



Important Message to our fellow Business Owners, Clients and Communities

We are following the latest guidance from the Centers for Disease Control (CDC), the World Health Organization (WHO), local governments, and public health agencies and are prepared to navigate these challenging circumstances with everyone's safety in mind.

Our physical office remains open to continue to serve our clients during this evolving situation. Social distancing protocols, class size limitations, and pre-entry screening will be used as long as they are recommended. We continue to adhere to the following recommendations:

- Capacity is limited to not more than 10 people at a time in one area.
- Our staff disinfects all common surfaces after each class
- Masks may be required when social distancing cannot be maintained
- 1st Aid/CPR courses will require each student utilize their own mannequin. There will be no sharing of supplies of mannequins during class.
- Respiratory fit tests, drug test collections, and alcohol breath collections will be conducted according to the current best practices.

Our sincerest gratitude for your business and the opportunity to serve you. Considering the current global situation surrounding the Coronavirus (COVID-19) pandemic, we wanted to reach out and share the actions [MJS Safety LLC](#) is taking to keep your operations up and running.

carriejordan@mjsafety.com — jeremyjordan@mjsafety.net

Because information regarding COVID-19 and its widespread effects is ever-changing, articles in this month's newsletter referring to COVID-19 will show the release date of the information. We will do our best to pass along the most current information. However, if an article relates to you or your industry directly, you may want to check for any updates that might affect you.

Here are some of the many helpful Resource links:

- [CDC – Centers for Disease Control](#) – Important info: [COVID-19 vaccine](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [Water and COVID-19 Frequently Asked Questions](#)
- [OSHA Guidance on Preparing Workplaces for COVID-19](#)
- [OSHA Alert — Prevent Worker Exposure to Coronavirus \(COVID-19\)](#)
- [DOL Resources to help Workers and Employers Prepare for the COVID-19 virus](#)
- [Colorado Works — Temporary Assistance for Needy Families \(TANF\) program](#)
- [Colorado PEAK - Medical, Food, Cash, and Early Childhood Assistance programs](#)
- Covid19.colorado.gov



COLORADO
Department of Revenue

Important Updates from the State of Colorado/ Colorado Department of Revenue

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

→ Please see the Home page for detailed information on what will be required prior to visiting one of the locations. Here's the [link](#) for complete details.

▶ **Training Summary / Class Schedule** • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543 • [read more...](#)

→ **Distance Learning & Video Conference classes:** We are excited to announce that PEC will be allowing us to temporarily offer Safeland and the PEC H2S Clear courses via video conferencing until the end of May. We are also able to offer the 1st aid/ CPR classes with an online blended learning option, and remote skills verification – as well as our In-House H2S Awareness Course. Ask about other distance learning opportunities for more information.

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

OSHA / CONSTRUCTION NEWS SUMMARY

▶ **COVID-19 Q&A** [read more...](#)

▶ **Visit OSHA's COVID-19 Frequently Asked Questions page...** [read more...](#)

▶ **OSHA's Recordkeeping Requirements During the COVID-19 Pandemic**

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

▶ **OSHA Releases Information on Top 10 Most Frequently Cited Standards for FY 2020** [read more...](#)

▶ **National Struck-by Stand-Down - April 26th**

The **Stand-Down** asks contractors to pause work to recognize that **struck-by incidents** are a leading cause of death among construction workers... [read more...](#)

▶ **OSHA's National Safety Stand-Down To Prevent Falls in Construction – May 3-7** [read more...](#)

▶ **Fatal Injury Trends in the Construction Industry**

Construction is one of the most dangerous industries in the United States. [read more...](#)

▶ **Coping with Job Stress and Remaining Resilient During the COVID-19 Pandemic**

Whether you are going into work or working from home, the COVID-19 pandemic has probably changed the way you work. [read more...](#)

▶ **Lineman Appreciation Day - 4/18**

They were certainly lifesavers during the big snowstorm a few weeks ago! [read more...](#)

▶ **April is National Safe Digging Month**

Each year Colorado 811 observes and celebrates April as National Safe Digging Month. [read more...](#)

▶ **Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19)**

This Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19) provides new instructions and guidance to Area Offices and Compliance Safety and Health Officers... [read more...](#)

▶ **5 Ways to Minimize Industrial Worker Exposure to COVID-19**

Vaccines have been rolling out, but COVID-19 is still a threat. [read more...](#)

▶ **OSHA Opts for COVID-19 National Emphasis Program Rather Than Emergency Temporary Standard**

On Mar 12th OSHA rolled out a National Emphasis Program (NEP) to address the ongoing COVID-19 pandemic. [read more...](#)

▶ **Vacuum Excavation Manufacturers Share Tips on Keeping Crews Safe**

Vacuum excavation is a critical component for horizontal directional drilling and utility locating projects. [read more...](#)



look what's new @ MJS Safety...

AGRICULTURAL SAFETY

▶ **OSHA, Grain Industry Leaders Say Small Changes Have Big Impacts** [read more...](#)

▶ **Agriculture ranks among the most hazardous industries.** [read more...](#)



TRANSPORTATION NEWS SUMMARY

- ▶ Guidance for Using the 2020 Federal Custody and Control Form (CCF) for Urine Specimens [read more...](#)
- ▶ **It's Prime Time for Air Disc Brakes, With Nearly 2 in Five Owner-Operators Running Them** [read more...](#)

▶ **A Year of Pandemic: Number of Roadside Inspections Fell**

The supply chain has come through severe trials since the coronavirus was declared a pandemic... [read more...](#)

▶ **Annual Roadcheck Inspection Blitz to Focus on Lighting, HOS Compliance**

The annual 72-hour **International Roadcheck** inspection blitz will be held May 4-6 with an added focus on lighting and hours of service... [read more...](#)



▶ **Legislation Looks to Ease HOS Regs for Livestock, Ag Haulers**

Legislation reintroduced to relax HOS for livestock, ag haulers [read more...](#)

▶ **FMCSA Clearinghouse Report—The First 12 Months** [read more...](#)

▶ **Labor Department Wants to Withdraw New Independent Contractor Definition**

In a widely expected move, the U.S. Department of Labor has proposed to withdraw a [rule](#) published in the last days of the Trump administration that changed the definition of independent contractor. [read more...](#)

▶ **The Benefits of a Post-Accident Investigation**

Following an accident, there are some protocols and procedures that fleets are mandated to follow. [read more...](#)



▶ **ATRI Finds Cost of Potential Vehicle Miles Traveled Tax Could Outpace Perceived Gains** [read more...](#)

▶ **ATA News**

Panel will focus on strengthening trucking's relationship with law enforcement organizations [read more...](#)

Federal legislation aims to boost recruitment of women into industry [read more...](#)

MSHA NEWS SUMMARY

▶ **U.S. Department of Labor Reports 29 Mine-Related Deaths in 2020** [read more...](#)

▶ **U.S. Department of Labor issues stronger Mine Safety Guidance on Coronavirus**

New MSHA guidance seeks to mitigate, prevent viral spread at mining sites [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ **Employees at Risk of Hearing Loss: WHAT EMPLOYERS CAN DO TO HELP**

Millions and millions of employees show up, do their job, clock out and go home day after day, month after month, year after year. However, for some 22 million people, this workday routine harbors a hidden danger: potential for permanent hearing loss from exposure to loud noise in the workplace. [read more...](#)



MJS Safety OFFERS DRUG & ALCOHOL TESTING
to comply with DOT/FMCSA, PHMSA & Non-DOT requirements.

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

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

“Training Spotlight”

(there will be a different course featured monthly)

PEC H2S CLEAR COURSE

This course was designed by PEC Safety to meet the ANSI Z390 -2017 standard training requirements. Students receive a photo ID with this course. This 4 hour course covers what hydrogen sulfide is, where it can be found, and what employees need to do to protect themselves when working on job sites where hydrogen sulfide may be possible. Respiratory protection, air monitor use and care, control measures, and industry best practices are also covered. Upon completion of this course students will receive a wallet card and certificate. Per the ANSI Z-390 standard the training should be renewed on an annual basis. [PEC H2S Clear Hydrogen sulfide course available upon request.](#)

For all of our Course Offerings visit the [MJS Safety website](#)

► **MJS Safety also offers custom classes to fit the needs of your company** ◀

SOURCES FOR THIS ISSUE INCLUDE:
 OSHA
 FMCSA
 MSHA
 USDOL
 ISHN
 Overdrive
 CCJ
 PipelineTesting Consortium
 Sherman&Howard
 OHS
 CPWR
 tnews
 Transport Topics
 ASHCA
 OH&S
 Utility Contractor
 Bulwark FR
 ATA
 National Today
 SAMHSA
 ODAPC
 NIOSH
 HDT TruckingInfo
 Colorado 811

Schedule of classes Apr 2021: • [TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543](#)

• [SEE MORE INFORMATION FOR Distance Learning & Video Conference classes](#)

- ***PEC Safeland Basic Orientation: April 7 (virtual class), 21, 30; 8 – 4:30;**
This class is available through video conference instructor led distance learning through 6/30/2021 - only upon request
- ***First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): April 9, 23; 8 – noon;**
This class available for blended learning (online) with remote or in-person skills assessment
- ***Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: April 9, 23; 12:30 – 4:30;**
This class available via Instructor Led video conference

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

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

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

— 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.mjssafety.com
 Jeremy 720-203-6325
 Carrie 720-203-4948

Unable to attend a class?

MJS Safety offers multiple “ONLINE TRAINING COURSES”

including

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

or you can

Need Help With

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

CALL US!!!

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



OSHA / CONSTRUCTION

COVID-19 Q&A



Will employers have additional time to complete annual training requirements because of mandated social distancing and other restrictions enacted during the coronavirus pandemic?



