



▶ **MJS SAFETY TRAINING ANNOUNCEMENT**

OSHA / CONSTRUCTION

MJS SAFETY LLC is proud to announce that we are now available to perform Operator Qualification [OQ] Performance Evaluations under the MEA EnergyU system as well as Veriforce. [call to schedule](#) [read more...](#)

▶ **Schedule of classes Jan 2017:** • TRAINING CENTER – 246 BASHER DRIVE #1, JOHNSTOWN, CO 80534 • [read more...](#)

OSHA / CONSTRUCTION NEWS SUMMARY

▶ **2017 Will be a Challenging Year for Pros**

.... a particularly challenging year for occupational safety and health program improvement.

Here's why: [read more...](#)

▶ **OSHA Penalties Adjusted as of August 2016**

The new penalties took effect August 2, 2016. Any citations issued by OSHA on or after this date will be subject to the new penalties if the related violations occurred after November 2, 2015. [read more...](#)

▶ **OSHA Issues Final Rule Clarifying the Ongoing Obligation to Make and Maintain Accurate Records of Work-Related Injuries and Illnesses**

The Occupational Safety and Health Administration issued a [final rule](#) that clarifies an employer's continuing obligation to make and maintain an accurate record of each recordable injury and illness. The final rule becomes effective Jan. 18, 2017. [read more...](#)

▶ **NATIONAL CENSUS OF FATAL OCCUPATIONAL INJURIES IN 2015**

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TRANSPORTATION NEWS SUMMARY

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carriers required to report results

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▶ **Carriers Must Continue to Randomly Drug Test 25 Percent of Drivers in 2017**

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In an effort to help reduce the number of crashes, fatalities and injuries attributed to unsafe driving behaviors, law enforcement agencies throughout North America increased traffic safety enforcement of commercial motor vehicle (CMV) drivers and private passenger-vehicle (car) drivers during the Commercial Vehicle Safety Alliance's (CVSA) Operation Safe Driver Week, Oct. 16-22, 2016. [read more...](#)

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Truck drivers who received their current medical certification from a doctor in Atlanta, will need to be re-examined and issued a fresh medical certification by another examiner, the DOT says. [read more...](#)

MAY 2017 BRING YOU HAPPINESS, SUCCESS & PEACE

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The American Trucking Associations says the recent 2017 government funding bill that secured the 34-hour restart's future effectively permanently removes the requirement that truckers include two 1 a.m. to 5 a.m. periods in a 34-hour restart. [read more...](#)

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In 2013, the Federal Motor Carrier Safety Administration offered a dark valentine to motorcoach/bus companies with announcement of its "Operation Quick Strike" enforcement sweep of such companies, during which it deployed investigative teams to target companies deemed "high-risk" by FMCSA terms. [read more...](#)

▶ Fighting Tickets

It might be one of the biggest things that commercial driver's license holders of all stripes have in common: Sooner or later, you run afoul of an enforcement officer who decides you deserve a citation. [read more...](#)

~And don't forget Dataqs to clear your PSP/CSA record ~ [read more...](#)

MSHA NEWS SUMMARY

▶ METAL/NONMETAL MINE FATALITY

On September 15, 2016, a 60 year old Mechanic, with 28 years of experience, was fatally injured at a Magnesite facility.

Best Practices [read more...](#)



MONTHLY SAFETY TIP NEWS SUMMARY



What you should know about

Frostbite

Definition

Frostbite is an injury caused by freezing of the skin and underlying tissues. First your skin becomes very cold and red, then numb, hard and pale. Frostbite is most common on the fingers, toes, nose, ears, cheeks and chin. Exposed skin in cold, windy weather is most vulnerable to frostbite. But frostbite can occur on skin covered by gloves or other clothing. [read more...](#)

[THE COLD STRESS EQUATION](#) (pdf) — **Important information to post in your workplace!!**

RECOGNIZING A POTENTIAL PROBLEM IN A TIMELY MANNER IS KEY!!

MJS SAFETY LLC is proud to announce the addition of ENERGY worldnet, Inc. [EWN] 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](#).

Make MJS Safety your "GO TO" Resource in 2017

Check here each month for a current class schedule!

Schedule training at our Training Center in Johnstown...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 Jan 2017: • TRAINING CENTER – 246 BASHER DRIVE #1, JOHNSTOWN, CO 80534 •

- PEC Safeland Basic Orientation: Jan 10, 20
- First Aid/CPR/AED / BLOODBORNE PATHOGENS: Jan 21, 23, 28 8 a.m.
(We offer both MEDIC FIRST AID & AMERICAN HEART ASSOCIATION)
- TEEX H2S Operator Training - Awareness: Jan 23 1 p.m.

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

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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

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SOURCES FOR THIS ISSUE INCLUDE
OSHA
FMCSA
MSHA
ISHN
CVSA
DOL-Bureau of Labor Statistics
J.J.Keller
Overdrive
CCJ
Mayo Clinic



2017 Will be a Challenging Year for Pros

.... a particularly challenging year for occupational safety and health program improvement.

Here's why:

- **Election cycle:** It may take some time for the dust to settle to see where changes are heading. Clearly politics will influence occupational safety and health in some manner.
- **Severe injury report program:** OSHA sifted through data that began in 2015 for this program. OSHA received more than 10,000 severe injury reports in 2015. Onsite inspections were conducted in response to 50 percent of these reports. OSHA will increase outreach in 2017 to get more reports. At least one employer was fined \$70,000 for willfully failing to report under this program. An increase in non-reporting fines is expected in 2017.
- **Penalty increase:** OSHA's August 2016 penalty increase (first increase in more than two decades) is reflected in the \$536K in penalties proposed in October, 2016, to Mansfield, OH, vehicle parts manufacturer. The company has about 150 employees. The \$70,000 figure cited above rises to \$124,709 per violation under the [new penalty structure](#).
- **Electronic reporting:** OSHA's new requirement to electronically post Form 300A for establishments with 250 or more employees and establishments with 20-249 employees in industries with historically high rates of occupational injuries and illnesses **takes effect January 1, 2017**.
- **Safety and health program:** OSHA released its "Recommended Practices for Safety and Health Programs" in October, 2016. ISO draft international standard 45001:2016 - Occupational health and safety management system, published in February, 2016, is generating considerable discussion. Establishments with ISO 9001 (*quality*) and ISO 14001 (*environmental management*) programs will be strongly inclined to adopt ISO 45001. The final standard is expected in late 2017.

