

MJS Legacy Safety Consulting Services LLC

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

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

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

carriejordan@mjsafety.com — jeremyjordan@mjsafety.net

Training facility and offices: 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

Mailing address: P.O. Box 10, Johnstown CO 80534

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

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



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

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



Safety for Everyone

OSHA's [homepage](#) allows the public to request the translation of OSHA vital documents in [Chinese Simplified](#), [Chinese Traditional](#), [Haitian Creole](#), [Korean](#), [Spanish](#), [Tagalog](#), [Vietnamese](#) and more.

- ▶ **DOL's OSHA Civil Penalties for 2024** [read more...](#)
- ▶ **Safety for Everyone - OSHA allows the public to request the translation of vital documents...** [read more...](#)
- ▶ **Schedule of Classes – July 2024** [read more...](#)
- ▶ **Drug Testing**
More and more of the 3rd Party Auditing companies like NCMS and TPS Alert are requiring drug testing levels slightly above the levels of some of the regulatory levels to ensure drug testing is being completed each quarter. [read more...](#)
- ▶ **Report a Fatality or Severe Injury**
All employers are required to notify **OSHA** when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye... [read more...](#)
- ▶ **Is It Okay to Share PPE?**
In general, PPE (*personal protective equipment*) should not be shared between employees. [read more...](#)
- ▶ **2024 fees for Student Course Completion Cards for Outreach Training Program**
Fees for new course completion cards is \$10 per card [read more...](#)
- ▶ **the heat is on . . . Heat-Related Illnesses - First Aid** Several heat-related illnesses can affect workers. [read more...](#)
- ▶ **First Aid - OSHA's [Medical Services and First Aid standard](#) and the [Medical Service and First Aid in Construction](#)** require the ready availability of first aid personnel and equipment. [read more...](#)
- ▶ **AUGUST 12-18, 2024 Safe + Sound Week** recognizes the successes of workplace health & safety... [read more...](#)
- ▶ **Don't Wait for Something Bad to Happen!**
Every year, on average, dozens of workers are fatally injured in the writer's home state of Idaho. [read more...](#)
- ▶ **FILING A WORKPLACE COMPLAINT — whistleblower or safety and health complaint?** [read more...](#)
- ▶ **DOL Announces 'ACCESS TO GOOD JOBS FOR ALL' as National Disability Employment Awareness Month's 2024 Theme**
Annual commemoration in October celebrates contributions of workers with disabilities [read more...](#)
- ▶ **Did You Know? Workers' Comp Covers Mental Health**
You may be eligible for workers' comp benefits for a mental health injury or illness resulting from work? [read more...](#)



- ▶ **Requiring Employers to Keep Employees Informed**
A new topic every month.....
Employee Polygraph Protection Act [read more...](#)

Your Right to Know

TRANSPORTATION NEWS SUMMARY

- ▶ **Reminder - Federal Drug Testing Custody and Control Form Mandatory...** [read more...](#)
- ▶ **DOT 2024 Regs Violation Penalty Increases** [read more...](#)
- ▶ **Inspection Bulletin**
2024-01 – Unified Carrier Registration Enforcement Bulletin for 2024 Registration Year [read more...](#)
- ▶ **UCR fees for 2024 registration year** are approximately 9% less than fees for 2023 [read more...](#)
- ▶ **CDL Drivers in a "prohibited" status in the Clearinghouse will lose their commercial driving privileges.** [read more...](#)
- ▶ **2024 CVSA Out-of-Service Criteria Now Available in the CVSA App** [read more...](#)
- ▶ **CVSA Operation Safe Driver Blitz** July 7-13 [read more...](#)
- ▶ **Inspectors Sideline 570 Trucks During Secret Brake Blitz**
Inspectors conducted nearly 5,000 **CVSA's Brake Safety Day** [read more...](#)



TRANSPORTATION NEWS SUMMARY cont'd

▶ What are the Best Ways to Improve Work Truck Ergonomics?

Truck driving ergonomics is an often overlooked part of vehicle safety. [read more...](#)

▶ Colo. Law: Move Over for Me "Slow Down, Move Over" protections to ALL disabled vehicles. [read more...](#)

▶ NHTSA Rules on Equipment in the Works

NHTSA has rukemakings in the works that will impact heavy-duty trucks. [read more...](#)

▶ Don't Do It **STOP RUNNING RED LIGHTS** The result can be tragic [read more...](#)

▶ Truck History Reports — Look up reported accidents, inspection violations, insurance claim, owner history and more. [read more...](#)

▶ FMCSA Planning Truck Driver Seat Belt Survey

. . . to understand their perceptions and behaviors regarding safety belt usage and road safety. [read more...](#)

▶ Fake Safety Audit Phishing Emails Keep Pouring In

FMCSA previously warned of the phishing emails with a [registration alert](#) back in February [read more...](#)

MSHA NEWS SUMMARY

▶ The Mine Safety and Health Administration is now on **FACEBOOK!** [read more...](#)

▶ Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection; **CORRECTION** to amendatory instruction [read more...](#)



▶ Standing Down to Save Miners' Lives

On May 22, miners, mine operators, union representatives and other members of the mining community participated in events across the country to help empower miners with the knowledge and tools... [read more...](#)

MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ Beyond the Incident: **DEALING WITH WORKPLACE TRAUMA** [read more...](#)

▶ OSHA Workplace Mental Health Bulletin

Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. [read more...](#)

COVID/RSV/FLU INFORMATION/RESOURCES SUMMARY

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



“Training Spotlight”

(a different course will be featured monthly)

> AERIAL LIFT/MOBILE ELEVATING WORK PLATFORM TRAINING

This course is designed for operators of aerial devices (manlifts, aerial lifts, scissor lifts, and other mobile elevating work platforms). Operators of elevating equipment must be qualified. Formerly known as aerial work platforms (AWPs), under the new ANSI, they will now be replaced by Mobile Elevating Work Platforms (MEWPs). The new ANSI A92 Mobile Elevating Work Platform (MEWP) includes design, safe-use, and training standards.

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

Schedule of classes July 2024: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- *PEC Safeland Basic Orientation: NEW 2021 SAFELAND: July 10 (All Virtual); July 18, 29; 8 – 4:30;
- *First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): July 12, 26; 8 – noon;
In Person Classes: This class is also available for blended learning (online) with remote or in-person skills assessment
- *Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: July 12, 26; 12:30 – 4:30;
This class available via Instructor Led video conference

To sign up for one of these classes, or inquire about scheduling a different class,
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325
Need any classes in Spanish? Contact Carrie to schedule.

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

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

— FEATURED TRAINING PROGRAMS —

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

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

Want to schedule a class
On-Site at your Facility...
~ or ~
Attend a class at our Training Center?
Just give us a call !!

Need Help With
■ ISNetwork
■ PEC/Veriforce
■ NCMS
■ Avetta/BROWZ
■ TPS ALERT
CALL US!!!

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

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

SOURCES FOR THIS ISSUE INCLUDE:
OSHA
FMCSA
ISHN
WebMD
US DOL
BLS
NIH
SAMHSA
MSHA
American Psychological Assoc.
Workers' Comp Research Institute
NCCI
Overdrive
CCJ

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

Drug Testing

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



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

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

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

Report a Fatality or Severe Injury

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

To Make a Report

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

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



Is It Okay to Share PPE?



In general, **PPE** (*personal protective equipment*) **should not be shared** between employees. Sharing PPE that is intended for single use can expose others to infectious materials, and reusable PPE can't guarantee protection.

However, there are some exceptions where sharing PPE may be acceptable. For example, in the electrical safety industry, sharing PPE is common practice. In other cases, such as when workers need to occasionally wear hi-vis jackets in a yard, employers may provide a supply of shared jackets that are cleaned and decontaminated between users. Some types of elastomeric respirator masks and protective eyewear such as goggles may be reused if the user follows decontamination methods in the product labeling.

The [OSHA standard](#) makes clear that employers cannot require workers to provide their own PPE and the worker's use of PPE they already own must be completely voluntary.

[Employers Must Provide and Pay for PPE](#) (pdf)

The **Occupational Safety and Health Administration** (OSHA) requires that employers protect you from workplace hazards that can cause injury or illness. Controlling a hazard at its source is the best way to protect workers. However, when engineering, work practice and administrative controls are not feasible or do not provide sufficient protection, employers must provide personal protective equipment (PPE) to you and ensure its use.

Cleaning, Maintenance, and Disposal

1. PPE will not be shared between employees until it has been properly cleaned and sanitized.
2. PPE will be inspected, cleaned, and maintained according to the manufacturer's recommendations so that the PPE continues to provide the required protection. PPE will not be shared between employees until it has been properly cleaned and sanitized.
3. PPE that cannot be decontaminated will be disposed of in compliance with applicable regulations (See [SHMS Manual Chapter 26 - Decontamination](#)).

2024 fees for Student Course Completion Cards for Outreach Training Program

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

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



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

[Authorized outreach trainers and online providers](#)

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

MJS Legacy Safety

is an [Authorized Outreach Trainer](#).

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

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

Give us a call!

the heat is on . . .

Heat-Related Illnesses and First Aid

Several heat-related illnesses can affect workers. Some of the symptoms are non-specific. This means that when a worker is performing physical labor in a warm environment, any unusual symptom can be a sign of overheating.


Heat-Related Illness	Symptoms and Signs
Heat stroke	<ul style="list-style-type: none">• Confusion• Slurred speech• Unconsciousness• Seizures• Heavy sweating or hot, dry skin• Very high body temperature• Rapid heart rate
Heat exhaustion	<ul style="list-style-type: none">• Fatigue• Irritability• Thirst• Nausea or vomiting• Dizziness or lightheadedness• Heavy sweating• Elevated body temperature or fast heart rate
Heat cramps	<ul style="list-style-type: none">• Muscle spasms or pain• Usually in legs, arms, or trunk
Heat syncope	<ul style="list-style-type: none">• Fainting• Dizziness
Heat rash	<ul style="list-style-type: none">• Clusters of red bumps on skin• Often appears on neck, upper chest, and skin folds
Rhabdomyolysis (muscle breakdown)	<ul style="list-style-type: none">• Muscle pain• Dark urine or reduced urine output• Weakness



Employers and workers should become familiar with the heat symptoms. When any of these symptoms is present, promptly provide first aid. Do not try to diagnose which illness is occurring. Diagnosis is often difficult because symptoms of multiple heat-related illnesses can occur together. Time is of the essence. These conditions can worsen quickly and result in fatalities.