OSHA issued [interim guidance](#) on using discretion in enforcement when employers make good faith efforts to comply with OSHA standards during the pandemic.

▶ **MJS Safety can help guide you through the requirements. Call us!** ◀

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

(questions are grouped by topic)

OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

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

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

OSHA Releases Information on Top 10 Most Frequently Cited Standards for FY 2020

After months of delay, on March 4, 2021 the [Occupational Health & Safety Administration](#) revealed the Top 10 Most Frequently Cited Standards for Fiscal Year 2020.

Although all of the standards that were previously found on the list in 2019 stayed on the list in 2020, there were some that moved positions in the list. Ladders climbed from spot number six to number five and Respiratory Protection rose to the third-place spot from number five.

More notable, however, is that Fall Protection - General Requirements is OSHA's most frequently cited standard for the 10th straight fiscal year.

Patrick Kapust, deputy director of OSHA's Directorate of Enforcement Programs presented the preliminary data.

The Top 10 for FY 2020 are:

1. Fall Protection – General Requirements (1926.501): 5,424 violations
2. Hazard Communication (1910.1200): 3,199
3. Respiratory Protection (1910.134): 2,649
4. Scaffolding (1926.451): 2,538
5. Ladders (1926.1053): 2,129
6. Lockout/Tagout (1910.147): 2,065
7. Powered Industrial Trucks (1910.178): 1,932
8. Fall Protection – Training Requirements (1926.503): 1,621
9. Personal Protective and Life Saving Equipment – Eye and Face Protection (1926.102): 1,369
10. Machine Guarding (1910.212): 1,313

National Struck-by Stand-Down April 26th

Mark your calendars! CPWR and the NORA Construction Sector Council are planning a second annual **Stand-Down to Prevent Struck-by Incidents in Construction** for April 26. The **Stand-Down**, to take place on the **first day of National Work Zone Awareness Week (April 26-30)**, asks **contractors** to pause work to **recognize that struck-by incidents** are a leading **cause of death** among **construction workers** and to educate their **crews** about risks and **solutions** for **mitigating** them.

To make the **Stand-Down** a **success** during **COVID-19**, we are **encouraging contractors, workers, and other stakeholders** to participate **virtually**. More **information** on ways to **participate** will be **posted** on CPWR's [Work Zone Safety webpage](#) soon.

OSHA's 8th Annual National Safety Stand-Down

To Prevent Falls in Construction

MAY 3-7, 2021

As new data shows, falls continue to be the number one cause of workplace fatalities in construction. The most recent data from the Bureau of Labor Statistics shows that between 2018 and 2019, fall fatalities in the industry increased from 337 to 413, which makes it more important than ever to re-focus on fall hazard awareness and the prevention of falls, particularly as employers and employees are dealing with the COVID-19 pandemic.

What is a Safety Stand-Down?

A **Safety Stand-Down** is a voluntary event for employers to talk directly to employees about safety. Any workplace can hold a **Stand-Down** by taking a break to focus on "*Fall Hazards*" and reinforcing the importance of "*Fall Prevention*".

Employers of companies not exposed to fall hazards, can also use this opportunity to have a conversation with employees about the other job hazards they face, protective methods, and the company's safety policies and goals. It can also be an opportunity for employees to talk to management about fall and other job hazards they see.

OSHA has scheduled the eighth annual **National Stand-Down to Prevent Falls in Construction** for May 3-7, 2021. OSHA encourages construction employers and other stakeholders to join the event to promote awareness and training to address one of the industry's most serious dangers.

"Workers suffer serious and fatal injuries from falls and have a devastating impact on families and businesses," said Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health James Frederick. "This important collaboration with the construction industry encourages employers to learn how to better control fall-related hazards and improve their safety and health programs."

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

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

Fatal Injury Trends in the Construction Industry

Construction is one of the most dangerous industries in the United States. Construction Focus Four hazards (*falls, struck-by, electrocutions, and caught-in/between*), defined by OSHA, remain leading fatal threats to workers in the industry.

This [Data Bulletin](#) summarizes trends in fatal injuries among construction workers using publicly available data from the Census of Fatal Occupational Injuries (CFOI), a data collection from the U.S. Bureau of Labor Statistics (BLS).

Due to changes in the injury coding system used by BLS, injury analyses in this report span 2011 to 2019. It shows that there were more than 1,100 fatal injuries in 2019, the highest level since 2011, and that they increased sharply among Hispanic workers. Fatalities in both private and public construction sectors were included in the analyses.

Fatal injuries were stratified by major demographics and the Construction Focus Four. Injury risk was measured by the number of injuries per 100,000 full-time workers (FTEs; assuming a full-time worker works 40 hours per week, 50 weeks per year). The Current Population Survey (CPS), another BLS data collection, was the source of employment estimates and the denominators for injury rate estimates.

Definitions for fatal injury categories are included at the end of this report.

OSHA developed the fall prevention campaign as part of the national **Safety Stand-Down** and in partnership with the National Institute for Occupational Safety and Health, National Occupational Research Agenda, and The Center for Construction Research and Training (CPWR). Since 2014, this collaboration has helped train nearly 10 million workers on fall prevention.

CPWR will be posting new resources and information leading up to and during the **Stand-Down** week in May and will be [hosting webinars](#) with members of the ANSI Z359 Accredited Standards Committee and the National Roofing Contractors Association. OSHA's Fall Prevention Stand-Down [webpage](#) offers a wide range of compliance resources in many languages, including Spanish, Polish, Russian and Portuguese.

OSHA encourages everyone to use #StandDown4Safety to promote the event on social media, and to share feedback after their events and obtain a personalized certificate of participation.

*Feels like we can see a light at the end of the tunnel,
but we must continue to effectively practice . . .*

Coping with Job Stress and Remaining Resilient During the COVID-19 Pandemic

Whether you are going into work or working from home, the COVID-19 pandemic has probably changed the way you work. Fear and anxiety about the virus and its far-reaching effects can be overwhelming, and workplace stress can lead to burnout. How you cope with these emotions and stress can affect your well-being, the well-being of the people you care about, your workplace, and your community.



It is critical that you recognize what stress looks like, take steps to build your resilience and manage job stress, and know where to go if you need help.

Recognize the symptoms of stress you may be experiencing.

- *Feeling irritation, anger, or in denial*
- *Feeling uncertain, nervous, or anxious*
- *Lacking motivation*
- *Feeling tired, overwhelmed, or burned out*
- *Feeling sad or depressed*
- *Having trouble sleeping*
- *Having trouble concentrating*

Know the common work-related factors that can add to stress during a pandemic.

- *Concern about the risk of being exposed to the virus at work*
- *Taking care of personal and family needs while working*
- *Managing a different workload*
- *Lack of access to the tools and equipment needed to perform your job*
- *Feelings that you are not contributing enough to work or guilt about not being on the frontline*
- *Uncertainty about the future of your workplace and/or employment*
- *Learning new communication tools and dealing with technical difficulties*
- *Adapting to a different workspace and/or work schedule*

Follow these tips to build resilience and manage job stress.

- *Communicate with your coworkers, supervisors, and employees about job stress while maintaining social distancing (at least 6 feet).*
 - Identify things that cause stress and work together to identify solutions.
 - Talk openly with employers, employees, and unions about how the pandemic is affecting work. Expectations should be communicated clearly by everyone.

— Ask about how to access mental health resources in your workplace.

- *Identify those things which you do not have control over and do the best you can with the resources available to you.*
- *Increase your sense of control by developing a consistent daily routine when possible — ideally one that is similar to your schedule before the pandemic.*

— Keep a regular sleep schedule

— Take breaks from work to stretch, exercise, or check in with your supportive colleagues, coworkers, family, and friends.

— Spend time outdoors, either being physically active or relaxing.

— If you work from home, set a regular time to end your work for the day, if possible.

— Practice [mindfulness techniques](#).

— Do things you enjoy during non-work hours.

- *Know [the facts](#) about COVID-19. Be informed about how to [protect yourself and others](#). Understanding the risk and sharing accurate information with people you care about can reduce stress and help you make a connection with others.*

▪ *Remind yourself that each of us has a crucial role in fighting this pandemic.*

▪ *Remind yourself that everyone is in an unusual situation with limited resources.*

▪ *Take breaks from watching, reading, or listening to news stories, including social media. Hearing about the pandemic repeatedly can be upsetting and mentally exhausting*

▪ *Connect with others. Talk with people you trust about your concerns, how you are feeling, or how the COVID-19 pandemic is affecting you.*

— Connect with others through phone calls, email, text messages, mailing letters or cards, video chat, and social media.

— Check on others. Helping others improves your sense of control, belonging, and self-esteem. Look for safe ways to offer social support to others, especially if they are showing signs of stress, such as [depression and anxiety](#).

▪ *If you feel you may be misusing alcohol or other drugs (including prescription drugs) as a means of coping, reach out for help.*

▪ *If you are being treated for a mental health condition, continue with your treatment and be aware of any new or worsening symptoms.*

Know where to go if you need help or more information.

Scroll down to the bottom of this [link](#) for a list of resources.

Lineman Appreciation Day - 4/18

They were certainly lifesavers during the big snowstorm a few weeks ago!



Today's linemen (and women!) put their expertise to work every day so the rest of us can plug in any minute we need to. That's worth a shout out, don't you think?

So join us and don't forget to #thankalineman on 4/18.

1840 Linemen began work

The introduction of telegraph lines on trees and poles for long-distance communication created the need for linemen.

1890 A dangerous job

Labor organizations eventually formed to represent the workers and advocate for their safety.

2013 The bill became law

Linemen (and women) work on power or phone lines — keeping the current flowing to our homes and businesses. It's a dangerous job. After 2012's Hurricane Sandy, the 113th Congress passed a bill designating April 18 as National Lineman Appreciation Day.