Run with pack or lone wolf?

All this may not be that daunting if you're in a large organization with an occupational safety and health staff that share thought process and implementation. But if you are the lone OSH pro, or the non-pro that wears many hats such as HR in a small or medium sized organization, it's not practical to set any of the above aside for another day because in many ways they are interrelated. You must do them all, at least to some degree – if prevention or reduction of problems is an objective.

Stakeholders

The above developments are nudging you to improve your OSH program. Public disclosure of Form 300A "will be of interest to investors, job seekers, customers, and the broader public" states OSHA. A key emerging issue in ISO 45001 is External Context Issues (*Clause 4*) that includes "relationships, perceptions & values of external interested parties."

Just starting an OSH program?

OSHA has ten suggestions if you're being nudged to start an OSH program:

1. Set safety and health as a top priority.
2. Lead by example.
3. Implement a reporting system.
4. Provide training.
5. Conduct inspections.
6. Collect hazard control ideas.
7. Implement hazard controls.
8. Address emergencies.
9. Seek input on workplace changes.
10. Make improvements.

OSHA explains these suggestions in its [2016 recommended practices for OSH programs](#). Which is the simplest to implement? Leading by example seems simple. OSHA says, however, that leading by example includes making safety a part of your daily conversations with workers. Daily conversations on safety may lead to deep-dive discussions, perhaps with controversy, on all types of safety and health concerns. Are you ready for deep-dive OSH conversations; perhaps daily?

OSHA / CONSTRUCTION

Best practices

Among all the online tools that OSHA provides to establish a modern OSH program, [success stories](#) may be the most beneficial to review. Within the more than 60 stories are practical applications and best practices that organizations undertook to improve their OSH program. You should review these stories and look for common threads that can be applied to your situation.

More support

A common thread found in all success stories is that it takes many helping hands to improve an OSH program. For example, even the most experienced OSH pros don't see or appreciate every hazard that may cause or contribute to a workplace injury or illness. Illness that often requires expertise to recognize hazards is taking on greater significance. ISO 45001 is being promoted as a global standard because data in 2013 found that approximately 2.34 million people in the world died because of work-related accidents and diseases. Here's the catch: Two million of these deaths are the result of work-related illness. Don't be too quick to judge that your workplace is healthy. Most importantly, changing OSH program culture is an all hands-on-deck effort.

Choosing resolutions

At the top of the list of things your boss wants you to focus on in 2017 will be preventing injury or illness. If you can prevent injury or illness nothing else should matter. There's your top New Year's resolution. Each annual OSH plan – or New Year's resolution – is to prioritize solutions to meet this objective.

OSHA is correct: Workplaces have changed. Even workplaces that have produced the same goods or services in the same location over many years are different today than in the past. OSH program challenges are more complex today. Greater OSHA involvement with higher penalties and more visibility from external stakeholders are but one of the new challenges.

Nudge your boss for help

You need to nudge your boss – and your boss's boss – to understand that OSH must be a top priority. OSH program improvement should be among your boss's New Year's resolutions, too. Monetary support is important, but obtaining more help from people should be a top resolution. Increasing OSH head count is always difficult but it may be a necessity in 2017 or soon thereafter.

OSHA PENALTIES ADJUSTED AS OF AUGUST 2016

The new penalties took effect August 2, 2016. Any citations issued by OSHA on or after this date will be subject to the new penalties if the related violations occurred after November 2, 2015.

Type of Violation	Current Maximum Penalty	New Maximum Penalty
Serious Other-Than-Serious Posting Requirements	\$7,000 per violation	\$12,471 per violation
Failure to Abate	\$7,000 per day beyond the abatement date	\$12,471 per day beyond the abatement date
Willful or Repeated	\$70,000 per violation	\$124,709 per violation

OSHA Issues Final Rule Clarifying the Ongoing Obligation to Make and Maintain Accurate Records of Work-Related Injuries and Illnesses

The Occupational Safety and Health Administration issued a [final rule](#) that clarifies an employer's continuing obligation to make and maintain an accurate record of each recordable injury and illness. The final rule becomes **effective Jan. 18, 2017.**

OSHA's longstanding position has been that an employer's duty to record an injury or illness continues for the full five-year record-retention period, and this position has been upheld by the Occupational Safety and Health Review Commission in cases dating back to 1993.

In 2012, the D.C. Circuit issued a [decision](#) reversing the Commission and rejecting OSHA's position on the continuing nature of its prior recordkeeping regulations.

The new final rule more clearly states employers' obligations. "This rule simply returns us to the standard practice of the last 40 years," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "It is important to keep in mind that accurate records are not just paperwork; they have a valuable and potentially life-saving purpose."

The amendments in the final rule add no new compliance obligations and do not require employers to make records of any injuries or illnesses for which records are not already required.

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 ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.

[Read more information.](#)

NATIONAL CENSUS OF FATAL OCCUPATIONAL INJURIES IN 2015

A total of **4,836 fatal work injuries** were recorded in the United States in 2015, a slight increase from the **4,821 fatal injuries** reported in 2014, the U.S. Bureau of Labor Statistics reported. This release marks the first time that the **Census of Fatal Occupational Injuries (CFOI)** has published a single, annual release with no revisions and will be the only release for 2015 CFOI data. A similar schedule will be followed in future years.

KEY FINDINGS OF THE 2015 CENSUS OF FATAL OCCUPATIONAL INJURIES:

- Annual total of 4,836 fatal workplace injuries in 2015 was the highest since 5,214 fatal injuries in 2008.
- The overall rate of fatal work injury for workers in 2015, at 3.38 per 100,000 full-time equivalent (FTE) workers, was lower than the 2014 rate of 3.43.
- Hispanic or Latino workers incurred 903 fatal injuries in 2015—the most since 937 fatalities in 2007.
- Workers age 65 years and older incurred 650 fatal injuries, the second-largest number for the group since the national census began in 1992, but decreased from the 2014 figure of 684.
- Roadway incident fatalities were up 9 percent from 2014 totals, accounting for over one-quarter of the fatal occupational injuries in 2015.
- Workplace suicides decreased 18 percent in 2015; homicides were up 2 percent from 2014 totals.
- Heavy and tractor-trailer truck drivers recorded 745 fatal injuries, the most of any occupation.
- The 937 fatal work injuries in the private construction industry in 2015 represented the highest total since 975 cases in 2008.
- Fatal injuries in the private oil and gas extraction industries were 38 percent lower in 2015 than 2014.
- Seventeen percent of decedents were contracted by and performing work for another business or government entity in 2015 rather than for their direct employer at the time of the incident.