When in doubt, cool the worker and call 911.

Hydration is always trendy



OSHA | Heat Illness Prevention
osha.gov/heat

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

See below for further first aid recommendations.



First Aid



OSHA's [Medical Services and First Aid standard](#) and the [Medical Service and First Aid in Construction](#) require the ready availability of first aid personnel and equipment. First aid for heat-related illness involves the following principles:

- Take the affected worker to a cooler area (e.g., shade or air conditioning).
- Cool the worker immediately. Use active cooling techniques such as:
 - Immerse the worker in cold water or an ice bath. Create the ice bath by placing all of the available ice into a large container with water, standard practice in sports. **This is the best method to cool workers rapidly in an emergency.**
 - Remove outer layers of clothing, especially heavy protective clothing.
 - Place ice or cold wet towels on the head, neck, trunk, armpits, and groin.
 - Use fans to circulate air around the worker.
- Never leave a worker with heat-related illness alone. The illness can rapidly become worse. Stay with the worker.
- When in doubt, call 911!

Confusion, slurred speech, or unconsciousness are signs of heat stroke. **When these types of symptoms are present, call 911 immediately and cool the worker with ice or cold water until help arrives.**

Workers who are new to working in warm environments are at increased risk of heat-related illness. See the [Protecting New Workers](#) section of the **OSHA** website for more details. Especially during a worker's first few days, absolutely all symptoms should be taken seriously. Workers who develop symptoms should be allowed to stop working. They should receive evaluation for possible heat-related illness.

For more information go to [OSHA's Heat Illness Prevention](#)

Share this "quick reference" information with your team to know the signs of heat illness and how to respond.

HEAT EMERGENCY SIGNS

Abnormal Behavior / Difficulty Speaking / Seizures
/ Fainting / Heavy Sweating / Hot, Dry Skin



GET HELP! ACT FAST!

- 1** Call 911 immediately
- 2** Cool right away with water or ice
- 3** Remove extra clothing
- 4** Give cool water to drink
- 5** Do not leave alone



AUGUST 12-18, 2024

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

WHY PARTICIPATE?

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

WHO PARTICIPATES?

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

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

Don't Wait for Something Bad to Happen!

SOURCE: Dave Kearns, area director, U.S. Department of Labor's OSHA, Boise, Idaho

Every year, on **average**, **dozens** of workers are **fatally injured** in Dave's **home state of Idaho**. Of those **lives lost**, seven were **between 19 and 25 years old**. For many, **English was not** their **first language**. Almost half were **fall-related**.

One of the **workers lost** was a **laborer on his first day** at a **construction site**. He fell from a **second-floor deck**. Extreme **heat may have also been a factor**.

Another worker fell from a **metal roof being installed** on a **log home**.

A **19-year-old** fell through a **roof opening 29 feet below while** doing **renovation work**. The employer said the **worker never missed** a day and was **always early**.

Can you **imagine what these families are living with now?** Think of the **haunting void** and cloud that **looms over family** get-togethers.

These **incidents don't include** the countless **serious, debilitating** and **costly injuries** that do not **end up in tragedies**. Like the **18-year-old laborer** who was **assigned to clean up scrap wood**. While **picking up an unlabeled** and unsecured **piece of sheathing**, he stepped **through the hole** it was covering and **fell nearly 14 feet to the floor below**. This young **man will live** with his **injuries** for the **rest of his life**.

Unless you **were directly involved** or **knew someone**, these may **seem like stories** that happen to **other people**. But what if it **were you?** Or your child? **Your partner?** Your parent? **Your friend?** Look around at **your co-workers** next to you. Whether **or not you know** them well, **what if one** of them **were gone tomorrow?** Within the **blink of an eye**. Just like that. **Gone forever**.

These **were the voices** and laughter **in the room**, now silent and **leaving a giant emptiness**.



The memorial to fallen workers outside Labor Department headquarters in Washington, D.C.

Nearly all of the tragedies I've witnessed have the following in common:

- *The incident was EASILY PREVENTABLE.*
- *Workers (and managers) are often just trying to do whatever it takes to get the job done. Please be just as motivated to do the job correctly and safely.*
- *There is very little planning or thought involved before engaging in risky activity.*
- *Shortcuts have become a habit.*
- *Everyone involved believed (consciously or subconsciously) that the risk was acceptable. How would they feel about the risk now?*

Continual reinforcement is required to **overcome the natural** tendency to **become complacent**. This includes **building a culture** that involves **regular safety** discussions, **quality training**, and everyone **playing a role** in identifying and **correcting hazards** on the job. [OSHA's Safe + Sound campaign](#) has **great resources** that can help.

A **few extra minutes** of planning and **deciding on the safest** course of **action are well** worth it. **Tragedies often** remind us of **what is important** and the **simple steps** that could **have been taken** to prevent them. **Don't wait for something** bad to happen!

It is **critical** to **routinely reinforce** everyone's safety, **especially** in hazardous **occupations** like **construction**. Make sure **safety is a core** value in your **workplace**.

At the **end of the day**, we're all **just trying to earn** a living, **provide for our families**, **build something we can be proud of**, and most **importantly**, return home **to our families** whole and **healthy**.

