
 MSHA
 National Safety Council
 DOL
 CCOHS



OSHA / CONSTRUCTION

OSHA Requests Information on the Powered Industrial Trucks Standard

The U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** is requesting information as the **Agency** considers rulemaking to update the powered **industrial trucks** standards for **general**, maritime, and **construction industries**. The standards became effective in **1971**, and were **based** on industry consensus **standards** from 1969. Since then, **national consensus** standards have been **updated** several times.

OSHA is requesting information on: the **types**, age, and usage of **powered industrial trucks**; **maintenance** and retrofitting; how to **regulate** older powered **industrial trucks**; types of accidents and **injuries** associated with **operating** these machines; **costs** and benefits of **retrofitting** the machines with **safety features**; and other **components** of a safety program. **OSHA** will use the information **received** in response to this **request** to determine what **action**, if any, it may take to **reduce regulatory** burdens and **create jobs** while improving **worker safety**.

Comments must be submitted on or **before June 10, 2019**. Comments and **materials** may be submitted **electronically**, or by facsimile or **mail**. See the **Federal Register notice** for **submission details**.

Powered industrial trucks include forklifts, **fork trucks**, tractors, platform **lift trucks**, motorized hand trucks, and other specialized **industrial trucks** powered by an **electrical motor** or an internal **combustion engine**.

HIREVets.gov

Honoring the Employers who Hire our Nation's Heroes

The Department of Labor is establishing this program under the **Honoring Investments in Recruiting and Employing American Military Veterans Act**, or **HIREVets Act**.

President Donald J. Trump signed the Act into law **May 5, 2017**.

The **Act** requires the **Secretary of Labor** to establish a **program**, by **rule**, that **recognizes employer** efforts to **recruit**, employ, and **retain veterans**. Employer-applicants **meeting criteria** established in the **rule** will receive a **"HIRE Vets Medallion Award."** As **described** in the **Act**, there are **different awards** for **large employers** (*500-plus employees*), **medium employers** (*51-499 employees*), and **small employers** (*50 or fewer employees*).

Additionally, there are **two award tiers: Gold and Platinum**. For each award, the **employer must satisfy** a set of criteria. **Verification** of these criteria **includes** a **self-attestation** by the applicant and a **check** for violations of **veteran related DOL labor laws** by the **U.S. Department of Labor**. A Notice of **Proposed Rulemaking** was published on August 18, 2017. **DOL's Veterans' Employment and Training Service (VETS)** thoroughly **evaluated** and carefully considered **all comments** received. The **Final Rule** announced by the **Secretary** on November 9, 2017 is available for viewing on the **Federal Register website**. The **Final Rule** became **effective** in **January 2018** and **VETS** began **accepting applications** for this award in **January 2019**.

Additional information about the **Final Rule** and **demonstration** can be found on the **HIREVets.gov website** or by contacting **HIREVets@dol.gov**.

TIMELINES

Beginning in 2019, VETS will:

1. Solicit applications no later than January 31;
2. Stop accepting applications on April 30;

Visit <https://www.hirevets.gov/about> to **obtain information** so you can be **ready** for the **next application** period in **2020**.



THE WHISTLEBLOWER

Protection Programs

About the Program

OSHA's Whistleblower Protection Program enforces the **whistleblower provisions** of more than **twenty** whistleblower **statutes** protecting employees who **report violations** of various **workplace safety** and health, **airline**, **commercial motor carrier**, consumer product, **environmental**, financial reform, **food safety**, health insurance reform, **motor vehicle** safety, nuclear, pipeline, **public transportation** agency, railroad, maritime, and **securities laws**. Rights afforded by these **whistleblower protection** laws include, but are **not limited** to, worker participation in **safety** and **health activities**, reporting a work-related **injury**, illness or **fatality**, or reporting a violation of the **statutes** herein.

Workplace Safety and Health

Section 11(c) of the **OSH Act** prohibits employers from **discriminating** against their **employees** for exercising their **rights** under the **OSH Act**. These rights include **filing** an **OSHA complaint**, participating in an **inspection** or talking to an inspector, **seeking access** to employer **exposure** and **injury records**, reporting an **injury**, and raising a **safety** or **health** complaint with the employer. If workers have been retaliated or discriminated against for exercising their rights, they must file a complaint with **OSHA** within **30 days** of the alleged **adverse action**.