Read the entire Bureau of Labor Statistics [news release](#)

Database of Truckers who Fail Drug/Alcohol Tests Coming in 2020; carriers required to report results

Beginning Jan. 6, 2020, carriers will be required to report information about positive drug test results, test refusals, failed alcohol tests and more by drivers to a FMCSA-administered database.

The Federal Motor Carrier Safety Administration was set to publish in early Dec. a final rule to establish the Commercial Driver's License Drug and Alcohol Clearinghouse, a long-underway database of positive commercial driver drug and alcohol test results.

The Clearinghouse will be under the agency's administration, in collaboration with a third party, and will contain information about violations of FMCSA's drug and alcohol testing program. The compliance date for the rule remains a little more than three years away — January 6, 2020.

The rule, mandated by the MAP-21 highway bill in 2012, will improve roadway safety, FMCSA believes, by preventing any driver's ability to conceal "drug and alcohol violations merely by moving on to the next job or the next jurisdiction" without completing the return-to-duty process.

Current return-to-duty rules require employers to furnish a list of potential referrals to drivers for completion of a rehabilitation program with a Substance Abuse Professional, meeting Department of Transportation guidelines. Drivers thus affected must complete the program and retest before returning to work with any employer.

The Clearinghouse database will reflect such completions, and records will follow every affected driver regardless of how many times he or she changes employers, seeks employment or applies for a CDL in a different state, FMCSA notes in its summary.

Employers and medical review officers, including testing consortiums utilized by many independent owner-operators, will be required to report information about positive drug test results, alcohol test results greater than 0.04 blood alcohol content, refusals to test and other non-test violations of FMCSA's drug and alcohol regulations to the database.

Substance Abuse Professionals working with drivers on return-to-duty rehabilitation, likewise, will be required to report information about the rehabilitation process to the database.

The rule also requires employers to search the Clearinghouse database for information during the pre-employment process and at least once a year for current employees.

The agency says it will comply with the consent requirements of the Privacy Act prior to releasing any driver's record to an employer. FMCSA suggested in commentary published with the rule that subscription and/or transaction fees for those required to utilize the Clearinghouse database would be minimal. As suggested above, the agency plans to "contract with a third-party to operate and maintain the Clearinghouse."

Carriers Must Continue to Randomly Drug Test 25 Percent of Drivers in 2017



Like in 2016, motor carriers must randomly test 25 percent of their drivers for illegal drug use in 2017.

The Federal Motor Carrier Safety Administration announced December 13 it will maintain its current 25 percent random drug testing rate of truck operators in 2017, meaning carriers will be required to randomly test 25 percent of their drivers in the calendar year.

FMCSA requires trucking and bus companies to conduct random drug and alcohol tests at the nationally prescribed percentage.

For 2016, FMCSA lowered the minimum required drug testing rate from 50 percent to 25 percent. The lower rate stemmed from three consecutive calendar years (2011, 2012, 2013) of drug testing data received in FMCSA's Management Information System survey showing the positive rate for controlled substances was less than one percent.

According to federal regulations, when the data received in the MIS for two consecutive calendar years indicates that the positive rate for controlled substances is less than one percent, FMCSA has the discretion to lower the annual testing rate to a minimum of 25 percent of a carriers' driver positions. If, however, at any time the positive rate for controlled substances exceeds one percent, the testing rate will automatically revert back to 50 percent.

For 2014, the most recent survey data available, the estimated positive usage rate for drugs was 0.9 percent. For 2012 and 2013, the estimated positive usage rate for drugs was estimated to be 0.6 percent and 0.7 percent, respectively.

The estimated violation rate for alcohol usage (the percentage of drivers with a blood alcohol content of 0.04 or higher) in 2014 was 0.08 percent. For 2012 and 2013, the alcohol usage violation rates were 0.03 percent and 0.09 percent, respectively.

Commercial Vehicle Safety Alliance Releases 2016 Operation Safe Driver Week Results

In an effort to help reduce the number of crashes, fatalities and injuries attributed to unsafe driving behaviors, law enforcement agencies throughout North America increased traffic safety enforcement of commercial motor vehicle (CMV) drivers and private passenger-vehicle (car) drivers during the Commercial Vehicle Safety Alliance's (CVSA) Operation Safe Driver Week, Oct. 16-22, 2016.

CMV safety enforcement officials issued warnings or citations to 20,648 CMV drivers and private passenger-vehicle drivers for unsafe driving behaviors. Examples of unsafe driving behaviors include speeding, failure to use a seatbelt, distracted driving, failure to obey traffic control devices, traveling too closely, improper lane change, etc.

During this year's Operation Safe Driver Week, data was collected by nearly 3,000 law enforcement officials at locations across the United States and Canada.

The top five warnings and citations issued to CMV drivers (as a percentage of total CMV warnings and citations) were:

1. State and Local Moving Violations – 56.7 percent
2. Speeding – 19.6 percent
3. Failure to Obey Traffic Control Device – 7.6 percent
4. Failing to Use Seatbelt While Operating CMV – 7.1 percent
5. Using a Handheld Phone – 2.4 percent

The top five warnings and citations issued to private passenger-vehicle drivers (as a percentage of total passenger vehicle warnings and citations) were:

1. Speeding – 39.4 percent
2. State and Local Moving Violations – 37.1 percent
3. Failing to Use Seat Belt – 11.7 percent
4. Failure to Obey Traffic Control Device – 1.9 percent
5. Inattentive and/or Careless Driving – 1.5 percent

“This year, the Operation Safe Driver Week campaign specifically targeted the unsafe driving behaviors that are more often the cause of crashes,” said CVSA President Julius Debuschewitz of Yukon Highways and Public Works. “Through a variety of high-visibility and covert driver traffic enforcement initiatives, in addition to driver education and outreach activities, law enforcement agencies capitalized on the opportunity the weeklong campaign provided to continue their work toward making sure the drivers on our nations’ roadways are sharing and navigating those roadways safely.”