— **Do not gamble with your life. Please be safe and practice safety at work. ALWAYS!** —

FILING A WORKPLACE COMPLAINT
CHOOSING THE RIGHT ONE



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

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

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

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

Annual commemoration in October celebrates contributions of workers with disabilities

**National Disability
Employment
Awareness Month**

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

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

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

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

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

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

Did You Know? Workers' Comp Covers Mental Health

SOURCE: Christopher J. Godfrey – director, Office of Workers' Compensation Programs, U.S. DOL

Did you know that you may be eligible for workers' compensation benefits for a mental health injury or illness resulting from work?

Studies show that 30-50% of adults have a mental illness at some point in their life, while the myriad effects of the COVID-19 pandemic caused a significant increase in conditions such as anxiety, depression and substance abuse. The [American Psychological Association \(APA\) reports](#) that 57% of workers experienced work-related stress showing signs of workplace burnout.

May was [Mental Health Awareness Month](#) – it's important for workers to know that they may be able to receive compensation for lost wages and medical treatment related to an emotional or mental health condition that was caused or aggravated by their employment and diagnosed by an appropriate medical professional.

State Differences in Coverage

Workers' compensation laws vary from state to state and most workers are eligible for workers' compensation benefits depending on where they live and work. These state differences include what conditions are covered, how much a worker can receive in benefits, for how long and how exactly to complete the claim.

As of January 2022, the [Workers' Compensation Research Institute \(WCRI\) documented](#) that 36 states covered mental stress claims when unrelated to a physical injury and 49 states covered mental illness from cumulative, repeat trauma in work to some extent. Currently, Alabama, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Montana, Ohio, Oklahoma and Texas do not cover mental health injuries on their own for most workers.

To find out whether mental health conditions are covered in a particular state, a worker should [contact their state's workers' compensation agency](#).

Coverage for First Responders

One group of workers who have more access to workers' compensation benefits for workplace mental injuries are first responders.



The COVID-19 pandemic caused many policymakers to think about how to better serve those on the front lines of the public health response, especially first responders such as firefighters, EMTs and law enforcement.

The National Council of Compensation Insurance (NCCI) [noted in their 2023 Regulatory and Legislative Trends Report](#) that 86 bills were introduced across the country on the subject of workplace-related mental injuries, including 71 related to post-traumatic stress and many related to first responders. In 2023, Connecticut expanded workers' compensation coverage for workers with post-traumatic stress injuries, while Idaho, Missouri, Nevada, Tennessee, Virginia and Washington all enacted laws which made it easier for first responders to get care for PTSD developed on the job and similar conditions.

The reasons for this are clear. A [2018 report by the Substance Abuse and Mental Health Services Administration](#) found that first responders are 50% more likely to suffer post-traumatic stress conditions than the national average. A [2021 NCCI report noted](#) that 75% of all COVID-19 related workers' compensation claims were submitted by healthcare professionals and first responders. Most recently, a [2022 survey found](#) that more than 1/3 of nurses planned to leave their jobs because of burnout and work-related stress, and 65% of nurses reported they had been verbally or physically attacked on the job.

I expect that states around the country will continue to adjust their workers' compensation laws related to mental health injuries as the relationship between workplace accidents and exposures and mental health and wellness becomes increasingly clear.

Every worker deserves the financial security of workers' compensation benefits when injured or sickened on the job, including for mental and emotional conditions.

Requiring Employers to Keep Employees Informed

Labor Law Posters

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

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

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

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

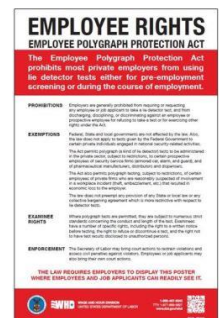
Each month we'll highlight a different topic and do our best to keep you up to date on any new or changing statutes and regulations.

Employee Polygraph Protection Act

The **Employee Polygraph Protection Act (EPPA)** prohibits most private employers from using lie detector tests, either for pre-employment screening or during the course of employment. Employers generally may not require or request any employee or job applicant to take a lie detector test, or discharge, discipline, or discriminate against an employee or job applicant for refusing to take a test or for exercising other rights under the Act. Employers may not use or inquire about the results of a lie detector test or discharge or discriminate against an employee or job applicant on the basis of the results of a test, or for filing a complaint, or for participating in a proceeding under the Act. Subject to restrictions, the Act permits polygraph (*a type of lie detector*) tests to be administered to certain job applicants of security service firms (*armored car, alarm, and guard*) and of pharmaceutical manufacturers, distributors and dispensers.

Subject to restrictions, the Act also permits polygraph testing of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (*theft, embezzlement, etc.*) that resulted in specific economic loss or injury to the employer. Where polygraph examinations are allowed, they are subject to strict standards for the conduct of the test, including the pretest, testing and post-testing phases. An examiner must be licensed and bonded or have professional liability coverage. The Act strictly limits the disclosure of information obtained during a polygraph test.

[Employee Polygraph Protection Act poster \(pdf\)](#)



Reminder - Federal Drug Testing Custody and Control Form Mandatory



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

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



COLORADO
Department of Revenue

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

DOT 2024 Regs Violation Penalty Increases

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

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

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

Inspection Bulletin

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

Created: Jan. 1, 2024

Summary

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

Want to learn more about the UCR Plan?