April is National Safe Digging Month

Each year **Colorado 811** observes and celebrates **April** as **National Safe Digging Month**. This year **Colorado 811** and the **Underground Damage Prevention Safety Commission** partnered with the state and **Colorado Governor Jared Polis** to secure a **Proclamation** ([pdf](#)) declaring **April** as **Safe Digging Month**.

There are **various resources** to help promote **National Safe Digging Month**. If you are **interested** in doing more or have **questions**, please email us communications@co811.org

How you can Support Safe Digging Month

Below you'll find some **ideas** and **resources** for your **organization** to help **raise awareness** around **811** and **Safe Digging Month**.

- Share our graphics and social media messages on your company social platforms
- Send our press release to local media outlets
- Order free 811 vehicle stickers to give to employees
- Remind anyone who may plan to dig that they must contact 811 first and that it's a free service
- Utilize our Damage Prevention Liaisons for free training or toolbox talks for construction crews

Resources

- [Social media messages](#)
- [Social media graphics](#)
- [Safe Dig Month Proclamation](#)
- [Safe Dig Month press release](#)
- [811 Fact Sheet](#)
- [811 sticker order form](#)
- [Contact our Damage Prevention liaisons](#)



March 12, 2021

Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19)

This Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19) provides new instructions and guidance to Area Offices and Compliance Safety and Health Officers (CSHOs) for handling COVID-19-related complaints, referrals, and severe illness reports. On the date this memorandum is issued, the previous memorandum (May 19, 2020) on this topic^[1] will be rescinded, and this new Updated Interim Enforcement Response Plan will go into and remain in effect until further notice. This guidance is intended to be time-limited to the current COVID-19 public health crisis. Please frequently check OSHA's [webpage](#) for updates.

OSHA's priority is to use its resources to eliminate and control workplace exposures to SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2), the cause of COVID-19, and to provide OSHA enforcement personnel with the protections necessary to allow them to safely perform inspections. Most workplaces within the scope of OSHA's authority have been affected by the COVID-19 pandemic. Some workplaces have maintained operations throughout the pandemic, while others have not. OSHA's mission is to assure safe and healthful working conditions for working men and women.

OSHA's enforcement of workplace safety and health requirements will reduce the risk of workplace transmissions of SARS-CoV-2. The agency's updated Response Plan prioritizes enforcement and focuses on employers that are not making good faith efforts to protect workers.

The following summarizes OSHA's updated strategy:

- OSHA will continue to implement the U.S. Department of Labor's (DOL) COVID-19 Workplace Safety Plan to reduce the risk of COVID-19 transmission to OSHA CSHOs during inspections.^[2]
- Pursuant to the March 12, 2021, National Emphasis Program (NEP) for COVID-19, [DIR 2021-01 \(CPL-03\)](#), OSHA will prioritize COVID-19-related inspections involving deaths or multiple hospitalizations due to occupational exposures to COVID-19. In addition, this NEP will include the added focus of ensuring that workers are protected from retaliation.

- Where practical, OSHA will perform on-site workplace inspections:
 - OSHA's goal is to identify exposures to COVID-19 hazards, ensure that appropriate control measures are implemented, and address violations of OSHA standards and the General Duty Clause.
 - OSHA will at times use phone and video conferencing, in lieu of face-to-face employee interviews, to reduce potential exposures to CSHOs. In instances where it is necessary and safe to do so, in-person interviews shall be conducted.
 - OSHA will also minimize in-person meetings with employers and encourage employers to provide documents and other data electronically to CSHOs.
 - In all instances, Area Directors (AD) will ensure that CSHOs are prepared and equipped with the appropriate precautions and personal protective equipment (PPE) when performing on-site inspections related to COVID-19 and throughout the pandemic.
 - To the extent possible, all inspections should be conducted in a manner to achieve expeditious issuance of COVID-19-related citations and abatement.
- In cases where on-site inspections cannot safely be performed (e.g., if the only available CSHO has reported a medical contraindication), the AD will approve remote-only inspections that may be conducted safely.
- Inspections conducted entirely remotely will be documented and coded N-10-COVID-19 REMOTE.

NOTE: CSHOs who believe they may have been exposed to SARS-CoV-2 during an inspection must immediately report the potential exposure to their supervisor and/or AD.

The Office of Occupational Medicine and Nursing (OOMN) will provide assistance to ADs and CSHOs and serve as a liaison with relevant public health authorities. OOMN can also facilitate Medical Access Orders (MAOs) necessary to obtain worker medical records from employers and healthcare providers.

All enforcement and compliance assistance activities must be appropriately coded to allow for tracking and program review. This includes COVID-19 activity, which should continue to be coded in the OSHA Information System (OIS), in accordance with the COVID-19 NEP, DIR 2021-01 (CPL-03).

Scroll down at this [link](#) to see "Attachments" with specific inspection and citation guidance for potentially applicable OSHA standards and the General Duty Clause, including new guidance related to the COVID-19 NEP. This guidance is being provided to the OSHA-approved State Plans for informational purposes only. If you have any questions regarding this policy, please contact the Office of Health Enforcement at (202) 693-2190.

5 Ways to Minimize Industrial Worker Exposure to COVID-19

Vaccines have been rolling out, but COVID-19 is still a threat. As industrial facilities push through what is hopefully the final stretch of the pandemic, they need to remain cautious. It's perhaps more crucial than ever to minimize worker exposure to COVID-19.

Most, if not all, facilities are already aware of the universal steps to minimize exposure. Employers and employees alike know to stay six feet apart and wear masks, but anti-COVID measures can go further.

Here are five more industry-specific steps that industrial facilities can apply to keep workers safe.

1. Require self-monitoring and testing

One of the best ways to minimize COVID-19 exposure is to keep virus carriers out of the building. Many workplaces perform pre-work temperature checks, but these are typically inaccurate and expensive. Employee self-monitoring may be a better alternative. Workers should have to report their recent temperature and symptoms to employers before work.

Of course, self-monitoring techniques aren't always accurate, either, as workers can lie or make mistakes. To work around this, facilities could require frequent COVID-19 nasal swabs. If an employee tests positive, they should isolate, and their coworkers should get tested as well to see if they've also contracted the virus.

2. Use smaller, staggered shifts

Industrial facilities are at particular risk due to their high volume of workers and typically confined spaces. Employers can make the most of this situation by using smaller shifts and minimizing the number of people in the building at once. Automation can help make up for any productivity losses this creates.

Even within the same shift, facilities should stagger breaks to minimize close contact. Employee break rooms are often too small to enable social distancing for many people. If only a few workers took a break at a time, this would be less of a concern.

3. Assess risks within the workplace

Every workplace has unique characteristics that could make it more or less conducive to spreading the virus. Facilities must analyze and assess these site-specific factors to understand how best to restructure their workflows. Data analytics is an indispensable tool in this regard.

Mathematical models can reveal human inhalation exposures for various particles, which can guide COVID-19 protocols. Data about how air and water droplets flow throughout the workplace will show the areas where transmission is most likely. Employers and managers can then rearrange the facility and adjust workflows accordingly.

4. Modify sick leave policies

Even with an abundance of caution, employees can still catch COVID-19. When that happens, facilities need to ensure sick workers don't expose anyone else to the virus. Traditional sick leave policies aren't flexible or forgiving enough to enable appropriate measures, so workplaces should change them.

The Centers for Disease Control and Prevention (CDC) recommends a 14-day quarantine not just for workers with COVID-19 but also those exposed to someone who might've had it. As such, facilities should require employees to quarantine if they suspect they've been exposed.

For that to happen, sick leave policies will have to be flexible and enticing enough for workers to take the time they need comfortably.

5. Turn to technology for help

Industrial facilities' size, noise, and limited visibility can make some measures, like social distancing, challenging to maintain. Technology like IoT (Internet of Things) devices can help workers stay safe amid these challenges. For example, some Amazon warehouses have implemented wearable proximity sensors to alert workers when they're within six feet of another.

Static sensors throughout a warehouse or factory can monitor potentially high-traffic zones for social distancing violations. If their data shows frequent problems in one area, the facility can adjust as necessary. IoT air quality sensors can help ensure consistent, clean airflow in the building, removing harmful particles.

Safety is a top concern for industrial workers amid COVID-19

With the pandemic's end on the horizon, many industrial facilities may overlook safety in favor of increasing productivity. As tempting as this is, employers must ensure they maintain a safe work environment to bring a quicker end to this health crisis. The health and safety of employees is the most crucial factor.

These five steps can help any industrial workplace ensure the safety of its workers. With careful planning and implementation, workplaces can maintain productivity while staying safe from COVID-19.



OSHA Opts for COVID-19 National Emphasis Program Rather Than Emergency Temporary Standard

Source: Sherman & Howard - Pat Miller, Alyssa Levy, and Dana Svendsen

On March 12, 2021, **OSHA** rolled out a **National Emphasis Program (NEP)** to address the **ongoing COVID-19 pandemic**. NEPs are **tools utilized** by the Agency, on a **temporary basis**, to address **certain hazards** in **high-risk industries**.

The new **NEP** has been **launched** in response to President Biden's **recent Executive Order** directing the Agency to, **among other things**, come up with a **national program** to focus on **COVID-19 enforcement**. Its goal is **"to significantly reduce** or eliminate **worker exposures** to COVID-19 by **targeting industries** and worksites where **employees** may have a **high frequency** of **close contact exposures** and therefore, controlling the health **hazards associated** with such **exposures."**

Inspections related to **COVID-19**, which **OSHA** hopes to **comprise** at least **5% of all inspections**, are set to be **focused** in these **certain critical industries** "until further notice." However, **unprogrammed COVID-19** inspections may still take place at **any worksite** where there are **high rates of exposure**.