The following is a closer look at this year's Operation Safe Driver Week traffic enforcement results:

- During 2016 Operation Safe Driver Week, 20,648 total citations or warnings were issued throughout the United States and Canada.
- Of that total, 19,657 citations or warnings were issued in the United States and 991 were issued in Canada.
- 9,466 citations or warnings were issued to private passenger-vehicle drivers.
- 11,182 citations or warnings were issued to CMV drivers.
- 39.4 percent of private passenger-vehicle driver warnings and citations were issued for speeding, versus 19.6 percent of CMV driver warnings and citations.
- A small percentage of warnings and citations were for inattentive or careless driving – 0.5 percent of CMV drivers and 1.5 percent of private passenger-vehicle drivers.
- 11.7 percent of private passenger-vehicle driver citations and warnings were for not wearing a seatbelt.

- 7.1 percent of CMV driver citations and warnings were issued for failure to wear a seat belt.
- There were eight citations related to a CMV driver's failure to stop at a railroad crossing, out of 5,104 CMV citations.
- Seven CMV drivers received a citation for operating their vehicle while ill or fatigued; 38 CMV drivers received a warning.
- There were five warnings and nine citations to CMV drivers for reckless driving.
- Forty-seven private passenger-vehicle drivers were cited for reckless driving; 14 received warnings.
- 1.4 percent of CMV driver citations and warnings were issued for following too closely.
- Less than one percent (0.9 percent) of private passenger-vehicle driver citations and warnings were issued for following too closely.

CVSA holds this weeklong campaign every year because unsafe driver behaviors continue to be the leading cause of roadway crashes. The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) “Large Truck Crash Causation Study” cites driver behavior as the critical reason for more than 88 percent of large truck crashes and 93 percent of private passenger-vehicle crashes.

The Operation Safe Driver Program was launched in 2007 by CVSA, in partnership with FMCSA and with support from industry and transportation safety organizations, to combat the number of deaths and injuries resulting from crashes involving large trucks, buses and private passenger vehicles by improving the behavior of all drivers operating in an unsafe manner – either in or around commercial motor vehicles – and initiating educational and enforcement strategies to address individuals exhibiting high-risk driving behaviors.

[Download](#) a chart detailing the 2016 Operation Safe Driver Week results.

[Read](#) more information on the Operation Safe Driver Program.

DOT estimates 6,600 Drivers will need a new Medical Card after Georgia-Based Examiner's Arrest

Truck drivers who received their current medical certification from a doctor in Atlanta, will need to be re-examined and issued a fresh medical certification by another examiner, the [Department of Transportation](#) says.

The doctor was arrested Dec. 1 by federal officials. DOT investigators allege in an affidavit filed to a U.S. District Court in north Georgia, the examiner cleared thousands of drivers for their medical certification without performing necessary tests, even after some truckers reported issues such as high blood pressure.

The DOT estimates more than 6,600 drivers are affected since the FMCSA's medical examiner registry rule took effect in 2014, based on the average number (360) of certifications prosecutors allege he issued per month. Most examiners only perform 13 to 14 a month, prosecutors say in the affidavit.

Most of those affected are domiciled in Georgia, says Duane DeBruyne, FMCSA spokesperson, but drivers from 48 states have been impacted.

Truckers who received certification from the doctor will be notified by mail by the [Federal Motor Carrier Safety Administration](#), says DeBruyne. Drivers will then have 30 days from the date posted in the letter to see an examiner in FMCSA's National Registry of Certified Medical Examiners and receive a new medical certification.

"Drivers that fail to obtain medical requalification within the 30-day time period will be medically disqualified from operating," says DeBruyne.

DeBruyne says drivers or carriers with questions can contact FMCSA via email at FMCSAmedical@dot.gov or via phone, 202-366-4001.

Drivers can check their medical examiner's certificate to determine if the Atlanta doctor issued their certification. "If affirmative, seek re-testing by a NRCME practitioner as soon as possible," DeBruyne says.

The doctor was charged for certifying drivers without performing full exams. He was also charged for uploading false information to the DOT's recording system. He was scheduled to appear in court Dec. 20.

The DOT has since removed the Georgia based examiner's name from the list of certified medical examiners, adding a note to his listing telling truckers not to see him.

Undercover DOT agents began investigating the doctor in September.

2013 Hours Regs Permanently Nixed, ATA says; FMCSA Disputes

The American Trucking Associations says the recent 2017 government funding bill that secured the 34-hour restart's future effectively permanently removes the requirement that truckers include two 1 a.m. to 5 a.m. periods in a 34-hour restart. The law also permanently removes the once-a-week limit of the restart's use, ATA says.

The [Federal Motor Carrier Safety Administration](#), however, has disputed these claims. FMCSA spokesperson Duane DeBruyne said the agency will follow the directions set by Congress in the 2017 appropriations bill, meaning the results of a pending FMCSA study will dictate whether the 2013-implemented regulations will come back to life. DeBruyne said the report is under departmental review and stressed it has not been made public.

However, says ATA, Congress set the standards for the report too high for its conclusions to allow the 1 a.m. to 5 a.m. regulations to be re-enacted.

"Based on what sources both in Congress and in the administration have told us", ATA says "we are confident the restart language in the [Continuing Resolution](#) constitutes a permanent fix to this issue".

"The language in the C.R. requires that DOT's study of the restart demonstrate 'statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity and work schedules,' which we have been told it cannot do. Therefore, this is a permanent resolution to this issue and we look forward to moving beyond this now settled issue and onto other, more pressing safety matters."

FMCSA and some states Sharpen Audit Teeth with 'Enhanced Investigative Techniques'

In 2013, the **Federal Motor Carrier Safety Administration** offered a dark valentine to motorcoach/bus companies with announcement of its **"Operation Quick Strike"** enforcement sweep of such companies, during which it deployed investigative teams to target companies deemed **"high-risk"** by FMCSA terms. Those terms at the time defined a high-risk carrier as one whose ranking in the **Unsafe Driving, Hours of Service Compliance or Crash Indicator BASIC** exceeded 85 and who had one other **Safety Measurement System BASIC** ranking above the intervention/alert threshold. Another way to be deemed **"high-risk"** was to have four **SMS BASICs** above the intervention threshold.

The agency's since changed that definition, narrowing it somewhat to include fewer carriers — for freight carriers to be considered high-risk today, the thresholds are 90 for **Unsafe Driving, Hours of Service Compliance, Crash Indicator and Vehicle Maintenance BASICs**, and the carrier has to be at that level or above for two consecutive months in at least two of those categories to get the designation. (Such carriers who have in fact been investigated in the past 18 months will not receive the designation.)