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

Enforcement Guidance

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



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

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

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

The fees for the 2024 registration year:

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

reminder.....

Drug and Alcohol



Clearinghouse Update

CDL Drivers in a “prohibited” status in the Clearinghouse will lose their commercial driving privileges.

The second Clearinghouse final rule (*Clearinghouse-II*) compliance date— **November 18, 2024**— is approx. 5 months away. As part of these new Federal requirements, CDL drivers who have open violations in FMCSA’s Drug and Alcohol Clearinghouse will soon lose their commercial driving privileges.

FMCSA added the following frequently asked questions on the Clearinghouse website to help CDL drivers understand the new regulations, and what actions they can take to retain or reinstate their commercial driving privileges, if needed.

How will the second Drug and Alcohol Clearinghouse final rule (Clearinghouse-II) affect CDL drivers?

As established in the first Clearinghouse final rule ([81 FR 87686](#)), drivers with a “prohibited” Clearinghouse status are prohibited from operating a Commercial Motor Vehicle (CMV). The second Clearinghouse final rule (*Clearinghouse-II*) further supports this by ensuring that drivers with a “prohibited” Clearinghouse status do not continue to hold a commercial driver’s license (CDL) or commercial learner’s permit (CLP).

The Clearinghouse-II final rule ([86 FR 55718](#)) requires that, beginning **November 18, 2024**, State Driver Licensing Agencies (SDLAs) must remove the commercial driving privileges from the driver’s license of an individual subject to the CMV driving prohibition. This would result in a **downgrade of the license until the driver completes the return-to-duty (RTD) process.**

This means that, beginning November 18, 2024, having a “prohibited” Clearinghouse status will result in losing or being denied a CDL or CLP.

Note: SDLAs with legislative authority currently have the option to voluntarily query the Clearinghouse and downgrade CDLs for prohibited drivers and may do so before the November 18, 2024 compliance date.

How will the second Drug and Alcohol Clearinghouse final rule (Clearinghouse-II) improve safety on our Nation’s roads?

The requirement to downgrade commercial driver’s licenses (CDLs) of drivers in a “prohibited” Clearinghouse status rests on the safety-critical premise that drivers who cannot lawfully operate a commercial motor vehicle (CMV) because they engaged in prohibited use of drugs or alcohol or refused a drug or alcohol test should not hold a valid CDL or commercial learner’s permit (CLP). The Clearinghouse-II final rule ([86 FR 55718](#)) supports FMCSA’s goal of ensuring that only qualified drivers are eligible to receive and retain a CDL, thereby reducing the number and severity of CMV crashes.

My commercial driver’s license (CDL) was downgraded due to my “prohibited” Clearinghouse status. How can I get my commercial driving privileges reinstated?

To have your Clearinghouse status change from “prohibited” to “not prohibited,” you must complete the return-to-duty (RTD) process, as established by [49 CFR part 40, subpart O](#). After you complete the RTD process and your Clearinghouse status is updated to “not prohibited,” your State Driver Licensing Agency (SDLA) will allow you to reinstate your commercial driving privileges.

FMCSA has created a resource that outlines the steps drivers take to complete their RTD process: download the [Return-to-Duty Quick Reference Guide](#). For more information about the RTD process, visit the [Clearinghouse Learning Center](#).

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

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

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

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

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

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

CVSA's Operation Safe Driver Blitz – July 7-13

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

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

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

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

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

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



Inspectors Sideline 570 Trucks During Secret Brake Blitz



Inspectors in 47 jurisdictions throughout the U.S., Canada and Mexico conducted nearly 5,000 inspections in one day as part of the **Commercial Vehicle Safety Alliance's Brake Safety Day** inspection and enforcement event.

Each year, CVSA law enforcement jurisdictions are invited to participate in the one-day, unannounced brake-safety inspection initiative. On that day, CVSA-certified commercial motor vehicle inspectors conduct their routine roadside inspections with a focus on brake systems and components, and provide brake-related inspection and violation data to CVSA. The unannounced blitz happens every spring, but CVSA kept a tight lid on the day, at least this year, not including it in the press materials around this year's results. [The 2023 event was held April 19.](#)

This year's **Brake Safety Day** data found that of the 4,898 inspections conducted, 4,328 commercial motor vehicles did not have any brake-related out-of-service violations -- 88.4% of the total number of vehicles inspected.

However, inspectors identified 570 (11.6%) commercial vehicles with brake-related critical inspection item vehicle violations. Those vehicles were immediately placed out-of-service until the critical violations could be properly addressed.



Inspectors identified 330 commercial motor vehicles with 20% brake violations, meaning 20% or more of the vehicle's service brakes had an out-of-service condition resulting in a defective brake. That was the top **Brake Safety Day** violation, accounting for 57.9% of all brake-related out-of-service violations.

Inspectors found other brake violations on 256 (44.9%) of the commercial motor vehicles inspected. Examples of other brake violations include worn brake lines/hoses, broken brake drums, an inoperative tractor protection system, inoperative low-air warning device, air leaks, hydraulic fluid leaks, etc.

Seventy-three commercial motor vehicles had steering-related brake violations -- 12.8% of all brake-related out-of-service violations.