File a **COMPLAINT**

File a complaint if your employer has retaliated against you for exercising your rights as an employee. In states with approved State OSHA Plans, employees may file a complaint under the OSH Act with both the State and Federal OSHA.

Under the other federal laws, a complaint must be filed with **Federal OSHA** directly. You may file a complaint by calling 1-800-321-OSHA (6742), contacting your **local OSHA office** or **filing online here**.

Know Your **RIGHTS**

OSHA's whistleblower statutes protect you from retaliation. An employer cannot retaliate by taking "adverse action" against workers who report injuries, safety concerns, or other protected activity.

Worker **PROTECTIONS**

Since passage of the OSH Act in 1970, Congress has expanded OSHA's whistleblower authority to protect workers from retaliation under twenty-two federal laws. Complaints must be reported to OSHA within set timeframes following the retaliatory action, as prescribed by each law.

Since **passage** of the **OSH Act** in 1970, **Congress** has expanded **OSHA's** whistleblower **authority** to **protect workers** from **discrimination** under **twenty-two** federal laws. **Complaints** must be reported to **OSHA** within set timeframes following the **discriminatory action**, as prescribed by **each law**. These laws, and the **number of days** employees have to **file a complaint**, are:

- [Occupational, Environmental, and Nuclear Safety Laws](#)
- [Transportation Industry Laws](#)
- [Consumer and Investor Protection Laws](#)

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 working men and women by setting and enforcing standards, and providing training, education and assistance.

Employers Must Post Injury/Illness Summary Through April 30

Each year, employers are required to post a copy of [OSHA Form 300A](#) from Feb. 1 through April 30. The summary must be displayed in a common area where notices to workers are usually posted. Businesses with 10 or fewer workers and those in certain low-hazard industries are exempt from OSHA recordkeeping and posting requirements. Visit OSHA's [Recordkeeping Rule webpage](#) for more information.

OSHA's Form 300A (Rev. 04/2004)			
Summary of Work-Related Injuries and Illnesses			
Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)
Number of Days			
Total number of days away from work	Total number of days of job transfer or restriction		
0	0		
(K)	(L)		
Injury and Illness Types			
Total number of ... (M)			
(1) Injuries	0	(4) Poisonings	0
(2) Skin disorders	0	(5) Hearing loss	0

OSHA Addresses Increased Amputation Incidents in Nebraska

In response to an increase in, and underreporting of amputations in Nebraska, OSHA is calling on employers to ensure that machinery is properly guarded to prevent injuries. The agency also reminds employers of the requirement to report an amputation within 24 hours.

OSHA has resources to help employers find and fix workplace hazards, including [compliance assistance](#), [On-Site Consultation Program](#), and [Recommended Practices for Safety and Health Programs](#).

Read the [news release](#) for more details.

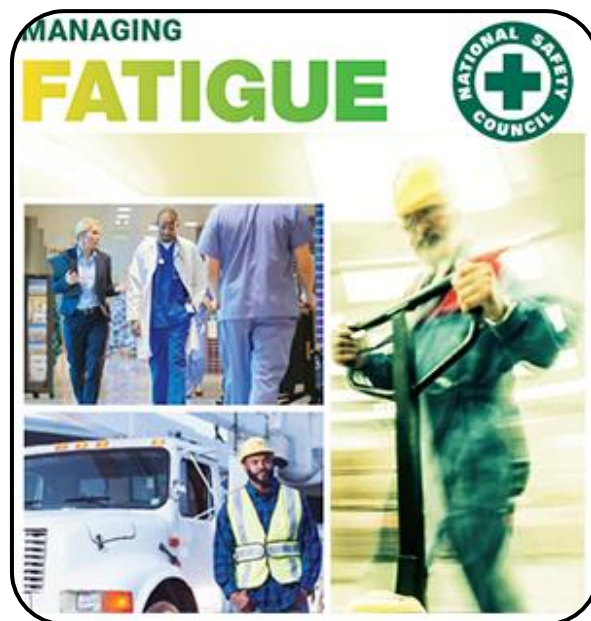


National Safety Council Report: Improve Safety by Reducing Workplace Fatigue

A [report](#) from the National Safety Council reviews how employers can increase productivity and safety by reducing workplace fatigue.