An FMCSA official made note that truck fleets could be certain that **"lessons learned"** from the experience also would be applied to them — and sooner rather than later.

The time is now, if you take compliance consultant Jeff Davis of **Fleet Safety Services** at his word. One of the principle things that came out of the training of those federal quick-strike teams, Davis says, is agency appreciation of the use of **"Enhanced Investigative Techniques"** (EIT) in the parlance of acronym-happy bureaucrat. At the **National Association of Small Trucking Companies'** annual meeting, Davis noted you might think of them in the context of another EIT, **Enhanced Interrogation Techniques** — **"CR waterboarding,"** he joked, using the abbreviation for **"compliance review."** Bottom line: FMCSA is **"changing the way they're doing audits throughout the U.S.,"** Davis said.

In the past, when FMCSA came calling to do a full on-site compliance review at company headquarters, contact with company representatives might be limited for small carriers to the company owner or safety director, and maybe one other administrative person. He used the example of the requirement of every company for each of its trucks to have an annual inspection.

"In the past," he said, "what you'd been able to do was, as long as you had that piece of paper" showing you did the inspection, "the auditor would check the box and move on. What they're doing now is looking past the documents and looking into the culture of the company. They're holding sequestered one-on-one interviews with accounting, with sales, with drivers, and checking social media."

FMCSA has telegraphed that this kind of approach to on-site compliance reviews was coming for years now, through statements from folks like the background official I spoke to years ago on up to the head of the FMCSA.

In the quarterly *Guardian* publication from the **Commercial Vehicle Safety Alliance** (second quarter 2015), FMCSA training center director Ron Crampton outlined the intention to make training in EIT available to state auditing personnel, to add to the already-trained federal force. "The training is taught by seasoned investigators and uses case studies to help students apply the techniques," Crampton wrote on p. 12 of the publication. "Since implementing the EIT program at FMCSA, the agency has significantly increased the enforcement rate for investigations and has issued numerous out-of-service orders."

"I think it's very important to understand what's going on," Davis said. "I've seen it in action and I've seen documentation of how it works."

Any carrier, including independent owner-operators, that has been through a recent CR/audit, he noted, would do well to make a **Freedom of Information Act** request for what he called **"Part C"** of their audit report — Part A lists basic carrier information, Part B the violations found, and both of which carriers receive as a routine matter after an audit, Davis says.

Part C, not so. "They do not release that to you," Davis said, and what it shows essentially are the auditor's notes, the method of operation of how you went through your audit. A copy of it can provide invaluable learning. It will list who they talked to and what their responses were, down to the nth degree of detail.

As far as **Motor Carrier Safety Assistance Program** states (at least most of them), taking up FMCSA on its training offer, we all know how disparate practices can be in execution from law enforcement of all stripes, depending on the jurisdiction.

Davis said it's a mixed bag around the country for auditors/compliance review officers/investigators, whatever we want to call them. "Some states have adopted it more than others. Some auditors are crazy about it, some are not."

Have you been audited lately? What evidence did you see of **"enhanced investigative techniques?"**

Whatever the case, particularly if your operation moves into the high-risk category by the numbers, it's likely you can expect them in the future.

Other points from Davis' presentation at the NASTC meeting:

- > **Drive toward the [Safety Fitness Determination](#):** "The agency is going through experiment after experiment with the data trying to figure out some way to make our roadside performance (via inspections) and office performance (via compliance reviews) into a safety rating."
- > **On the meaning of a [Conditional rating](#) today:** "At all costs, you cannot afford to have a Conditional safety rating. I've seen 15-power-unit companies go out of business from a Conditional safety rating. ... FMCSA has done well deputizing shippers and brokers to do their job for them and tapping into a carrier's revenue."
- > **The inclusion of the [Unsafe Driving category](#) in audit scoring process if [SFD](#) sees light of day:** "For the first time ever, Unsafe Driving will be brought into the audit process. What they're telling us is that everybody in this room has to control driver behavior on the road to some degree. If you have any records of speeding, of following too close, that will all be used against you in the rating process."

Fighting Tickets

It might be one of the **biggest things** that commercial **driver's license** holders of all **stripes** have in common: **Sooner or later**, you run **afoul** of an **enforcement officer** who decides you **deserve** a **citation**. In recent polling, only a **scant 8 percent** reported **never** having **gotten one**.

Tales of **undeserved tickets** abound. It's **no secret** that truckers **believe** they are **revenue targets** for **jurisdictions** around the country. That was the **experience** of one **trucker** on a day in the **late 1990s**.

As he passed a pair of officers on the roadside in Nashville, Tennessee, the trucker noticed they were not using radar. Moments later, when one of the two pulled him over, he pointed that out.

The patrolman's response: "If I don't write you this ticket, when I get in today, the sarge is going to check my book, and I have to have a ticket for that purple truck." The trucker eventually took a defensive driving course and had the ticket removed from the record, with \$75 spent.

Today, that wouldn't be **possible** in the **vast majority** of states, given the federal **"anti-masking"** regulation for **CDL drivers** codified just **more than a decade ago** that took away the **option** of using **defensive-driving courses** to remove **convictions** from CDL drivers' **Motor Vehicle Records**.

If you **get a ticket** you believe is **unjustified**, whether **following a crash incident** or other **violation** on the road or at a **scale house**, know that **payment** of the **fine** is an **admission** of guilt.

It **ensures** that the **ticket** becomes a **conviction** and will **follow** you through **at least** the next **few years** of your **career** – and in **some states**, much **longer** – on your **MVR**.

Employers are required to **keep on file** an annual **MVR** for every **CDL driver** they **employ**.

Depending on the carrier, **one or more convictions** for **safety-serious violations** could be **grounds** for **terminating** a lease.

The **MVR** is also a **prime determining factor** in **insurance rates** for all **owner-operators**, whether **physical damage** or independents' **liability policies**. The president of **one insurance carrier** stated, "If the **MVR** is clear, the **driver** will **qualify** for our **best rate**. If there are a **couple of knocks**, they'll get a **mediocre rate**, and if there are **too many knocks**, they **won't qualify**."