The next Brake Safety Week is scheduled for Aug. 25-31, 2024.



What are the Best Ways to Improve Work Truck Ergonomics?



Truck driving ergonomics is an often overlooked part of vehicle safety. Typically, things like attentive driving practices get more attention, as they can result in more dramatic incidents. However, employee comfort and musculoskeletal health deserve attention, too.

Poor ergonomics — both in the cab and working around parked vehicles — can lead to repetitive stress injuries. They may also make it harder to remain focused while driving, leading to dangerous traffic accidents. Here are eight ways you can address these risks and improve work truck ergonomics.

1. Teach drivers proper posture

Like many safety issues, better ergonomics begins with employee training. Drivers should understand the importance of proper posture, including sitting up straight, not being too close to the wheel and not leaning to one side.

Ergonomic training is also necessary for workers getting equipment or deliveries in and out of trucks. Follow OSHA guidelines for safe lifting, including:

- Keeping loads between the mid-thigh and shoulders
- Not bending or twisting your back
- Keeping loads close to the body
- Using two or more people when lifting objects over 50 pounds

Managers should emphasize these points in employee onboarding and regularly remind employees of their importance. Highlighting the impact of poor ergonomics on workers' personal safety may make these practices easier to remember.

2. Install more ergonomic seats

Another important step in improving truck driving ergonomics is to ensure the seats in your vehicle are ergonomically friendly. Adjustability is the most important factor. Drivers should be able to move the seat closer or farther from the wheel, raise and lower the seat and adjust its back to fit their bodies.

Truck seats should also have enough cushioning on the bottom to remain comfortable for extended periods. Proper lumbar support in the backrest is another crucial factor. Long-range truck drivers should have air-ride seats, which use airbags between the cab floor and the seat to absorb bumps from the road, minimizing vibrations.

3. Encourage more breaks

Managers should also encourage drivers and mobile employees to take regular breaks. Drivers falling asleep at the wheel cause tens of thousands of accidents annually, so it's important to stay well-rested. Frequent breaks will provide that rest, but their benefits go beyond not falling asleep while driving.

Pulling over for a few minutes gives employees a chance to step out of the vehicle and stretch. Even if they only stand up and walk around, this change of posture is important to keep muscles limber and prevent strain. Workers moving things in and out of vehicles on a job should also take breaks between stops to stretch and let their muscles relax.

4. Install access steps

Stepping into and getting out of the vehicle also deserves attention. Many trucks are high off the ground, so employees may strain their knees when entering and exiting the cab. Workers who need to get things out of the back face even more potential strain from stepping up and down the bumper.

Aftermarket access steps are the ideal solution. Installing steps by cab doors and below the rear bumper will make it easier to climb in and out. Ensure these have sufficient traction to prevent slips and falls — the second leading cause of injury-related death in the workplace. Vertical handles near these steps offer additional support.

5. Mount tools within reach

Proper truck driving ergonomics also considers the equipment within the truck. Employees may hurt themselves if they repeatedly reach overhead, bend over or twist to grab needed tools out of the back. The easier these are to access with minimal movement, the less likely repetitive strain injuries will be.

Use equipment racks and shelving to keep your most-used tools above waist height and below the shoulders if possible. External racks are ideal, as these reduce the need to crawl in and out of the back of the work truck. You may have to place some equipment on top of the truck, such as ladders — in these cases, steps can help employees access them safely.

6. Optimize truck maintenance

As with other forms of vehicle safety, maintenance is a key consideration in truck ergonomics. A poorly maintained truck will have a rougher ride, which isn't conducive to a comfortable and safe working environment.

Tires and suspensions deserve special attention. Always keep tires properly inflated, rotate them regularly and check the tread depth to ensure a smooth drive. Regularly inspecting a truck's suspension to minimize felt vibrations and road bumps is similarly important.

Telematics is a game-changer in this arena. These communication technologies can reduce maintenance-related downtime and expenses by enabling remote inspections and alerting you of any emergencies. These fast responses also help you prevent maintenance-related ergonomic issues before they become prevalent.

7. Keep trucks organized

Organization is another subtle but important part of truck driving ergonomics. A poorly organized vehicle could lead to employees sifting through items to find the equipment they need. Consequently, they may bend over and twist more frequently, leading to ergonomic injuries.

The solution is to have a dedicated place for every piece of equipment in the truck. Labeling where to put each item can help, especially when placing things back in the vehicle after working with them. You may also want to clean out every truck at the end of each workday to keep the cab and any storage areas as clear as possible.

8. Listen to drivers

Finally, managers should encourage drivers to speak up about any issues they encounter while working. Some ergonomic challenges may not be immediately evident. Ongoing conversations are necessary to catch developing issues and fix them before they lead to injuries.

Your drivers are the most qualified employees to offer insight on driver safety issues. Talk to them after each trip to see if they've noticed anything like an issue with their seat or unstable drives that may hinder their ergonomics. Be sure to address any trends that emerge between multiple drivers.

Truck driving ergonomics is a crucial safety measure

Truck driving ergonomics may not be the most noticeable part of vehicle safety, but that's part of what makes it so dangerous. These issues and their health effects may not be obvious until it's too late. Businesses must be proactive about preventing them.