A single worker suffering from sleep deprivation can cost an employer thousands of dollars in lost productivity, absenteeism, and more. With 97 percent of workers reporting at least one risk factor for fatigue, most employers are affected by this issue.

The report discusses the effects of fatigue on the workplace and gives employers specific, actionable guidance on implementing a fatigue risk management system.



International Roadcheck SET FOR JUNE 4-6 WITH EMPHASIS ON STEERING AND SUSPENSION

The Commercial Vehicle Safety Alliance's (CVSA) **International Roadcheck** will take place **June 4-6**. Over that **72-hour period**, commercial motor vehicle inspectors in jurisdictions throughout North America will conduct inspections on commercial motor vehicles and drivers.

Each year, **International Roadcheck** places special emphasis on a category of violations. This year's focus is **steering and suspension systems**. While checking vehicle compliance is always part of the North American Standard Inspection Program, CVSA is highlighting steering components and suspension systems this year as a reminder of their importance to highway safety.

"Steering and suspension are safety critical systems for any commercial motor vehicle," said CVSA President Chief Jay Thompson with the Arkansas Highway Police. "Not only do they support the heavy loads carried by trucks and buses, but they also help maintain stability and control under acceleration and braking, keeping the vehicle safely on the road. Furthermore, they keep tires in alignment, reducing chances of uneven tire wear and possible tire failure, and they maximize the contact between the tires and the road to provide steering stability and good handling."

During **International Roadcheck**, CVSA-certified inspectors will primarily conduct the **North American Standard Level I Inspection**, a 37-step procedure that includes an examination of driver operating requirements and vehicle mechanical fitness. Inspectors may opt to conduct the **Level II Walk-Around Driver/Vehicle Inspection**, **Level III Driver/Credential/Administrative Inspection** or **Level V Vehicle-Only Inspection**.

The vehicle inspection includes checking critical inspection items such as: **brake systems**; cargo securement; coupling devices; **driveline/driveshaft**; driver's seat (*missing*); **exhaust systems**; frames; fuel systems; **lighting devices** (*headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads*); **steering mechanisms**; suspensions; **tires**; van and open-top trailer bodies; **wheels, rims** and hubs; windshield wipers. **Additional items** on buses, **motorcoaches**, passenger vans or other **passenger-carrying** vehicles include **emergency exits**, electrical cables and **systems** in engine and battery compartments, and seating (*temporary and aisle seats*).

Drivers will be required to provide their **driver's license** (*operating credentials*), **Medical Examiner's Certificate** and **Skill Performance Evaluation Certificate** (*if applicable*), driver's record of **duty status** and vehicle **inspection report(s)** (*if applicable*). Inspectors will also check drivers for **seat belt usage**, sickness, **fatigue** and apparent **alcohol** and/or **drug impairment**.

If no **critical vehicle** inspection item violations are found during a **Level I** or **Level V** Inspection, a **CVSA decal** will be applied to the vehicle, indicating that the vehicle successfully

passed a **decal-eligible inspection** conducted by a **CVSA-certified inspector**; however, when a **rear impact** guard is required and **violations** are present, a **CVSA decal** shall not be issued.

If an inspector does identify **critical vehicle inspection** item violations, he or she may render the vehicle **out of service** if the condition meets the **North American Standard Out-of-Service Criteria**. This means the vehicle cannot be operated until the vehicle violation(s) are corrected. A driver can also be placed **out of service** for driver **credential-related** issues or **driver conditions**, such as **fatigue** or impairment.

Out-of-service orders and the number, type and severity of safety violations affect a motor carrier's **Compliance, Safety, Accountability (CSA)** score and its **Safety Fitness Determination** rating. **CSA** is the **safety compliance** and enforcement program of the **Federal Motor Carrier Safety Administration (FMCSA)** designed to improve safety and prevent commercial motor vehicle crashes, injuries and fatalities by holding motor carriers and drivers accountable for their role in safety.