In order to **identify establishments** subject to inspection **under the NEP**, **OSHA** has created two **"Master Lists."** The first **Master List** will comprise **all establishments** in certain **NAICS codes** that **OSHA** has either **identified** as having **high rates of exposure** or where there are **likely to be frequent exposures** related to **on-site activity**.

The **second Master List** will contain the **establishments** in those same **NAICS codes** that also have **elevated illness rates** as indicated by **OSHA 300A data**. Not surprisingly, many of the **NAICS codes** that are **covered** are in **healthcare** (e.g., *physician offices, dental offices, home health care services, nursing care facilities, among others*).

Notable industries outside of **healthcare** that are **covered** are: • Meat Processed from Carcasses (*NAICS Code 311612*) • Animal (Except Poultry) Slaughtering (*NAICS Code 311611*) • Poultry Processing (*NAICS Code 311615*) • Supermarkets and Other Grocery (Except Convenience) Stores (*NAICS Code 445110*) • Discount Department Stores (*NAICS Code 452112*) • General Warehousing and Storage (*NAICS Code 493110*) • Temporary Help Services (*NAICS Code 561320*) • Full-Service Restaurants (*NAICS Code 722511*) • Limited-Service Restaurants (*NAICS Code 722513*)

It is **noteworthy** that **OSHA** is also **including** certain industries to **"supplement"** those noted above in **generating** the **Master Lists** for NEP targeting.

Among these are: • Agriculture, Forestry, Fishing and Hunting (*NAICS Codes beginning with 11*) • Construction of Buildings (*NAICS Codes beginning with 236*) • Heavy and Civil Engineering Construction (*NAICS Codes beginning with 237*) • Specialty Trade Contractors (*NAICS Codes beginning with 238*) • Food Manufacturing (*NAICS Codes beginning with 311*) • Beverage Manufacturing (*NAICS Codes beginning with 3121*) • Fabricated Metal Product Manufacturing (*NAICS Codes beginning with 332*) • Industrial Machinery Manufacturing (*NAICS Codes beginning with 333*)

The **NEP** directs each **OSHA Area Office** to use **either** or both **Master Lists** to **"meet their inspection goals."** This is to be accomplished by the **Area Offices** utilizing a **"Targeting List-Generation System"** to identify **covered industries** within their **jurisdiction**. Area Offices may **add to their lists** any other establishments **based upon information** from local sources, such as **health departments** and other **agencies**. While **OSHA** will continue to **prioritize fatality COVID-19** inspections, **employers** in the **covered industries** should be **prepared** for a programmed **inspection**.

What is of **note** about this **NEP** is what it **does not do**. It **does not establish** a federal **OSHA** standard to address **COVID-19** hazards. Though President Biden's **Executive Order** required the Agency to **examine whether** such an **Emergency Temporary Standard** is appropriate, the **deadline** for the **issuance** of any such **standard** was **March 15, 2021**. Because **no such standard** has been issued, **OSHA** clearly has decided to **rely on the NEP** instead.

Therefore, **COVID-19 enforcement** will **continue** to be **handled largely** under **Section 5(a)(1)** of the **Occupational Safety and Health Act** (*the General Duty Clause*), along with any other existing **standards** that may **apply**, such as **respiratory protection** or **personal protective equipment** requirements. Therefore, **employers** should **ensure** that their **establishments** **follow** all **federal, state, and local mandates** and **recommendations** related to **COVID-19**.

For **OSHA's** **guidance**, please go to www.osha.gov. **Guidance** from the **Centers for Disease Control** may be found at www.cdc.gov.

The **NEP** is **scheduled** to be in effect for **12 months**, and states that **run their own OSHA programs** are **required**, within **60 days**, to submit a notice to **OSHA** stating whether they **intend to adopt** similar policies and **procedures**, already have them **in place**, or **do not intend** to adopt **OSHA's** **NEP**. Employers in **stateplan states** are advised to **check** whether their **respective agencies** have adopted, or **will adopt**, anything **similar**.

If you have any **questions**, please contact **Pat Miller 303.299.8354**, **Dana Svendsen 303.299.8164**, or **Alyssa Levy 303.299.8256** at Sherman & Howard.

Vacuum Excavation Manufacturers Share Tips on Keeping Crews Safe

Vacuum excavation is a critical component for horizontal directional drilling (HDD) and utility locating projects. Key duties include helping with mud management (*sucking up the fluid and transporting for disposal*) and exposing underground utilities before drilling or excavating.

Operating vacuum excavation equipment safely cannot be dismissed as just another part of the project. From setting up the equipment onsite to confirming the exact location and depth of underground utilities, performing this application correctly makes your job safer and more cost-effective. Vacuum excavation manufacturers were asked for their expert advice on what you should and should not be doing with your vacuum excavation equipment.

It should go without saying that the goal of any jobsite is to safely start and the end day, accident-free. Proper training is the foundation of making sure everyone goes home at the end of each day.

“Vacuum excavation can be fun to do and watch, but people need to know and understand that this is a piece of equipment built to move earth,” says Hi-Vac president Dan Coley. “That type of power is not only beneficial but dangerous and needs to be treated with respect. Vacuum excavation will continue to grow as the industry sees the benefits of both safe digging and precision excavations.”

“The vacuum excavation industry exists primarily because of safety,” says Tim Dell, partner at Rival Hydrovac. “Line strikes pose big risks to personnel and are expensive. Because of this concept, it is vital the operation of the vacuum excavation equipment is performed properly being that the basis for the process was born for safety reasons. A vacuum excavator poses risks as any heavy equipment, with some unique issues specific to this equipment.”

“Placing human eyes on utilities avoids the dangers of digging into unforeseen and incorrectly marked utilities,” says RAMVAC northeastern region industrial sales manager Jim Svandrik. “Potholing is needed prior to boring for new lines where existing utilities are already in place. This helps avoid serious injury or death, which can occur easily when digging blindly.”

What are some of the safety issues involved with vacuum excavation? The expert panel gave a myriad of safety concerns involved with this operation. All crewmembers involved in operating vacuum excavation equipment need to have personal protective equipment (PPE) such as face/eye protection, proper gloves and footwear, as well as reflective vests/shirts, hard hats and rubber mats, the latter when working around electrical lines. Routine maintenance also promotes safety.

“It’s important that maintenance is performed per the manufacturer’s maintenance schedule to ensure the equipment is functioning properly. An unmaintained vacuum excavator can create additional, unnecessary hazards to the jobsite,” says Nick Bruhn, product manager with TRUVAC.

Operators always need to be aware of the high-pressure water or air wands on vacuum excavators, releasing water and air that is powerful enough to penetrate ground materials, tree roots and other materials that can cause severe injury or even death.



“Operators should not exceed the recommended psi when digging. Too much pressure can damage buried utility lines,” says Vermeer MV Solutions director of sales Brian Showley.

Showley also notes that being careless with the water or air wand, or using it to pry material could result in damaging utility lines, the equipment or even injury. “Water wands should always be facing down,” he says. “There are two reasons wand direction is important. First, each wand has a porcelain piece that sits toward the back of it that can be damaged by the sudden impact of triggering the wand and slamming it forward. Second, accidentally triggering the wand can cause injuries.”

When asked about tips to prevent accidents on a jobsite, the panel offers a long list of them, such as Showley’s advice on the water or air wand. Some may seem obvious such as wearing proper protective equipment to knowing your surroundings, to those involving a little more care such as making sure the water pressure isn’t too high to avoid damaging the utility being exposed to not using any body part to remove a blockage in the suction tube.

“Never stick your arm up the suction tube to dislodge debris,” says RAMVAC central region industrial sales manager Tim Van Til, noting that some units offer a reversible blower that will dislodge debris in seconds, requiring no effort from the operator.

Common Mistakes

Perhaps the term “common mistakes” for this section is misleading as it makes it sound like they are minor infractions. But mistakes can be dangerous — dangerous to the crewmembers, as well as the project’s bottom line. Some of the more common ones include using the wrong or worn-out nozzle and not knowing the vacuum capabilities of your equipment, as well as parking too close the dig site.

“Using **improper nozzles** when digging can **negatively affect** performance,” says Coley. “If the **nozzles** are **not properly sized** for the **working GPM** and **pressure** of the **water pump**, their **performance** will diminish. Not using the **right type of nozzle** for the **soil conditions** that are present **will limit** the performance and **productivity**. These types of **mistakes** can be **avoided** by **properly training** new operators on all operational and **maintenance aspects** of the **equipment**.”

The crew **also needs** to be aware of their **surroundings** for a **multitude of reasons**. Make sure there are **safety cones** and **signage positioned** and any open **holes fenced off** or covered. “It is **important to maintain** a safe distance whenever the **vacuum excavator’s tank door** is open. **Nobody should** be **standing near** the rear of the **machine**,” says Showley. “Also, operators **need to make sure** they don’t **get too close** to open holes since **cave-ins** are possible in this **line work**. Operators also **need to keep** their limbs away from the **front of the water or air wand** and **vacuum hose nozzle**.”

Overhead objects can also be **problematic**, if ignored. “**Always ensure** the boom is in the **cradle prior** to driving **down the road** to avoid **hitting overhead items**,” says Jim Svandrik.

“When a **vacuum excavator boom** is being **remotely controlled**, often the **contractor** is **looking down** into the hole **while the boom** is lifting. This is **something critical** that must be **evaluated pre-job**,” says Dell.

Crewmembers also **need to be aware** of where the **vac truck** is being **parked** on the site. **Why is this important?** Overhead **obstructions** come **into play** here, as well as **unsafe ground conditions**.

“A **common mistake** is parking the truck **too close** to the **dig site**,” says RAMVAC western **region industrial sales** manager Craig Svandrik. “**Ground fails due to overall weight** and vibration of **truck can cause** the truck, the operator or **both to fall** into the hole. **Always use a spotter**. Not using a **spotter** can lead to **striking overhead obstacles** with the **vacuum boom**. Hitting powerlines can **send volts** to the chassis, **damaging chassis computers**, and worse, **electrocuting operators**.”