The **good news?** There is **more than one way** to **'skin the cat'** when it comes to **fighting tickets**. More than **four in 10 CMV drivers** say they have seen **success** contesting a **ticket** without **employing a lawyer** to help, though those **numbers** could well **represent** many who **used the defensive-driving school option** of the past. **Interviews** with a variety of **drivers today** reveal a different **pattern**: The **biggest success** is seen when **legal help** is **involved**.

Another **trucker's** one **experience** with a **ticket** during his **13 yr** lease with a **network carrier** is a **testament** to the **maxim**.

On U.S. 24 westbound out of Indiana and into his home state of Illinois, there's a curve in the road just before the pull-off into a scale. On this particular day, "trucks were backed up so that I would have had to stop on the highway to wait to get into the scale," he says. "So, I went on past." There were no signs directing truckers to stop on the shoulder – "and there was no real shoulder, so I would have come to a full stop on a two-lane road."

After the trucker bypassed the scale, "a trooper caught up with me pretty quickly," he says. "Without even asking me anything he said,

"You turn around and get back to that scale house." The driver brought his paperwork in – he was empty – explaining then to the officer that he couldn't have gotten off the highway safely.

"You could have just sat on the road," the officer said. The trucker cited the safety situation with the blind curve. "What if somebody then rear-ended me?" he said. "I would have given them a ticket," the officer said.

After the officer's long search through the rulebook, the trucker was ticketed for not obeying a traffic-control device. The ticket was a threat to his fairly young contract with the network carrier. At that time, he says, "if we blew a scale on purpose and got a ticket, it was grounds for canceling our contract."

"**Owner-operators** have a really **vested interest** in **maintaining** a clean **MVR**," says an **attorney** with an Oklahoma-based **law firm** that has become **national** and is **dedicated** to representing **truckers**, maintaining and **consulting** a database of **cases** from nearly **every jurisdiction** in the **country**.

An Oklahoma-based **owner-operator** found himself **opting** for **legal assistance** about **seven years ago**.

A motorist pulled in front of the trucker and he ended up "pushing them down the highway sideways." He knew he needed help.

The trucker felt the case was the work of a scam artist. For one thing, the motorist seemed less upset by the accident than he did. Also, after the car had come to rest on the right edge of the divided highway, the motorist got out, looked around, "then got back in and drove it into the median to make it look like he ended up there," the trucker stated. The officer on the scene showed no interest in listening to the trucker's side of the story, nor that of a witness who backed up his version.

The trucker contacted the law firm, and they handled the case. His case cost \$600, he never had to appear in court or handle much in the way of legwork.

That wasn't the case when he previously had attempted to represent himself in Shamrock, Texas over a tinted window. He subsequently had the window tested by a sheriff in another district to show that it was well within the regulations for commercial trucks.

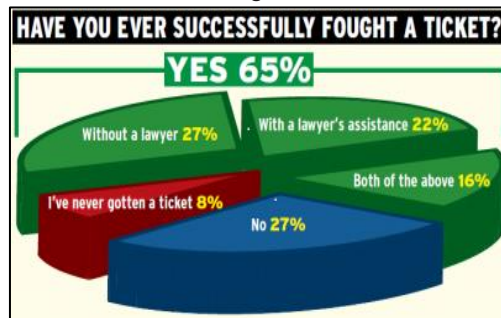
"I couldn't afford to get there for a court date," he says, "so I mailed my evidence in, thinking they might overturn it. They still took my money and sided with the ticketing officer."

That trucker's **experiences** suggest a **benefit** to using a **legal representative** familiar with the **processes** of **local courts**, which can vary **considerably**.

A **company driver** from Maryville, Tennessee, also **learned** that lesson the **hard way**. He was **ticketed** south of **Knoxville** for a **violation** of Tennessee's **emergency-vehicle "move-over" law**.

The incident occurred at the bottom of a 6 percent grade, where a traffic light turned red as the trucker approached. Loaded, he'd just been passed on his left by a motorist and a tractor pulling a van that were stopping for the light, so moving into their lane and away from a patrol officer on the roadside would have reduced his available stopping distance quite a bit.

"I stayed in the slow lane, and I'm on my Jake," he says. "Right at the light is a highway patrolman on a shoulder, off of a shoulder, really. He's two lanes away, essentially. The law says move over for all of these emergency vehicles – if you can't, then reduce your speed. The light was red. I came to a complete stop."



The trucker speculates that what really upset the officer, who was on the phone, was the Jake brake interfering with his conversation. The trucker didn't obtain a lawyer, but came armed to his court date with a shirt and tie, a copy of the language of the Tennessee move-over law, a picture of where it happened and more, which he submitted to the judge.

"What's this?" the judge asked. "An addendum to the trooper's affidavit and a copy of the law," the trucker began, only to be cut off by the judge. "I've got the law right here, boy," he said, and he slapped his big blue book," the trucker recalls.

He believes that if he'd had a lawyer representing him, he at least would have had a go-between who knew the judge's temperament. It also might have led to inclusion of video evidence from the trooper's car, which the trucker believed would have been favorable and was not examined during the hearing but was mentioned in conversation between the trooper and the judge. He recalls the trooper seemed to explain away the lack of video as unnecessary, given this was the first hearing. "I think a lawyer could have better handled that," the trucker stated. "If you think you've got a really good case, I think you ought to get a lawyer."

Solid evidence can help **immensely**. Since that incident, the **driver** from Maryville, Tennessee **runs** with a **road-facing dashcam**, useful in such **instances** to better **illustrate** real-time **conditions** underpinning **moving violations**. He **couldn't** discredit the trooper's **estimation** that it would have been **safe** for him to **move over**, so "the **judge** sided with the **trooper**."

A **Wisconsin-based** independent **captured** a somewhat **similar situation** with his **dashcam**. His **fender-bender** occurred at **high speed**, eastbound on **Interstate 24** just inside Georgia, at the **spot** where the **southbound ramp** to I-59 **begins**.

In his effort to evade a minivan that decided not to exit on that ramp, then stopped, crossed the median between the ramp and I-24 proper and moved into Salmon's lane, Salmon wound up bumping a Toyota Prius that had just passed him as he and the hybrid decelerated dramatically. Though Salmon was cited for the safety-serious charge of following too close, his insurance company deemed the accident nonpreventable and paid his damage claim. The Prius driver also blamed the minivan for their collision, but all for naught: The minivan driver drove away as Salmon and the Prius stopped.