"**International Roadcheck** is a **high-visibility**, three-day commercial motor vehicle and driver inspection and enforcement event," said Chief Thompson. "However, **aside** from the **increased inspections**, we are **not doing** anything differently than any other day. The **inspections** performed during **International Roadcheck** are the same inspections that are conducted the **day before International Roadcheck** starts and the **day after** it concludes, as well as **any other day** of the year."

Chief Thompson added, "It's important to remember that inspections are conducted **365 days** a year. We publicly announce the dates of this **three-day enforcement** and awareness initiative in advance because we want **all vehicles** on our **roadways** to be safe and compliant."

International Roadcheck is the largest targeted enforcement program on commercial motor vehicles in the world, with around **17 trucks** and buses inspected, on average, every minute in Canada, the **United States** and Mexico during a **72-hour period**. Since its inception in **1988**, more than **1.6 million** roadside inspections have been conducted during **International Roadcheck** campaigns.

International Roadcheck is a **CVSA** program with participation by **FMCSA**, Canadian Council of Motor Transport Administrators, Transport Canada and Secretaría de Comunicaciones y Transportes (SCT) (*Ministry of Communications and Transportation*) of Mexico.

Last year's event sidelined nearly **12,000 trucks** and buses and more than **2,600 drivers** with out-of-service orders. Brakes, **tires** and wheels, and **brake adjustment** were the **top three vehicle** out-of-service violations issued during **2018's Roadcheck**. The top driver **out-of-service** violations were hours of service, **wrong class license** and **false logs**. See [more results](#) for 2018



It's Official: DOT Intends to Propose Hours of Service Reforms



The U.S. Department of Transportation intends to propose a rule that would change federal hours of service regulations for truck drivers. Nearly seven months to the day after DOT's Federal Motor Carrier Safety Administration began soliciting feedback for a potential overhaul to hours regs, Transportation Secretary Elaine Chao took to a stage before a packed crowd at the Mid-America Trucking Show in Louisville to make the announcement.

However, since the rule is still under review, Chao said she could not provide any specifics as to what's in the rule or when it will be published. "I can't say much while the rule is under consideration," she said. "But let me note: The Department understands the strong interest in increasing flexibility and is giving it serious consideration."

A notice of proposed rulemaking (NPRM) on hours of service change has been filed with the White House's Office of Management and Budget for approval. OMB must approve the NPRM before it's published. Once published in the Federal Register, FMCSA will accept public comments on the proposed changes and then decide to pursue a final rule.

Chao's address to the crowd made up mostly of truck drivers was brief, lasting only about 12 minutes and laden with odd interruptions. A power outage hit right as her speech began, followed by an emergency warning over a PA system that forced her to pause her speech. However, the announcement about the hours of service proposal was met with a round of applause from the crowd. Chao did not hear feedback from anyone in the room, and swiftly left the stage and the room when her speech concluded.

She thanked the truckers in the room for the job they perform, calling them the "backbone" of the U.S. economy. "Everybody in the DOT appreciates what you do to make America move and to have the quality of life we have," she said.

She was flanked by FMCSA Administrator Ray Martinez, who introduced Chao before her speech. Martinez, who assumed his role as administrator last March, heard feedback from stakeholders at last year's MATS in a contentious listening session, in which truckers expressed visceral frustration with hours of service regs and the electronic logging device mandate.

Martinez's time at MATS last year set the hours of service overhaul in motion. In August, Martinez announced the agency was eyeing hours of service regulations and urged truckers and other industry stakeholders to file comments to the agency's hours of service pre-rule, also known as an advanced notice of proposed rulemaking.

"At last year's Mid-America Trucking Show, you told the Department what you wanted. You wanted flexibility in hours of service regulations. And we listened," said Chao.

She said industry feedback on the ANPRM was instrumental to the DOT's decision to proceed to the proposed rule stage. "We asked for your participation and you participated."