These eight steps will help any company improve its work truck ergonomics. Applying them to your specific vehicles and workflows will protect drivers, other in-vehicle workers and other people on the road.

Colo. Law: Move Over for Me

THESE PROTECTIONS TOOK EFFECT IN AUGUST 2023.

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

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

NHTSA Rules on Equipment in the Works

NHTSA has rulemakings in the works that will impact heavy-duty trucks.

One such rule is updated fuel efficiency and greenhouse gas standards that the agency is working on in concert with the Environmental Protection Agency. An NPRM is expected to be published in August related to efficiency standards for medium- and heavy-duty engines and vehicles.

NHTSA has also been working on a rulemaking to require side underride guards on trailers. The agency last year [published an ANPRM seeking feedback](#) on the benefits, costs and other impacts of side underride guards. The new rulemaking report does not list a date for the publication of an NPRM. Instead, the next date listed is October 2024 for "analyzing comments."



Truck History Reports

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

[Find Report](#)

And learn more about truck history reports.

FMCSA Planning Truck Driver Seat Belt Survey

The **Federal Motor Carrier Safety Administration** is seeking approval for an information collection request (*ICR*) to **survey** commercial vehicle drivers to understand their perceptions and behaviors regarding safety belt usage and road safety.



The agency said that “existing data on the usage of safety belts and perceptions related to road safety do not capture the diversity of different types of CMV drivers in a post-coronavirus disease 2019 national emergency landscape.”

The survey, **FMCSA** added, will help “in gauging emerging trends among this cohort and will inform future messaging and communication efforts targeting CMV drivers.”

FMCSA will ask U.S.-based, self-identified CMV drivers to participate in an online survey. The results are not intended to be disseminated to the public, and information gathered “will not be used for the purpose of substantially informing influential policy decisions,” the agency noted.

While the **White House Office of Management and Budget (OMB)** reviews **FMCSA's** request, the agency asks the public for comment on whether the survey is necessary for the performance of **FMCSA's** functions; ways for **FMCSA** to enhance the quality usefulness, and clarity of the collected information; and more. Comments can be filed beginning Thursday, June 13, at www.regulations.gov by searching Docket No. FMCSA-2024-0091.

Fake Safety Audit' Phishing Emails Keep Pouring In

SOURCE: Todd Dills – overdriveonline.com

An owner-operator, mostly hauling grain today out of a home base of Ankeny, Iowa, alerted the Western States Trucking Association to what's clearly a phishing email making the rounds. It purports to be a follow-up email to a prior phone conversation with a **Federal Motor Carrier Safety Administration** auditor about an "Entrant Safety Audit."

One problem with that – this owner-operator is certainly no new Entrant, anyway. He's been in business for himself since way back in 2013, when WSTA handled his original authority filing and he was living in California. "*I thought it looked real fishy,*" or *phishy*, as the case may be, he said of the email. "*I certainly don't remember a phone call in January*" with any auditor, either, he added, which was referenced near the top of the email. That's likely just as intended on the part of the scammer, with six months' time perhaps just far enough in the past to trick a reader's mind into questioning whether he or she may indeed *have* spoken with an auditor, or simply missed something.

The message went on to suggest urgency in its request, giving the owner-operator a time limit of just a couple days to supply documents, including a driver's license, annual required vehicle inspection reports, and more.

WSTA Government Affairs Director Joe Rajkovicz noted the message is mocked up to resemble pretty closely what the agency sends out to newly registered motor carriers with respect to required New Entrant audits, and indeed might easily fool some.

Rajkovicz shared this mockup of language in the email.



That's followed by an all-caps "**GET STARTED**" hyperlink that goes to a page containing a form the owner-operator said was just "*completely blank*," and purported to be part of **FMCSA's** online universe. The form thus invited the unsuspecting user to enter his/her entire carrier profile, essentially.

As **FMCSA** previously warned with a [registration alert](#) back in February, having all of the pieces of information requested would "*allow the unauthorized party to gain access to your FMCSA account*," the agency noted then.

As *Overdrive* wrote at the time, with such access, crooks would get the "keys to the kingdom," so to speak, and could change information to impersonate carriers and other entities in fraudulent freight transactions like those alleged in a federal indictment handed down recently to a man operating out of the Chicago area.

What the above image doesn't show is the final verbiage at bottom:

Submission of all documents required for your operation may negate the need to conduct an onsite Entrant Safety Audit at your place of business and may therefore reduce the amount of time to complete the required Audit process.

*Upon review of the submitted documentation, we will inform you of any further requirements on your part. **Failure to provide the necessary documentation requested to perform the safety audit, in accordance with 49 CFR 385.337(b), could result in a revocation of your Entrant registration.***

Connect with MSHA

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

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



Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection; **CORRECTION**



The Mine Safety and Health Administration (MSHA) is correcting an amendatory instruction in a final rule that was published in the *Federal Register* on April 18, 2024. The document amended the Agency's existing standards to better protect miners against occupational exposure to respirable crystalline silica, a significant health hazard, and to improve respiratory protection for miners from exposure to airborne contaminants.

Occupational exposures to respirable crystalline silica (also known as silica dust or quartz dust) cause adverse health effects, including silicosis (acute silicosis, accelerated silicosis, simple chronic silicosis, progressive massive fibrosis), nonmalignant respiratory diseases (e.g., emphysema and chronic bronchitis), lung cancer, and kidney disease. Each of these effects is chronic, irreversible, and potentially disabling or fatal.