Coley also **notes** that these “**common mistakes**” can occur when **operators fail** to know the **full capabilities** of their **vacuum systems**. “Vacuum systems **range in size** and **configurations** from **1,000 cfm** and **16-in. Hg** to **5,800 cfm** and **28-in.** A **better understanding** of the **air velocity** that the **vacuum system** can **generate** and how the **Hg will assist**, will **help improve** the operator’s **set up** of the jobsite. **Sucking up dry material** in a unit that is **not built** for it can **cause material carryover** and damage the **vacuum blower** by not having the **proper filtration to handle dust**.”

“**Vacuum excavation** is **extremely dangerous** and **safety precautions** with **equipment design** must be **taken**,” says Ben Schmitt, general manager of TRUVAC by Westech. “The **premise of vacuum excavation** is **safe digging locating buried utilities**. It’s **extremely important** all facets of the **application** are completed in the **same manner** as the **premise itself**. There are **many hazards** of **vacuum excavation** and **ensuring** everyone goes **home safely** after the **application** is **first and foremost**.”

What Is a Competent Person?

This is a **critical position** for any **jobsite** — this is a **person** who has **oversight** and **management** of the crew **completing the project**. It’s also a **position required** by **OSHA** and for **good reason**. Safety on a **jobsite** is **paramount** to the **crew**, as well as **others** in the area of the **jobsite**.

“The **competent person legislation** is in place for a **good reason**,” says Rival Hydrovac partner Tim Dell. “An **experienced** and **appropriately trained** person as it **relates to ground disturbance** is a must in **regards to safety**. There will be **issues related** to properly **shoring excavations** to code when **working within** an **excavation**, identifying **overhead obstruction**, specifically **power lines** and ensuring that the **truck** is **set up properly** from a **pressure point** of view based on the **job being performed**.”

“It’s **extremely important** the **operator** of the **equipment** is well trained, **capable** and **experienced with identifying potential dangers**,” says Ben Schmitt, **general manager** with TRUVAC by Westech. “When **hydro excavating**, for example, there are **regulated water pressures** to utilize based on the **application**. Using **too much pressure** in a **particular application** could cause **preventable damage** to the **underground infrastructure**.”

Hi-Vac president Dan Coley also **notes** the importance of **having the right person** in this **position**. “One person **must have** the **knowledge** of the **job** and the **know-how** to **safely guide** the **crews to complete the job** on time and **safely** with minimal cost,” he says. “**In this industry**, if you do not have **competence** or a **general understanding** of the work and the **equipment** to do the **work**, you are **more than likely** going to **get hurt**.”

“**Hazard Assessment ‘Toolbox Talks’** and **sign off sheets** are required for **every jobsite**. These talks **should be more** than just ‘**CYA**’ but **designed to ensure the job** gets done in the **safest and most productive manner**,” Coley says.

“**Everyone** should be **working to ensure** that ‘**Everyone goes home safe**’ at the end of the **shift**,” he says.

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OSHA, Grain Industry Leaders Say Small Changes Have Big Impacts

Annual Grain Safety Week event focused on how bin operators' work practices may be the difference between life, death



Today, **six of every 10 workers** trapped in a **grain bin** don't make it out **alive**. This is a **frightening reality**, but one that the nation's **8,378 off-farm grain storage facilities'** operators can change by **following common sense** approaches that truly may be the difference **between life and death**.

How to **make these changes** was the focus of the **5th annual Stand Up 4 Grain Safety Week**, from **March 29 ending on Friday, April 2, 2021**. The event is a **collaboration** between the U.S. Department of Labor's **Occupational Safety and Health Administration**, the [Grain Handling Safety Coalition](#), the [Grain Elevator and Processing Society](#) and the [National Grain and Feed Association](#).

"**Stand Up 4 Grain Safety Week** brought **industry professionals** together to focus on **how small changes** can eliminate **dangerous hazards** that can cause **great harm** to their employees," said **Principal Deputy Assistant Secretary for Occupational Safety and Health** Jim Frederick. "This **important collaboration** will strengthen our **coalition of agribusiness** and safety professionals, and **reinforce** our shared **commitment to safety and training**."

Stand Up 4 Grain Safety Week included a **comprehensive kick-off event** on Monday, March 29, with **live safety demonstrations** and success stories. The **Grain Handling Safety Coalition's** free virtual webinars during the week focused on **near miss reporting**, the impact of **quality on safety**, bin safety and **developing emergency action plans**.

To explain how **industry employers participated** in **Stand Up 4 Grain Safety Week**, the **coalition developed** a [video safety message](#). View it and learn **how small changes** can have a **big impact** on **grain-handling safety**.

The alliance identified seven critical steps for grain safety:

- *Turn off/lockout equipment before entering a bin or performing maintenance.*
- *Never walk down grain to make it flow.*
- *Test the air in the bin before entering.*
- *Use a safety harness and anchored lifeline.*
- *Place a trained observer outside of the bin in case of an emergency.*
- *Do not enter a bin where grain is built up on the side.*
- *Control the accumulation of grain dust through housekeeping.*

Alliance members provide **information** to the **agribusiness community** and the **public** through newsletters, **emails** and **placement of information** on the [Stand Up webpage](#) and social media using the **hashtag #StandUp4GrainSafety**.

ABOUT THE ALLIANCE

Stand Up 4 Grain Safety Week was **first held** in 2017 as a **local event**, and continues to grow as the **organizations combine** their talents, **resources**, and knowledge to **develop more training** and educational **offerings**, expand **partnerships** with other **industry organizations**, and reach across the **entire grain industry** spectrum. [Learn more about the Alliance](#).

OSHA's [Grain Handling Safety Standards](#) focus on the **grain and feed industry's** six major hazards: **engulfment**, falls, **auger entanglement**, "struck by," **combustible dust explosions** and electrocution hazard.

Learn more about **OSHA's** [Agriculture Industry Safety Resources](#).

Agricultural Safety



Agriculture ranks among the most hazardous industries. Farmers are at very high risk for fatal and nonfatal injuries; and farming is one of the few industries in which family members (*who often share the work and live on the premises*) are also at risk for fatal and nonfatal injuries.

In 1990, NIOSH developed an extensive agricultural safety and health program to address the high risks of injuries and illnesses experienced by workers and families in agriculture. NIOSH supports extramural research and prevention programs at university centers in 10 states. These programs conduct research on injuries associated with agriculture, as well as pesticide exposure, pulmonary disease, musculoskeletal disorders, hearing loss, and stress.

Who's at Risk?

- *Approximately 2,038,000 full-time workers were employed in production agriculture in the US in 2018.*
- *Approximately 1.4 to 2.1 million hired crop workers are employed annually on crop farms in the US.*
- *An estimated 893,000 youth under 20 years of age resided on farms in 2014, with about 454,000 youth performing farm work. In addition to the youth who live on farms, an estimated 266,000 youth were hired to work on US farms in 2014.*

Fatalities

- *In 2017, 416 farmers and farm workers died from a work-related injury, resulting in a fatality rate of 20.4 deaths per 100,000 workers. Transportation incidents, which include tractor overturns were the leading cause of death for these farmers and farm workers.*
- *The most effective way to prevent tractor overturn deaths is the use of a Roll-Over Protective Structure (ROPS) with a seatbelt. In 2014, 62% of tractors used on farms in the US were equipped with ROPS. If ROPS were placed on all tractors used on US farms manufactured since the mid-1960's, the prevalence of ROPS-equipped tractors could be increased to over 80%.*

Injuries

- *Every day, about 100 agricultural workers suffer a lost-work-time injury.*
- *From 2008-2010, 50% of all hired crop worker injuries were classified as a sprain or strain.*
- *In 2014, an estimated 12,000 youth were injured on farms; 4,000 of these injuries were due to farm work.*

DOT News...

Oral Fluid Testing

• DOT submitted their Oral Fluid Testing proposed rule to the Office of Management and Budget (OMB) for evaluation. After which, the rule will be released back to DOT for public comment.

Revised DOT CCF

• The revised DOT CCF accommodates the use of oral fluid specimens ([View CCF](#)). Since oral fluid drug testing is NOT yet authorized in DOT's drug testing program, this may cause some confusion. Thus, DOT recommends supplies of the old CCFs be depleted first before using new form.

PTC will be implementing the new CCF soon!

• *Please limit drug kit orders to quantities that will be used within the next 30 days.*

Guidance for Using the 2020 Federal Custody and Control Form (CCF) for Urine Specimens

Effective Date: August 17, 2020

• [Guidance for Using the 2020 Federal Custody and Control Form \(CCF\) for Urine Specimens](#)

Revised March 4, 2021

• [2020 Guidance for Using the Federal Custody and Control Form \(CCF\) for Urine Specimens \(PDF | 192 KB\)](#)

• Instructions for completing the CCF are posted on the [SAMHSA](#) and [ODAPC](#) websites.

It's Prime Time for Air Disc Brakes, With Nearly 2 in Five Owner-Operators Running Them on the Tractor

Last summer, an individual overseeing the maintenance side of his family-owned, Minnesota-headquartered small fleet, was looking ahead to a project of whose value he'd become convinced.

On much of its company-owned equipment, the fleet was moving to air disc brakes instead of conventional drums. The principal reason? "Serviceability" was the reason given. "We're seeing a lot of advantage out of that. The service part of it is next to nothing, and they last quite a long time."

They're generally "a little lighter, too," he added, another plus in an operation that pulls mostly double drop step decks and RGNs that can max out on weight.

Those aren't the only advantages that come with disc brakes. "They tend not to get as hot as fast, and they're probably better in terms of stopping power," said an owner-operator and longtime diesel mechanic, based out of Evanston, Wyoming.