April is Distracted Driving Awareness Month



Just one second of distraction behind the wheel is all it takes to change a life forever. During the month of April, the National Safety Council is leading an effort to raise awareness about the dangers of distracted driving in workplaces, homes and communities. OSHA encourages employers and workers to make safe driving a priority. Visit the [campaign website](#) for public education materials to help eliminate fatalities caused by distracted driving.

From Within or Without? — Pressure to Run Over Hours in the Wake of the ELD Mandate

There's been a mighty strong interest in the poll that **Overdrive** ran recently, something of a follow-up about pressure from whatever external quarter it comes to run counter to the code that so many longtime truck drivers operate by — the very simple and sensibly safe drive when rested, sleep when tired. The poll question asks, specifically, about situations in which violations of that code may not be so cut and dried but what is abundantly clear is other regulatory violations would be the result of caving to wherever the pressure is coming from, i.e. a shipper/receiver, broker or carrier operations.



As was also shown in early results from the polling on the issue of detention at shippers and receivers since the **electronic logging device mandate**, about half of readers see external pressure to violate the hours of service rules having risen since December 2017 when the mandate came down. If that can be construed as remotely close to an accurate reflection of the state of play along the supply chain when it comes to hours, it might represent yet another hoped-for result of mandated ELDs yet to materialize. That hope: that an increase in necessary cooperation among parties (whether between drivers and their employing carriers and/or shippers and brokers), boost of a sort of we're-in-this-together sense in planning and partnerships, could potentially release owner-ops and drivers from assumption of so much of the risk inherent in hours rules violations.

While actual hours of service violations recorded during inspections are way down since the mandate for obvious reasons, as has been noted in prior reporting, those violations that can actually get you put out of service and bring a hefty ticket ... well, let's just say that unless the back office is actively involved in editorial efforts in an AOB RD system, taking on such a risk in any eight-day period with a chance of inspection has grown much more risky.

Hence, perhaps, what increased pressure that exists. Drivers face increased risks, push back against pressure to violate, and that's met with one of those equal and opposite reactions quite scientifically, as it were.

Yet not everyone agrees that external pressures to violate the regs are being truly felt, as one driver commented under the poll: "The pressure I feel from the ELD is not from management. The pressure I feel is from me, the driver."

The tick, tick, ticking of the clock, given the nature of the 14-hour on-duty provision of the hours of service, if one can extrapolate.

Another driver underscored this with his comment under the poll: "I have long-term relationships with the brokers and customers I deal with. They know better than to even ask me to run something against the HOS regulations. In fact, most even insist that I don't run in violation. They know if something were to happen, they too could face legal repercussion. We have a mutual respect for each other, that has been built over a number of years."

Increased pressure, largely, he and others noted, isn't coming from external living and breathing sources, necessarily, but rather more logically stems from inside, a response to the big stew of individual haulers dealing with a new technology and a lack of flexibility inherent in the rules the tech helps record.

At the Mid-America Trucking Show there were conversations with drivers involved with some of the slow-roll events attempting to build toward a shutdown protest in April. Some of them half-expected the FMCSA to reintroduce some flexibility with a rulemaking during the proceedings — DOT Secretary Elaine Chao's appearance and "keynote" speech well underscored that, given it's not exactly normal for this show.

Other operators, at once, in more than one conversation (though a minority for sure) pushed back against the "flexibility" conventional wisdom. Don't give me more flexibility. Flexibility = more capacity = reduced rates.

For those who are experiencing external pressure, too, there is of course an avenue for that opened up in tandem with the electronic logging device mandate itself, and some drivers are using it to effect. That would be the whistleblower protections put it by the FMCSA's so-called "Coercion Rule," which is more of an anti-coercion rule. **Overdrive** wrote about just how to blow the whistle on problem supply chain actors when it comes to pressures to violate regs.

Going so far as to report a carrier, shipper/receiver or broker often, however, isn't necessary, as one trucker put it at MTA:

"I have a very simple technique on the very rare occasions I get pressure" to violate hours, this trucker said. "I simply ask, "How do you spell your last name? I want to get it right in the National Consumer Complaint Database complaint to FMCSA, and the email to our director of safety."

Only once, he said, did the conversation then progress to: "Do you think you'll be fired before or after the FMCSA starts the investigation of the complaint."