Salmon called the Georgia authorities about his video evidence of the event and was advised to request a bench trial before a traffic court judge. By the time the Dec. 15 court date rolled around, with Salmon loading down to Georgia for it and planning to represent himself, the prosecutor had seen his video of the incident.

By 9:30 a.m. he was on his way with a no-contest plea to a lesser charge and no points on his CDL, though \$50 lighter. He called it a "win-win," and one he wouldn't have been able to achieve without video evidence, he believes.

In Maryville, Tennessee **driver's case**, as he **exited** the court, an **officer** of the **court** told him that "in **all my years** of hearing people **present** their **cases**, I've **never heard** anybody **present** their case as **well** as you did. I **don't know** why the **judge** sided with that **trooper**. He **hates** that **trooper**."

The driver **decided** that **appealing** the case **wasn't worth** it and **paid** the **nearly \$300 fine**.

If you're **going** to **represent yourself** in court, **gather** as much **evidence** as you can, and **visit** the **court** well before your **appearance** date, says a Pennsylvania company **fleet safety** manager after a **career** as a **police officer** and **certified inspector** in the state. "Sit **through** an **hour** or more of **traffic court**, and see **how it works**," he says.

In many **Pennsylvania jurisdictions**, as in some other **states**, the **fleet safety manager** says, "I can **represent** the **company** at a **district court proceeding** as a person with **knowledge** or **background**" on the **subject** without being a **lawyer**. He's won all **seven cases** in which he's participated for the **company**.

For drivers **representing themselves**, he says, "you can **handle** it on **your own**," but be sure you have a **case first**. "It's all in **knowing** the **laws** and **regulations**, and how to **apply them**."

Also, go **well-dressed** and **well-prepared**, he advises. "**Be nice**, be **respectful** making **your point**. If you're **comfortable** doing that, I think there's **no reason** the **person** can't do it. But there are **some instances** where **representing themselves** may not be **best**, maybe they have **stage fright** times **10**. Or it could be **something** more **significant** like a fatal **crash** or another **significant reason** to have a **lawyer** there, as **opposed** to a **small violation**."

As for the **trucker** who was **ticketed** for **bypassing** the **Illinois scale**, given the **distance** of the **jurisdiction** from his **home**, he found a **local** **Iroquois County traffic court lawyer** who agreed to **represent** him for a **flat \$475 fee**. The **lawyer** made **doubly** sure the driver **himself** was sure he **wanted** to **fight** it, because his **first thought** about the **case** when it was **laid out** for him was that "we **never win** anything out there" at the **scale**.

But the **trucker** did his **research** and, **working** with the **lawyer**, located the **state police** and **DOT safety policy** in such **off-ramp backup situations**. The policy **stipulated** that **stopping** in the **roadway** was the **wrong move**.

After the **hearing**, the **driver's lawyer** called him to **recount** what **happened**. "I just **threw** the **question** out there — 'What is the **policy** for safety in this **situation**?'" the lawyer said.

The **judge** tilted his head and **looked** at the **prosecutor**, as the **trucker** tells it. "And the **prosecutor** says, 'We **drop** the **charges**.'"

If you **know** you're in the **right**, then **persistence** and **research** with a **little legal help** and **evidence** could **pay dividends**.

~And don't forget Dataqs to clear your PSP/CSA record~

While prospective employers/lessors aren't strictly required to use the **Federal Motor Carrier Safety Administration's Pre-Employment Screening Program** to view prospective drivers' roadside inspection violations and recordable crashes, it's no secret that plenty of them do in the post-**Compliance, Safety, Accountability** era. Any violation marked on an inspection report will be included there going back three years, and any crash, five years.

Fortunately, two years ago, the **FMCSA** changed its policy relative to violations associated with citations that were adjudicated in a court of law. The associated violation will remain on your **PSP** record and your carrier's **CSA Safety Measurement System** profile – for independents with their authority, on both – as court proceedings are in progress. But if the court reduces the charge or throws out the violation, it's the responsibility of you or your carrier to use the **DataQs system** to provide **FMCSA** with a copy of the court ruling to remove the violation or reduce its severity weighting in the system.

In the case of a violation without a citation and no day in court for the driver/carrier, it can be uphill battle. For drivers navigating those murky waters, evidence is key. For log book violations, it helps to prove the log's accuracy by providing receipts or other documents stamped with times and places that match up.

Equipment violations? Photographs, if you can date-/time-stamp it at the time of the violation, can be extremely useful. An affidavit from a mechanic could help disprove the officer's judgment. Contesting crashes assigned to you today isn't possible unless a crash is wrongly assigned to your **DOT** number or **CDL**, though that also could change as **FMCSA** explores ways to account for fault or preventability in **CSA**.

If you're navigating the **DataQs** system yourself, you can create a profile to use the system and get a feel for it. Your **PSP record** can be purchased for \$10 periodically to keep tabs on what's shown there. To obtain a free copy, you can make a **Privacy Act/FOIA request** through **DOT**, though the process takes weeks. If you're independent with your authority, all violations will be shown within your freely accessible **CSA SMS** profile.

METAL/NONMETAL MINE FATALITY – On September 15, 2016, a 60 year old Mechanic, with 28 years of experience, was fatally injured at a Magnesite facility. The victim was seriously injured when he fell while dismounting a front end loader. The victim was hospitalized and died on September 26, 2016.

According to the preliminary report, the mechanic was working on a Kawasaki 135 Z Front End Loader. The miner had completed his assigned tasks and was dismounting the machine when he fell. He impacted the ground with his head, neck and shoulders and was unconscious for between 4 and 10 minutes. The victim was transported to a local hospital and was placed on life support systems.



Best Practices

- Always use the "Three Points of Contact" method. Use either two hands and one foot, or one hand and two feet when mounting and dismounting equipment.
- Keep hands free of any objects when making three points of contact.
- Maintain traction by ensuring footwear is free of potential hazards such as dirt, oil, and grease. Slip resistant material can be coated to existing foot holds and handrails.
- Use hoisting materials to transport tools and other objects that may keep hands from being free.
- Inspect contact areas for slip or trip hazards.
- Ensure steps and handrails are properly secured and free of defects and debris and always face equipment when mounting or dismounting it.
- Ensure landing areas are equipped with adequate lighting.



This is the 14th fatal reported in calendar year 2016 in metal and nonmetal mining.

As of this date in 2015, there were 15 fatalities reported in metal and nonmetal mining. This is the 2nd fatality classified as slip or fall of person in 2016.