The Minnesota-headquartered small fleet's move is part of a trend that's really accelerated in recent years, according to Bendix, a leading brake manufacturer, as truck makers and their customers have become convinced that disc-brake technology is long since ready for prime time in trucking.

Peterbilt was the first to make air disc standard, in the steer position in 2012, with Kenworth shortly following suit, said Nicole Oreskovic, a Bendix senior director for marketing/product planning. "Navistar went all-wheel ADB in the summer of 2018," she added, and today "three of the big four" are all-wheel air disc, standard. "The

cost premium associated with the technology has really gone down considerably" over that time period, too, while maintenance and other advantages remain.

An Idaho-based independent owner-operator has recently shopped around for a potential replacement trailer for his 48-foot spread-axle flatbed, outfitted with drum brakes.

With what he was seeing, he figured as little as \$60 an axle in terms of initial investment premium for trailer discs over drums, though that premium will vary dependent on the operation. "I want a trailer with disc brakes" to match those on his 2015 Peterbilt 579, he added about his principal motivation for trading his flatbed. "You can really feel the difference in the braking" between tractor and trailer as it is, he added.

"Drums have a tendency to fade," or lose stopping power, "when they get hot," said Bendix Product Director for air brakes, Keith McComsey. "The drum heats up and expands away from the friction material." The result: "Reduced torque on the wheel end."

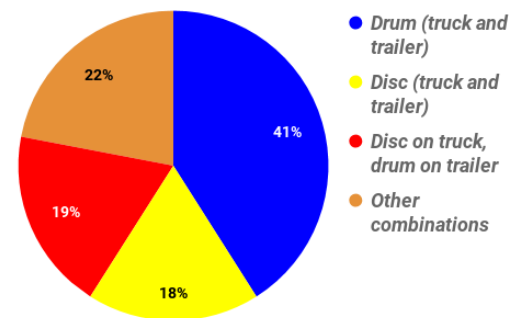
With disc, that doesn't happen. "No matter how hot it gets," said McComsey, they'll "always provide that stopping power."

An Oklahoma-based small fleet owner's first-ever-owned tractor with all air disc brakes is a 2019 Kenworth W900L he bought used in recent history from an owner-operator. He tested McComsey's notion himself, of a fashion, he said, coming down Cabbage Hill "pretty quick" on I-84 in Oregon. The discs "impressed me." He's recently shifted his equipment investment strategy from long-term ownership with a close focus on maintaining for longevity to quicker trade cycles to keep newer-model emissions-heavy equipment under warranty.

"When I get new trucks now," he added, "they will have discs on them."

Another trucker for the Oklahoma-based small fleet, now the pilot behind the wheel of 2019 Kenworth W900L, has been impressed, too, pulling liquid bulk tank most often. Over years as vehicle traffic on U.S. highways and interstates has steadily increased without a commensurate expansion of available lanes, and as CB usage has fallen off among some in the trucking community, encountering unexpected slowdowns on high-speed roads has gotten to be a more regular feature of hauling. Since he's taken the reins of the W900L several months back, "I've had some hairpin-type situations happen on the road already," he said. "I've never smoked them, I've never even smelled them. I can't complain about them. If I ever bought a truck I'd buy one with disc brakes or maybe switch them out," though that might not always be a sensible option from a basic return-on-investment calculation, given the work involved.

Disc/drum brake use reported by owner-operators



A Year of Pandemic: Number of Roadside Inspections Fell

The supply chain has come through severe trials since the coronavirus was declared a pandemic on March 11, 2020, by the World Health Organization. Trucking and related organizations describe the challenges and their progress.



“It was definitely a strange year for inspectors,” said Kerri Wirachowsky, director of the [Commercial Vehicle Safety Alliance’s](#) roadside inspection program. “In the beginning of the pandemic, a lot of agencies just stopped doing inspections completely, only stopping vehicles if they saw an imminent issue,” she said.

There were some 2.7 million inspections last year, compared with about 3.5 million by [CVSA](#) previous to that, Wirachowsky said.

Likewise, roadside inspections during [CVSA’s](#) stepped-up International Roadcheck in 2020 declined by 25%.

Interactions with drivers also were different. Social distancing took place between them and when documents had to be passed, a Ziploc plastic bag was used.

During the year, some jurisdictions took inspectors off the road and assigned them other duties.



For example, some officers who were inspectors (primarily state troopers), were temporarily redeployed to help maintain peace when violence erupted during protests over racial injustice in such places as Oregon and Wisconsin, Wirachowsky said.

“Some jurisdictions redeployed people to work on things related to COVID,” she added. “So the actual number of people doing inspections went down temporarily through 2020. It varied from state to state.”

The pandemic affected [CVSA](#) reporting too.

“As far as my data presentations go, I’m not using 2020 data. For me, violations data each year needs to be consistent. But when you have an emergency declaration from the federal government for the entire year almost, when some violations aren’t cited and trucks can run over their hours, that skews all the violation data,” she said.

Annual Roadcheck Inspection Blitz to Focus on Lighting, HOS Compliance

The annual 72-hour [International Roadcheck](#) inspection blitz will be held May 4-6, [Commercial Vehicle Safety Alliance](#) announced recently.

[CVSA](#) inspectors will ensure the vehicle’s brake systems, cargo securement, coupling devices, driveline/driveshaft components, driver’s seat, exhaust systems, frames, fuel systems, lighting devices, steering mechanisms, suspensions, tires, van and open-top trailer bodies, wheels, rims, hubs and windshield wipers are compliant with regulations. Inspections of motorcoaches, passenger vans and other passenger-carrying vehicles also include emergency exits, electrical cables and systems in the engine and battery compartments, and seating.



Inspectors will be looking for critical vehicle inspection item violations, outlined in the [North American Standard Out-of-Service Criteria](#). If such violations are found, the vehicle will be placed out of service, which means that vehicle cannot be operated until the identified out-of-service conditions have been corrected.

Vehicles that successfully pass inspection, without any critical vehicle inspection item violations found after a completed [Level I or Level V Inspection](#), should receive a [CVSA decal](#). In general, vehicles with a [CVSA decal](#) are not [re-inspected](#) during the three-month period during which the decal is valid. Instead, inspectors focus their efforts on vehicles without a valid [CVSA](#) decal.

Also during an inspection, inspectors will check the driver’s operating credentials, hours-of-service documentation, seat belt usage, and for alcohol and/or drug impairment. A driver will be placed out of service if an inspector discovers driver-related out-of-service conditions.

The two areas [CVSA](#) is asking inspectors to focus on this year – lighting for vehicles and hours of service for drivers – are among the top violations each year. According to the [Federal Motor Carrier Safety Administration](#), the “lamps inoperable” lighting violations was the number one vehicle violation in fiscal 2020, accounting for approximately 12.24% of all vehicle violations discovered that year. And during last year’s [Roadcheck](#) inspection spree, the top driver out-of-service condition was hours of service, accounting for nearly 35% of all driver OOS violations.

“It’s important to remember that [International Roadcheck](#) is a data collection effort,” said [CVSA](#) President Sgt. John Samis with the Delaware State Police. “The inspections conducted during the three days of [International Roadcheck](#) are no different from the inspections conducted any other day of the year. Other than data collection, the inspection process is the same.”

As was the case last year, in consideration of [COVID-19](#), law enforcement personnel will conduct inspections following their departments’ health and safety protocols during 2021 [International Roadcheck](#).

In addition, as the [COVID-19](#) vaccine rollout continues, every effort will be made to get vaccine shipments to their destination, quickly and safely. [COVID-19](#) vaccine shipments will not be held up for [inspection](#), unless there is an obvious serious violation that is an imminent hazard.

Inspectors will conduct inspections in jurisdictions throughout Canada, Mexico and the U.S. [International Roadcheck](#) is a [CVSA](#) program with participation by the [Federal Motor Carrier Safety Administration](#), the Canadian Council of Motor Transport Administrators, Transport Canada, and Mexico’s Ministry of Communications and Transportation and its National Guard.

Legislation Looks to Ease HOS Regs for Livestock, Ag Haulers

Legislation reintroduced to relax HOS for livestock, ag haulers

Nebraska Sen. **Deb Fischer** recently reintroduced the [Haulers of Agriculture and Livestock Safety \(HAULS\) Act](#), which would implement several changes to the hours of service rules for livestock and agricultural commodities haulers.

Senators **Jon Tester** (D-Montana), **Roger Wicker** (R-Mississippi), and **Tina Smith** (D-Minnesota) joined **Senator Fischer** in introducing the **HAULS Act**.

The legislation would:

1. Eliminate the requirement that ag and livestock hours-of-service exemptions only apply during state designated planting and harvesting seasons
2. Amend and clarify the definition of "agricultural commodities" based on feedback provided by agriculture and livestock organizations
3. Authorize a 150 air-mile exemption from HOS requirements on the destination side of a haul for ag and livestock haulers

The legislation would redefine "agricultural commodities" to include any non-processed product planted or harvested for food, feed, fuel or fiber; any living animal, including fish, insects and livestock; the non-processed products of any living animal, including milk, eggs, and honey; non-processed forestry, aquacultural, horticultural, and floricultural commodities; fresh or minimally processed fruits and vegetables, including fruits and vegetables that are rinsed, cooled, cut, ripened or otherwise minimally processed; and animal feed, including the ingredients of animal feed.

DRUG & ALCOHOL CLEARINGHOUSE

FMCSA Clearinghouse Report The First 12 Months

Registration for the **FMCSA Drug and Alcohol Clearinghouse** (Clearinghouse) began for all user roles on September 28, 2019. **FMCSA** has released the latest [Clearinghouse Monthly Summary Report](#), covering data reported to the Clearinghouse through **December 2020**. The report includes information on the number of Clearinghouse registrations, queries conducted, violations reported, and drivers in the return-to-duty (RTD) process.