A little food for thought, as it were.

In any case, as the show opened in Louisville for those in attendance, plenty of lively discussion was expected in the seminar rooms and parking lots and around exhibit booths at MATS.

You can weigh in on the poll mentioned at the top of this post at this [link](#).

Drivers Will Need to Register in Drug and Alcohol Clearinghouse to Change Jobs, Ensure Accuracy



The federal **CDL Drug and Alcohol Clearinghouse**, which will be a **database** of **truck drivers** who have **failed** or **refused** a **drug** or **alcohol test**, takes effect in **January 2020**, and **drivers** intending to **transition** to **new jobs** or **ensure** a **clean record** within the **Clearinghouse** will need to **register** as users.

Joe DeLorenzo, **director** of **enforcement** and compliance of the **Federal Motor Carrier Safety Administration**, spoke recently at the **Mid-America Trucking Show** in Louisville, Kentucky, alongside Larry Minor, **FMCSA's** **associate administrator** for policy.

The **Clearinghouse** will record all **drug test failures** conducted for **pre-employment** screenings, random **drug tests** and **post-crash tests**, says DeLorenzo. **Carriers** will be required to **submit failed tests** to the **Clearinghouse**, and they'll be required to **query** the **database** before hiring **drivers** to ensure they haven't **failed** a **drug test** in the previous **three years**.

The onus will be on **drivers** to **register** within the **Clearinghouse** so that they can **consent** to **allowing carriers** to query the **database** for their **records**, says DeLorenzo. **Registration** is slated to **begin** in October, he said, and it is required for **any driver** looking to a **new driving job** in **January 2020** and later.

Though **registration** and consent to **queries** are only required when a **driver** is **beginning** a new job, DeLorenzo **encouraged** all drivers and **owner-operators** to register as users to **ensure** their **testing information** is accurate. Also included in the **Clearinghouse** will be **whether drivers** completed the **return-to-duty** process if they have **failed** a **drug test**.

Only **positive tests** will be **filed** to the **clearinghouse**, and **no information** will be **available** about negative **tests**, he said. But should any **inaccurate** information be **uploaded** to the **Clearinghouse**, registered users **will know** and can **file** a **DataQ request** to correct it.

For **independent owner-operators**, however, **registration** isn't as **much** a necessity, since **they're not** part of **hiring processes**.

The **Clearinghouse rule** was **finalized** in 2016 after Congress **mandated** the rule within the **2012 MAP-21** highway law.

Find **more important** information, **resources** and a **fact sheet** [here](#).

FMCSA Acts to Upgrade Entry-Level Driver Training (ELDT) Regulations and Slash Burdensome Regulatory Costs by \$18 Million Annually

The U.S. Department of Transportation's **Federal Motor Carrier Safety Administration** (**FMCSA**) recently announced a **final rule** streamlining the **process** and **reducing costs** to upgrade from a **Class B** to **Class A Commercial Driver's License** (**CDL**). By adopting a new **Class A CDL theory instruction upgrade curriculum**, the final rule will **save eligible driver trainees** and motor carriers **\$18 million annually**.

"Today's action **demonstrates** the **Department's** commitment to **reducing regulatory** burdens and addressing our **nation's shortage** of commercial **drivers**," said U.S. Transportation Secretary Elaine L. Chao.

FMCSA is amending the **Entry-Level Driver Training** (**ELDT**) regulations published on **December 8, 2016**. The **ELDT** rule requires the **same level** of theory training for individuals obtaining a **CDL** for the **first time** as for those who already hold a **Class B CDL** and are **upgrading** to a **Class A CDL**. **FMCSA** recognizes that because **Class B CDL** holders have **prior training** or **experience**, they should not be **required** to receive the **same level** of theory training as individuals who have **never held** a **CDL**. **FMCSA** has **concluded** this change will maintain the **same level** of safety established by the 2016 **ELDT** rule.

"This effort is a **common-sense** way of **reducing** the regulatory **burdens** placed on **CDL applicants** and their **employers**. **FMCSA** continues to **strategically** reform burdensome **regulations** to improve the lives of **ordinary Americans** by saving them **valuable time** and money – while simultaneously **maintaining** the highest level of **safety**," said **FMCSA** Administrator Raymond P. Martinez.