There were 2 slip or fall of person accident classification fatalities in the same period in 2015.

Through 12/19/2016 there have been 2 more fatalities [posted](#) — specific details unavailable at this time.



What you should know about

Definition

Frostbite is an injury caused by freezing of the skin and underlying tissues. First your skin becomes very cold and red, then numb, hard and pale. Frostbite is most common on the fingers, toes, nose, ears, cheeks and chin. Exposed skin in cold, windy weather is most vulnerable to frostbite. But frostbite can occur on skin covered by gloves or other clothing.

Symptoms

Signs and symptoms of frostbite include:

- At first, cold skin and a prickling feeling
- Numbness
- Red, white, bluish-white or grayish-yellow skin
- Hard or waxy-looking skin
- Clumsiness due to joint and muscle stiffness
- Blistering after rewarming, in severe cases

Frostbite is most common on the fingers, toes, nose, ears, cheeks and chin. Because of skin numbness, you may not realize you have frostbite until someone else points it out.

Frostbite occurs in several stages:

- **Frostnip.** The first stage of frostbite is frostnip. With this mild form of frostbite, your skin pales or turns red and feels very cold. Continued exposure leads to prickling and numbness in the affected area. As your skin warms, you may feel pain and tingling. Frostnip doesn't permanently damage the skin.
- **Superficial frostbite.** The second stage of frostbite appears as reddened skin that turns white or pale. The skin may remain soft, but some ice crystals may form in the tissue. Your skin may begin to feel warm — a sign of serious skin involvement. If you treat frostbite with rewarming at this stage, the surface of your skin may appear mottled, blue or purple. And you may notice stinging, burning and swelling. A fluid-filled blister may appear 24 to 36 hours after rewarming the skin.
- **Severe (deep) frostbite.** As frostbite progresses, it affects all layers of the skin, including the tissues that lie below. You may experience numbness, losing all sensation of cold, pain or discomfort in the affected area. Joints or muscles may no longer work. Large blisters form 24 to 48 hours after rewarming. Afterward, the area turns black and hard as the tissue dies.

When to see a doctor

Seek medical attention for frostbite if you experience:

- Signs and symptoms of superficial or deep frostbite — such as white or pale skin, numbness, or blisters
- Increased pain, swelling, redness or discharge in the area that was frostbitten
- Fever
- New, unexplained symptoms

Get emergency medical help if you suspect hypothermia, a condition in which your body loses heat faster than it can be produced.

Signs and symptoms of hypothermia include:

- Intense shivering
- Slurred speech
- Drowsiness and loss of coordination



Causes

Frostbite occurs when skin and underlying tissues freeze. The most common cause of frostbite is exposure to cold-weather conditions. But it can also be caused by direct contact with ice, freezing metals or very cold liquids.

Specific conditions that lead to frostbite include:

- Wearing clothing that isn't suitable for the conditions you're in — for example, it doesn't protect against cold, windy or wet weather or it's too tight.
- Staying out in the cold and wind too long. Risk increases as air temperature falls below 5 F (minus 15 C), even with low wind speeds. In wind chill of minus 16.6 F (minus 27 C), frostbite can occur on exposed skin in less than 30 minutes.
- Touching materials such as ice, cold packs or frozen metal.

Risk factors

The following factors increase the risk of frostbite:

- Medical conditions that affect your ability to feel or respond to cold, such as dehydration, exhaustion, diabetes and poor blood flow in your limbs
- Alcohol or drug abuse
- Smoking
- Previous frostbite or cold injury
- Fear, panic or mental illness, if it inhibits good judgment or hampers your ability to respond to cold
- Being an infant or older adult, both of whom may have a harder time producing and retaining body heat
- Being at high altitude, which reduces the oxygen supply to your skin

Complications

Complications of frostbite include:

- Increased sensitivity to cold
- Increased risk of developing frostbite again
- Long-term numbness in the affected area
- Changes in the cartilage between the joints (frostbite arthritis)
- Growth defects in children, if frostbite damages a bone's growth plate
- Infection
- Tetanus
- Gangrene — decay and death of tissue resulting from an interruption of blood flow to the affected area — which can result in amputation

Cold exposure that's severe enough to cause frostbite also can cause hypothermia. When your body temperature drops, your heart, nervous system and other organs don't work correctly. Left untreated, hypothermia eventually leads to complete failure of your heart and respiratory system and to death.

Prevention

Frostbite can be prevented. Here are tips to help you stay safe and warm:

- **Limit time you're outdoors in cold, wet or windy weather.** Pay attention to weather forecasts and wind chill readings. In very cold, windy weather, exposed skin can develop frostbite in a matter of minutes.
- **Dress in several layers of loose, warm clothing.** Air trapped between the layers of clothing acts as insulation against the cold. Wear windproof and waterproof outer garments to protect against wind, snow and rain. Choose undergarments that wick moisture away from your skin. Change out of wet clothing — particularly gloves, hats and socks — as soon as possible.
- **Wear a hat or headband that fully covers your ears.** Heavy woolen or windproof materials make the best headwear for cold protection.
- **Wear mittens rather than gloves.** Mittens provide better protection. Or try a thin pair of glove liners made of a wicking material (like polypropylene) under a pair of heavier gloves or mittens.
- **Wear socks and sock liners that fit well, wick moisture and provide insulation.** You might also try hand and foot warmers. Be sure the foot warmers don't make your boots too tight, restricting blood flow.
- **Watch for signs of frostbite.** Early signs of frostbite include red or pale skin, prickling, and numbness.
- **Plan to protect yourself.** When traveling in cold weather, carry emergency supplies and warm clothing in case you become stranded. If you'll be in remote territory, tell others your route and expected return date.
- **Don't drink alcohol if you plan to be outdoors in cold weather.** Alcoholic beverages cause your body to lose heat faster.
- **Eat well-balanced meals and stay hydrated.** Doing this even before you go out in the cold will help you stay warm. And if you do become cold, drinking warm, sweet beverages, such as hot chocolate, will help you warm up.
- **Keep moving.** Exercise can get the blood flowing and help you stay warm, but don't do it to the point of exhaustion.

[THE COLD STRESS EQUATION](#) (pdf) — **Important information to post in your workplace!!**

RECOGNIZING A POTENTIAL PROBLEM IN A TIMELY MANNER IS KEY!!