5 Things Fleets Need to Know About the Drug & Alcohol Clearinghouse

At the end of 2020, nearly 48,000 drivers had been taken off the road, at least temporarily, because of drug or alcohol violations that are tracked in the **Federal Motor Carrier Safety Administration's Drug & Alcohol Clearinghouse**.

"The good news is, that's only about 1.5% of CDL drivers, much better than many had expected and good news for the industry," says P. Sean Garney, vice president of [Scopelitis Transportation Consulting](#).

The Clearinghouse, which went into effect in January 2020, is an electronic database that tracks commercial driver's license holders who have tested positive for prohibited drug or alcohol use, as well as refusals to take required drug tests, and other drug and alcohol violations. When a driver who has been found to be in violation completes the required return-to-duty process, this information is also recorded in the Clearinghouse.

The Clearinghouse has long been sought as a way to keep commercial drivers who have violated federal drug and alcohol rules from lying about those results and simply getting a job with another motor carrier.

But the Clearinghouse does present some stumbling blocks for motor carriers that aren't on top of their game.

READ MORE: [Five Areas Worth Revisiting](#).

Labor Department Wants to Withdraw New Independent Contractor Definition

In a widely expected move, the U.S. Department of Labor has proposed to withdraw a [rule](#) published in the last days of the Trump administration that changed the definition of independent contractor.

The Fair Labor Standards Act, which sets forth laws regarding minimum wage and overtime requirements, applies only to employees. But the law's definitions of "employee" are extremely broad, and the issue of who is an employee and who is an independent contractor has been the subject of many a court case.

A Trump-era effort to change the definition under FLSA, titled "[Independent Contractor Status under the Fair Labor Standards Act](#)," was published on Jan. 7. But this month, the DOL's Wage and Hour Division published a [notice of proposed rulemaking proposing to withdraw that rule](#).

The Benefits of a Post-Accident Investigation

Following an accident, there are some protocols and procedures that fleets are mandated to follow.



Fleet managers work hard to keep their fleets as safe as possible but despite their best efforts, which include spec'ing safety technology on their vehicles and extensive training of drivers about best practices for driving safely, accidents happen.

There are some protocols and procedures that fleets are mandated to follow following an accident.

In certain situations, the **Federal Motor Carrier Safety Administration** requires drivers to be tested for drugs and alcohol following an accident. Those situations include an accident which involved a fatality, or one in which the driver of the commercial motor vehicle was issued a citation and the collision involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene or disabling damage to either vehicle that requires a tow away.

In addition, **FMCSA** requires an alcohol test be completed within eight hours of the accident and a drug test within 32 hours. In some instances, this can be difficult to achieve because once law enforcement takes control of an accident scene, you have to follow their protocols, which could keep drivers on the scene for an extended period of time. **FMCSA** has protocols that must be followed in the event these timelines cannot be met.

As of January 2020, Medical Review Officers (MROs) and employers are required to record information about violations of **FMCSA's** drug and alcohol regulations to the Department of Transportation (DOT) [Clearinghouse](#).

If a driver tests positive for drugs or alcohol following an accident — or after any drug and alcohol test — the employer needs to direct them to undergo the return to duty process, which includes an evaluation by a DOT-certified substance abuse professional and the completion of any treatment recommended by that professional.

However, in an effort to improve their safety record, many fleets conduct their own post-accident investigation. Those investigations include gathering information like the name of the people involved in the accident; the circumstances of the accident (*what happened during the accident*); the site of the accident; weather conditions at the time of the accident; road conditions at the time of the accident; a description of the incident including whether there were any injuries/ hospitalizations; and whether the incident could have been prevented.

If the collision was serious, a manager or supervisor will go to the site to take photos, get witness information and speak to law enforcement officers.

The data is then reviewed to see what – if any – lessons can be learned about how to prevent similar accidents in the future. This should be the main goal of all accident investigations.

Of course, you want to be able to exonerate your driver if the accident was caused by another vehicle, but ultimately, even if the accident was caused by another driver, there still may be steps you can take to alert drivers about proactive measures they can take when they notice certain driving behavior on the part of another driver on the road.

Accidents happen, but reviewing data from an accident can help you give your drivers more ways to be safe on the road.

ATRI Finds Cost of Potential Vehicle Miles Traveled Tax Could Outpace Perceived Gains

In a hearing before the House Committee on Transportation and Infrastructure recently, Transportation Secretary Pete Buttigieg mentioned "user fees" as a possible source for infrastructure funding, and that he was "very open" to a potential national "vehicle miles traveled" (VMT) tax as a source of funding for the Highway Trust Fund (HTF).

The HTF – the primary source of federal funding used by state governments to maintain and improve roads – is funded currently almost exclusively by a per-gallon excise tax on gasoline and diesel fuel. The current federal fuel tax rates of 18.4 cents on gas and 24.4 cents on diesel were last increased in 1993. Since then, improvements in vehicle miles per gallon, combined with inflation over that 28-year span, have undercut the HTF's ability to adequately fund roads projects and the roughly \$40 billion fund has faced annual shortfalls for more than a decade.

Last February, several U.S. Senators proposed a VMT tax exclusively on trucks. VMT has long been seen as a more consistent stream of funding, especially as the nation begins its shift to electrified vehicles that would circumvent a fuel tax entirely.

However, a report compiled by the American Transportation Research Institute found that costs associated with implementing a VMT tax could far exceed any revenue gains.

[Read More](#)

Table 5: Cost to Collect \$33.5 billion in Gross Revenue

| Tax Method | Gross Revenue Collected | Cost to Collect (% of Gross) | Collection Cost | Net Revenue for Transportation |
|---------------------------|-------------------------|------------------------------|------------------|--------------------------------|
| Existing Federal Fuel Tax | \$33,506,561,773 | 0.20% | \$67,013,124 | \$33,439,548,650 |
| VMT Tax with 40% Overhead | \$33,506,561,773 | 40.00% | \$13,402,624,709 | \$20,103,937,064 |

Source: ATRI

ATA News

Panel will focus on strengthening trucking's relationship with law enforcement organizations

On March 24, the **American Trucking Associations** announced the formation of its **Law Enforcement Advisory Board**—a new panel that will advise the **ATA Federation** on ways to grow and strengthen relationships between the trucking industry and law enforcement organizations across the country. The board is comprised of **ATA** members who have previous experience in federal, state, and local law enforcement, as well as current and retired law enforcement officials who have contributed positively to the partnership between both groups.

"No two groups have a stronger and more consistent presence on our nation's highways than law enforcement officers and American truckers," said **ATA** President and CEO Chris Spear. "Therein lies a strategic opportunity for greater collaboration, increased communication, and new bonds. The incredible depth and breadth of experience represented on this board will be an invaluable asset for our industry, the law enforcement community, and the safety of the motoring public alike."

The 22 members of the **Law Enforcement Advisory Board** will convene bimonthly to identify areas of opportunity and provide recommendations on priority issues. During its inaugural meeting, held virtually, the board identified primary issues it will focus on in the coming weeks and months, including combatting human trafficking; increasing truck parking capacity and ensuring driver safety at rest stops; commercial motor vehicle safety and security; and enhancing access to training for drivers and company safety personnel.

See a [list](#) of the 22 Advisory Board Members as well as names of the 27 law enforcement entities members have current or previous affiliation with.

Federal legislation aims to boost recruitment of women into industry

American Trucking Associations is praising the recent introduction of the bipartisan **Promoting Women in Trucking Workforce Act**, sponsored by Reps. Mike Gallagher (*R-WI-08*) and Sharice Davids (*D-KS-03*) in the House and Sens. Jerry Moran (*R-KS*), Tammy Baldwin (*D-WI*), Deb Fischer (*R-NE*) and Jon Tester (*D-MT*) in the Senate.

The bills would, among other things, establish a "**Women of Trucking Advisory Board**" to better identify barriers to entry for women in the trucking industry. The board would be responsible for coordinating formal education and training programs, establishing mentorship opportunities for women in the industry and enhancing outreach initiatives that are exclusive to women.

ATA provided [these letters \(1\)](#) [\(2\)](#) in support of the legislation, citing the growing and rewarding career opportunities to be found in trucking as demand for drivers continues to intensify in the years to come:

"With a median salary of \$54,585, health and retirement benefits, and potentially thousands of dollars in signing bonuses, trucking provides a stable, good-paying career to Americans. Empowering women to thrive in an industry that provides significant compensation and benefits packages achieves the twin aims of improving gender parity and tackling the growing truck driver shortage."

U.S. Department of Labor Reports 29 Mine-Related Deaths in 2020



In 2020, the U.S. Department of Labor's **Mine Safety and Health Administration** reported there were **29 mining fatalities**, making it the **sixth consecutive year** that **mining fatalities** were **below 30**. Among those **fatalities**, five **occurred** in **coal mines**, a **historic low**.

MSHA reported that **three deaths occurred** in Kentucky and Louisiana; **two each** in Arizona, California, Georgia, Iowa, Texas and West Virginia; and **one each** in Colorado, Illinois, Kansas, Michigan, Missouri, Nevada, New Jersey, Ohio, Pennsylvania, South Carolina and Washington.

After a **two-year increase** in **2017** and **2018** when about **half of all deaths** resulted from **powered haulage accidents**, such as **vehicle-on-vehicle collisions**, failure to use a **functioning seat belt**, and **conveyor belt accidents**, **MSHA** responded with a **multifaceted education campaign** and **initiated rulemaking**. By 2020, **powered haulage deaths** dropped to **21 percent**. The **year 2020** also marked the **first year** in **MSHA's history** with **no seatbelt-related deaths**, and **conveyor-related deaths** dropped from **four** in 2017 to **one** in 2020.