FMCSA estimates that over **11,000 driver-trainees** will benefit **annually** by this rule and see an **average reduction** of **27 hours** in time spent **completing** their theory **instruction**. This results in **substantial time** and **cost savings** to these **driver-trainees**, as well as to the **motor carriers** that employ these **drivers**.

Today's **final rule** applies only to **Class B CDL** holders, and does **not change** the **behind-the-wheel** (**BTW**) (*range and public road*) training **requirements** set forth in the **2016 ELDT** rule. All **driver-trainees**, including those who hold a **Class B CDL**, must demonstrate **proficiency** in all **elements** of the **BTW curriculum** in a **Group A vehicle**.

See a **copy** of the [final rule](#). [Learn more](#) about **FMCSA's** **Entry-Level Driver Training** regulations.

Powered Haulage Safety Initiative

About half of all US mining fatalities in recent years - including 13 of the 27 deaths in 2018 - were due to accidents involving powered haulage. That classification includes mobile equipment, conveyor systems, and anything else under power that hauls people or materials.



MSHA has made the prevention of powered haulage accidents a priority, with an initial focus on three areas: mobile equipment at surface mines; seat belt usage; and conveyor belt safety. Materials on this and related web pages support the powered haulage safety initiative.

Mobile Equipment at Surface Mines

Surface mining vehicles can be several stories tall and are capable of destroying smaller vehicles that cannot be seen by the operator. Traffic controls, training, and avoiding distractions are key to enhancing safety. Collision warning and avoidance systems can also help.



Seat Belt Usage

MSHA engineers estimate that three to four miners' lives could be saved each year if adequate seat belts were provided and worn. Warning systems such as chimes can remind drivers to buckle up, while interlock systems can prevent the vehicle from moving if the belt is unbuckled.

Conveyor Safety

Belt conveyors and their components pose serious risks to miners working on or around them. It's important to install adequate guarding to prevent contact, provide and use crossovers and cross unders, and lock out energy sources and block motion whenever performing maintenance.



Provide or View Comments on MSHA Regulations to Repeal, Replace or Modify

On February 24, 2017, President Trump signed Executive Order 13777, entitled "[Enforcing the Regulatory Reform Agenda](#)." This Executive Order directs each agency to review existing regulations to assess compliance costs and reduce regulatory burden. As part of this review, MSHA seeks stakeholders' assistance in identifying those regulations that could be repealed, replaced, or modified without reducing miners' safety or health.

Please send your recommendations and view comments [here](#).

Spring Cleaning in the Workplace

Spring is here. This would be an excellent time to take a look around your workplace. There are likely some housekeeping items that may have fallen through the cracks and need some attention.



Maintenance

The maintenance of buildings and equipment may be the most important element of good housekeeping. Maintenance involves keeping buildings, equipment and machinery in safe, efficient working order and in good repair. It includes maintaining sanitary facilities and regularly painting and cleaning walls. Broken windows, damaged doors, defective plumbing and broken floor surfaces can make a workplace look neglected; these conditions can cause incidents and affect work practices. So, it is important to replace or fix broken or damaged items as quickly as possible. A good maintenance program provides for the inspection, maintenance, upkeep and repair of tools, equipment, machines and processes.

Dust and Dirt Removal

Enclosures and exhaust ventilation systems may fail to collect dust, dirt and chips adequately. Vacuum cleaners are suitable for removing light dust and dirt that is not otherwise hazardous. Industrial models have special fittings for cleaning walls, ceilings, ledges, machinery, and other hard-to-reach places where dust and dirt may accumulate.

Special-purpose vacuums are useful for removing hazardous products. For example, vacuum cleaners fitted with HEPA (high efficiency particulate air) filters may be used to capture fine particles of asbestos or fibreglass.

Dampening (wetting) floors or using sweeping compounds before sweeping reduces the amount of airborne dust. The dust and grime that collect in places like shelves, piping, conduits, light fixtures, reflectors, windows, cupboards and lockers may require manual cleaning.