On April 18, 2024, MSHA issued its final rule, *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*, to reduce miner exposures to respirable crystalline silica and improve respiratory protection for all airborne hazards. The final rule:

- Lowers the permissible exposure limit (PEL) for respirable crystalline silica to 50 micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$) for a full shift, calculated as an 8-hour time-weighted average (TWA) for all miners;
- Establishes an action level for respirable crystalline silica at 25 $\mu\text{g}/\text{m}^3$ for a full shift, calculated as an 8-hour TWA for all miners;
- Includes uniform requirements for controlling and monitoring exposures to respirable crystalline silica at coal and metal and nonmetal (MNM) mines;
- Includes medical surveillance requirements for MNM mines, modeled on the existing medical surveillance requirements for coal mines; and
- Updates existing respiratory protection requirements by incorporating by reference a voluntary consensus standard by the American Society of Testing and Materials (ASTM) that reflects the latest advances in respiratory protection technologies and practices – ASTM F3387-19 Standard Practice for Respiratory Protection.

The corrected final rule took effect on June 17, 2024.

Coal mine operators have 12 months to come into compliance with the final rule's requirements while MNM mine operators have 24 months to come into compliance (including medical surveillance).

Standing Down to Save Miners' Lives

On May 22, miners, mine operators, union representatives and other members of the mining community participated in the [second annual stand down led by the Mine Safety and Health Administration](#). Assistant Secretary for Mine Safety and Health Chris Williams and other MSHA representatives joined events across the country to help empower miners with the knowledge and tools they need to make sure everyone can return home safely at the end of the day.



Beyond the Incident: DEALING WITH WORKPLACE TRAUMA

SOURCE: *Tonya Ford, family liaison for OSHA*

In the United States, **approximately 13 workers suffer fatal injuries on the job every day**. For every **tragedy**, there are **co-workers** who witnessed the **incident or worked with the deceased employee**, a **safety and health inspector** who responded to **investigate**, or **family members and friends** who received calls that **altered their lives**.

Many people hear **“post-traumatic stress disorder” or PTSD** and think of its **effect on people who serve in the military or as police or first responders**. Yet **research shows** trauma happens in **many other high-risk and high-stress jobs and impacts workers** in any industry. The **National Institute of Mental Health defines PTSD as a disorder** that **develops in some people** who have experienced a **shocking, scary or dangerous event**. It can also be **caused by witnessing** a traumatic incident or after **sustaining a painful, unexpected loss of a loved one**.

On June 27, 2010, **Congress recognized National PTSD Awareness Day** to **bring awareness** to the effects of **post-traumatic stress** on the **lives impacted** by it and to help people **understand the signs** and how to **get help**. From 2010 through 2021, **work-related injuries** in the United States **took the lives** of more than **59,000 Americans**. These deaths **remain a source** of **traumatic stress for people** across the nation.

Tonya Ford stated that “for 15 years, **I have connected** with **families affected directly** by a **workplace incident** and seen how **PTSD goes beyond** grief. **Simple things** — the loud **boom of a car engine** backfiring, **smoke drifting** from a barbeque grill, a **movie villain plunging** from a great height — **can jar loose** awful memories of **explosions, fire and fatal falls**. Unavoidable triggers **become constant reminders** of the **worst day** of their **loved one’s life**.

For **some left behind**, life becomes a **journey scarred** by **permanent loss**. A source of **pain that makes** them **avoid family, friends and other people**. A wound that **disrupts their lives**, forcing them to **change places, routines and even jobs** to cope with **PTSD** and its **symptoms**. An unwanted **workplace trauma** that **forever challenges** the **mental health of some**.

Today, **take a moment** to **consider those forced** to survive in the **aftermath** of a **work-related fatality**. If you know someone who’s **faced the unimaginable** loss of a **loved one** in a **job-related tragedy**, share your **concern or just** let them know you care. **Encourage working people** you know to **speak up** if they ever **feel unsafe on the job**. If we **all do our small part**, we can **comfort those** who need us and **perhaps prevent** a father, **mother, son or daughter** from **dying as they try to earn a living**.”

Find **OSHA** resources to [help employers reduce workplace stress](#) and **support mental health** or [call 988 or chat at 988lifeline.org/chat](#).

The **Department of Labor** also has **resources** for helping [mental health at work](#), for **workers and employers**.

OSHA Workplace Mental Health Bulletin

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

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

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

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

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

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

- [CDC – Centers for Disease Control](#) – Important info re: [COVID-19 vaccine & boosters](#), [RSV & flu](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [OSHA Guidance](#)
- [DOL Resources](#)
- [Covid19.colorado.gov](#)

COVID-19 Resource - Filing Whistleblower Complaints Related to COVID-19

OSHA's [new fact sheet](#) explains how workers can protect their right to raise workplace health and safety concerns relating to COVID-19 without fear of retaliation.

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

OSHA's Recordkeeping Requirements for Exposure to COVID-19

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

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

SUPPORTING WORKERS WITH LONG COVID: A Guide for Employers

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

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

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



From all of us at
MJS Legacy Safety...

Be safe out there!!