In **2020** the U.S. Department of Labor's **Mine Safety and Health Administration** focused on **improving safety** in **several areas**, including **falls from height** and **truck-loading operations**. **MSHA** also focused on **chronic problem areas**, such as **disproportionate accidents** among **contractors** and **inexperienced miners**. In 2019, contractor **deaths accounted for 41 percent** of deaths at mines. In 2020, they **were 28 percent.**"

As required, **MSHA inspected** all **underground mines** at least **four times per year** and **surface mines** at least **twice per year** in **2020**, in a year when **15 percent of inspectors** self-identified as **high-risk** for the **coronavirus** under **CDC guidelines**. Between **March 1, 2020**, and **Dec. 31, 2020**, **MSHA** issued **195 citations** for **sanitary conditions** that could have **contributed to coronavirus**.

The **mining industry** achieved its **highest compliance** with **MSHA's health standards**, which **protect the long-term health** of miners. The **year 2020** saw **all-time-low average concentrations** of **respirable dust** and **respirable quartz** in **underground coal mines**, as well as **exposure to dust and quartz for miners at highest risk of overexposure to respirable dust**.

Approximately **230,000 miners** work across **11,500 metal/nonmetal mines** in the U.S., while **64,000 work** in the nation's **1,000 coal mines**.

March 10, 2021

U.S. Department of Labor issues stronger Mine Safety Guidance on Coronavirus

New MSHA guidance seeks to mitigate, prevent viral spread at mining sites

The U.S. Department of Labor issued **stronger worker safety guidance** to help **mine operators** and **mine workers** implement a **coronavirus protection program** and **better identify risks** that could lead to **exposure**.

The **Mine Safety and Health Administration's** "[Protecting Miners: MSHA Guidance on Mitigating and Preventing the Spread of COVID-19](#)" provides **updated guidance** and **recommendations**, and outlines **existing safety and health standards**. **MSHA** is providing the **recommendations** to help **mine operators** and **miners** identify **coronavirus risks**.

"The **pandemic** has cost **too many** Americans their **lives** or their **well-being**. Together, **employers** and **workers** have **vital roles** in making their **workplaces** as **safe as possible** to counter this **terrible disease**," said Senior Counselor to the Secretary of Labor M. Patricia Smith. "**Mine operations** face **unique challenges**, and the **Mine Safety and Health Administration's** updated guidance **includes recommendations** to help **mining communities** fight the **virus**, and **eventually** end its **devastating health and economic consequences**."

The **guidance details** key **measures** for limiting the **coronavirus's spread**, including **ensuring infected or potentially infected miners** are **not** in the **workplace**, implementing and **following physical distancing** protocols and using **surgical masks** or **cloth face coverings**. It also **provides guidance** on use of **personal protective equipment**, **improving ventilation**, good hygiene and **routine cleaning**.

MSHA will update this **new guidance** as **developments in science**, best practices and **standards warrant**.

Employees at Risk of Hearing Loss: WHAT EMPLOYERS CAN DO TO HELP



Millions and millions of employees show up, do their job, clock out and go home day after day, month after month, year after year. However, for some 22 million people, this workday routine harbors a hidden danger: potential for permanent hearing loss from exposure to loud noise in the workplace.

Yet, according to every major regulatory and protection agency from OSHA to the World Health Organization (WHO) to the National Institutes of Health (NIH), workplace hearing loss is 100 percent preventable.

Why, then, are U.S. businesses paying more than \$1.5 million annually in penalties for improper implementation or non-compliance with OSHA's hearing conservation program? Perhaps it is because when it comes to loud and harmful noise in the workplace, people understand the need for hearing protection devices (HPDs), yet are unaware of what goes into selecting proper HPDs.

Not only can proper HPDs protect employees against hearing loss, but they also have the potential to save employers an estimated \$242 million annually in workplace-related hearing loss disability through workers' compensation.

When workplace noise and vibrations occur at a high level or continue for an extended period of time, workers are at higher risk of experiencing temporary or permanent hearing loss. Among those at high risk include industrial workers who are exposed to potentially damaging, high-noise situations as a result of equipment and processes associated with production, manufacturing, foundries, mills and shops.

These high-noise situations often result from a combination of machine components and operations such as:

- Blasting
- Crushing
- Cutting
- Extrusion
- Grinding
- Punching
- Riveting
- Sanding

While machine work and operations may be all in a day's work for some employees, the associated noise can result in hearing loss that is gradual and painless. Unfortunately, it affects some 24% of U.S. workers, making occupational hearing loss one of the nation's most common work-related hazards.

Three Hearing-related Issues Caused by Workplace Noise

The cost of noise-induced hearing loss is shocking—it has a [wide-reaching and holistic effect](#) on a person's physical, emotional and occupational well-being.

Physical. Excessive and/or prolonged noise can destroy inner ear nerve endings, causing permanent damage that affects a person's ability to perform daily tasks.

Psychological. Noise-induced hearing loss can cause a wide range of mental disorders, such as irritability, sleep disturbances, anxiety, depression, isolation and hostility.

Occupational. Hearing impairment often interferes with communication, concentration and job performance. It is a contributing factor to workplace accidents and injuries and may have a negative impact on a worker's lifetime earning potential.

Three Safeguards Employers Can Put into Place

So, what can employers do to help their employees reduce exposure and conserve their hearing? Namely, they can implement an effective and ongoing hearing conservation program that includes three key components.

Test and monitor. Naturally, the goal of employers through a hearing conservation program is to ensure safe, healthful working conditions for employees. OSHA Standard 29 CFR 1910.95 for Occupational Noise Exposure is a good place to start, along with the hearing conservation guidelines issues by the Canadian Standard Association (CSA), American National Standards Institute (ANSI) and [International Association for Standardization \(ISO\)](#).

Under these guidelines, employers with employees exposed to an 8-hour time-weighted average (TWA) of 85 decibels or greater should:

- Monitor exposure levels and repeat monitoring when noise increases as a result of changes in production, process, equipment or controls.
- Perform baseline hearing tests (audiograms) on affected employees.
- Conduct annual audiograms on affected employees and compare them to baselines.

Evaluate and ensure the adequacy of HPD attenuation for the specific noise environment. Employers must comply with OSHA's attenuation guidelines, as outlined in the hearing protection standard Part 1910, Subpart G, Appendix B. The guidelines state that employers must calculate attenuation values and evaluate HPD attenuation for the noise environment in which it will be worn.

For example, while earplugs have their rightful place in some hearing conservation programs, foam earplugs have the potential to deliver more attenuation variability than, say, custom-molded earplugs. Earmuffs, on the other hand, deliver less attenuation variability than either foam or custom-molded earplugs. The attenuation calculation, therefore, should be a key determinant in selecting the proper solution for the environment.

Fit, provide and train employees in the use and wear of suitable HPDs.

While the **OSHA** standard requires the use of hearing protection, the standard does not mandate just what kind of HPDs to provide. Instead, it states in 1910.95(i)(3) that “employees shall be given the opportunity to select their hearing protectors from a variety of suitable hearing protectors provided by the employer.” This can leave employers feeling a bit in the dark as to how to decide which HPDs to offer.

One consideration should be comfort. Why? Because research shows workers will not wear HPD consistently and correctly if it is ill-fitting, awkward or uncomfortable for any length of time. Not wearing HPD, of course, leads to increased noise exposure and greater risk of hearing loss, as demonstrated by a five-year study of audiometric data from 20,000 employees.⁸ This same study also concluded that HPDs should be selected as much for comfort, convenience and communication, in addition to their ability to reduce noise.

While earplugs may, at first, seem like a simple, obvious and cost-conscious solution to noise in the workplace, they are not necessarily the best solution for the grimy, grubby conditions of industrial facilities. In general, safety-conscious employers will want to evaluate over-the-ear, cap-mounted HPDs, which are more suitable for their unique working environment and comfortable enough for workers to wear them all the time.

Effective and Comfortable Hearing Protection

There's **no getting around it**—to be effective in helping prevent **workplace-related hearing loss** in noisy environments, **HPDs** must be worn constantly when **noise levels are high**. That means they **must be comfortable** enough for workers to **wear them** for as long as necessary. The fact is, if **HPDs** are removed for **even a brief period of time**, hearing protection and **attenuation are dramatically** reduced.

Here's a checklist to help employers make the best decision in choosing HPDs for noise-exposed employees:

Pay attention to attenuation. Choose earmuffs that offer high (NRR 31dB), medium (NRR 28dB) and low (NRR 24dB) attenuation. Bonus tip: color-coded earmuffs offer at-a-glance identification of attenuation levels.

Check for compatibility and interoperability. Make sure earmuffs work with existing industrial helmets, accommodate any type of visor or frame and are tested to the safety standard so as to maintain interoperability.

Look for long-wearing extras. Examine earmuffs for sealing rings and adapters, which optimize and relieve pressure on the ears, and check for foam-injected ear pads and other soft points of contact on and around the ears.

Embrace personal style. When earmuffs look good (aka, modern and sleek) workers are more likely to want to don them. Matte finishes tend to be a popular look because they minimize the look of wear-and-tear.

Think flexibility and convenience. Self-adjustable options let wearers get a semi-custom fit, while earmuffs that can be conveniently parked when doffed then just as quickly donned when needed are much appreciated by wearers.

Here's The Best Tip Of All:

If you're ready to take your hearing conservation program to the next level, contact Carrie or Jeremy at [MJS Safety](#) to discover how new, higher-attenuated, cap-mounted earmuffs protect workers' hearing.

▶ We offer hearing protection fitting, as well as noise surveys and audiometric testing. ◀

From all of us at MJS Safety

Please...

WORK SAFE

BE SAFE

STAY HEALTHY