Compressed air should not be used for removing dust, dirt or chips from equipment or work surfaces.

Employee Facilities

Employee facilities need to be adequate, clean and well maintained. Lockers may be necessary for storing employees' personal belongings. Washroom facilities require cleaning once or more each shift. They also need to have a good supply of soap, towels plus disinfectants, if needed.

If workers are using hazardous products, employee facilities should provide special precautions as needed such as showers, washing facilities and change rooms. Some facilities may require two locker rooms with showers between. Using such double locker rooms allows workers to shower off workplace contaminants and reduces the chance of contaminating their "street clothes" by keeping their work clothes separated from the clothing that they wear home.

Smoking, eating or drinking in the work area should be prohibited where hazardous products are handled. The eating area should be separate from the work area and should be cleaned properly each shift.

Surfaces

Floors: Poor floor conditions are a leading cause of incidents so cleaning up spilled oil and other liquids at once is important. Allowing chips, shavings and dust to accumulate can also cause incidents. Trapping chips, shavings and dust before they reach the floor or cleaning them up regularly can prevent their accumulation. Areas that cannot be cleaned continuously, such as entrance ways, should have anti-slip flooring. Keeping floors in good order also means replacing any worn, ripped, or damaged flooring that poses a tripping hazard.

Walls: Light-colored walls reflect light while dirty or dark-colored walls absorb light. Contrasting colors warn of physical hazards and mark obstructions such as pillars. Paint can highlight railings, guards and other safety equipment, but should never be used as a substitute for guarding. The program should outline the regulations and standards for colors.

Maintain Light Fixtures

Dirty light fixtures reduce essential light levels. Clean light fixtures can improve lighting efficiency significantly.

Aisles and Stairways

Aisles should be wide enough to accommodate people and vehicles comfortably and safely. Aisle space allows for the movement of people, products and materials. Warning signs and mirrors can improve sight-lines in blind corners. Arranging aisles properly encourages people to use them so that they do not take shortcuts through hazardous areas.

Keeping aisles and stairways clear is important. They should not be used for temporary "overflow" or "bottleneck" storage. Stairways and aisles also require adequate lighting.

Spill Control

The best way to control spills is to stop them before they happen. Regularly cleaning and maintaining machines and equipment is one way. Another is to use drip pans and guards where possible spills might occur. When spills do occur, it is important to clean them up immediately. Absorbent materials are useful for wiping up greasy, oily or other liquid spills. Used absorbents must be disposed of properly and safely.

Tools and Equipment

Tool housekeeping is very important, whether in the tool room, on the rack, in the yard, or on the bench. Tools require suitable fixtures with marked locations to provide an orderly arrangement. Returning tools promptly after use reduces the chance of it being misplaced or lost. Workers should regularly inspect, clean and repair all tools and take any damaged or worn tools out of service.

Waste Disposal

The regular collection, grading and sorting of scrap contribute to good housekeeping practices. It also makes it possible to separate materials that can be recycled from those going to waste disposal facilities.

Allowing material to build up on the floor wastes time and energy since additional time is required for cleaning it up. Placing scrap containers near where the waste is produced encourages orderly waste disposal and makes collection easier. All waste receptacles should be clearly labelled (e.g., recyclable glass, plastic, scrap metal, etc.).

Storage

Good organization of stored materials is essential for overcoming material storage problems whether on a temporary or permanent basis. There will also be fewer strain injuries if the amount of handling is reduced, especially if less manual material handling is required. The location of the stockpiles should not interfere with work but they should still be readily available when required. Stored materials should allow at least three feet of clear space under sprinkler heads.

Stacking cartons and drums on a firm foundation and cross tying them, where necessary, reduces the chance of their movement. Stored materials should not obstruct aisles, stairs, exits, fire equipment, emergency eyewash fountains, emergency showers, or first aid stations. All storage areas should be clearly marked.

Flammable, combustible, toxic and other hazardous materials should be stored in approved containers in designated areas that are appropriate for the different hazards that they pose. Storage of materials should meet all requirements specified in the fire codes and the regulations of environmental and occupational health and safety agencies in your jurisdiction.