

## MJS Legacy Safety Consulting Services LLC

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

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

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

[carriejordan@mjsafety.com](mailto:carriejordan@mjsafety.com) — [jeremyjordan@mjsafety.net](mailto:jeremyjordan@mjsafety.net)

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

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

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

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



**OSHA's** current maximum penalties for serious and other-than-serious violations are \$16,131 per violation. Failure to Abate, \$16,131 per day beyond the abatement date. The maximum penalty for willful or repeated violations is \$161,323 per violation.

- Visit the [OSHA Penalties page](#) for more information.
- Inspections, Citations, and Proposed Penalties Standard Number: [1903.15](#)



### Safety for Everyone

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

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▶ **Requiring Employers to Keep Employees Informed**

*A new topic every month.....*

**CO Overtime & Minimum Pay Standards** [read more...](#)

**OSHA Workplace Poster : JOB SAFETY AND HEALTH: IT'S THE LAW** [read more...](#)

**Your Right to Know**

**TRANSPORTATION NEWS SUMMARY**

- ▶ **Reminder - Federal Drug Testing Custody and Control Form Mandatory...** [read more...](#)
- ▶ **DOT 2024 Regs Violation Penalty Increases** [read more...](#)
- ▶ **CDL Drivers Clearinghouse in “prohibited” status will lose their commercial driving privileges.** [read more...](#)



▶ **High Alert - Phishing Fake Registration Emails**

An email is being sent to registered entities by someone **pretending to be FMCSA** [read more...](#)

- ▶ **FMCSA Removes Two Devices from List of Registered ELDs**  
...due to the companies’ failure to meet the minimum requirements [read more...](#)
- ▶ **2024 CVSA Out-of-Service Criteria Now Available in the CVSA App** [read more...](#)
- ▶ **Consumer Alert: NHTSA REMINDS DRIVERS TO SAFEGUARD THEIR VEHICLES**  
One vehicle is stolen every 31 seconds in the United States. [read more...](#)

## TRANSPORTATION NEWS SUMMARY cont'd

- ▶ **Colo. Law: Move Over for Me** "[Slow Down, Move Over](#)" protections to **ALL disabled vehicles**. [read more](#)
- ▶ **Truck History Reports** — Look up reported accidents, inspection violations, insurance claim, owner history and more. [read more...](#)
- ▶ **CVSA Releases 2024 Human Trafficking Awareness Initiative Results**  
Earlier this year, CMV law enforcement personnel and industry and association professionals from Canada, Mexico and the U.S. participated in this year's **Human Trafficking Awareness Initiative (HTAI)**. [read more...](#)
- ▶ **Buckle Up...Always!**  
Since 2002 Colorado has seen statewide seat belt use increase from 72% to 88%. [read more...](#)

## MSHA NEWS SUMMARY

- ▶ **The Mine Safety and Health Administration is now on [FACEBOOK!](#)** [read more...](#)
- ▶ **MSHA head: MINING INDUSTRY 'IN MUCH BETTER SHAPE' AS WORKER FATALITIES DECLINE**  
Collaboration in mining industry spurred "*significant improvement*" in reducing fatalities [read more...](#)
- ▶ **Health tool for miners** that provides quick access to health services tailored to miners' needs. [read more...](#)
- ▶ **Pattern of Violations results**  
**MSHA** released results of a screening identifying chronic violators and mine operators . . . [read more...](#)



## MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

- ▶ **Workplace Inclusion Should Incorporate Employees' Sense of Physical and Mental Safety**  
Inclusion is **foundational** to a healthy workplace. [read more...](#)
- ▶ **OSHA Workplace Mental Health Bulletin**  
Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. [read more...](#)

## COVID/RSV/FLU INFORMATION/RESOURCES SUMMARY

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



**“Training Spotlight”**

(a different course will be featured monthly)

**> PEC SAFELandUSA BASIC ORIENTATION COURSE**

This course is a 1 day basic safety awareness course that is required by many operators in the Oil & Gas industry for all new employees prior to accessing work sites. This orientation is a baseline so all employees entering the industry are introduced to the basic requirements of hazard recognition, stop work authority, job safety analysis use, and other hazard mitigation concepts. Students will receive a temporary ID card upon successful course completion. In 4 to 6 weeks students will receive a permanent PEC Photo ID card

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

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

- \*PEC Safeland Basic Orientation: **NEW 2021 SAFELAND:** Sept 11 (**All Virtual**); Sept 24; 8 – 4:30;
- \*First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): Sept 12, 30; 8 – noon;  
*In Person Classes: This class is also available for blended learning (online) with remote or in-person skills assessment*
- \*Hydrogen Sulfide Awareness [*ANSI Z390 -2017 Course*]: Sept 12, 30; 12:30 – 4:30;  
*This class available via Instructor Led video conference*

To sign up for one of these classes, or inquire about scheduling a different class,  
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325  
Need any classes in Spanish? Contact Carrie to schedule.  
For any last minute schedule updates, go to [www.mjslegacysafety.com](http://www.mjslegacysafety.com)

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

**— FEATURED TRAINING PROGRAMS —**

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

Order  
**First Aid**  
& other  
**Safety Supplies**  
[www.mjslegacysafety.com](http://www.mjslegacysafety.com)  
Jeremy  
720-203-6325  
Carrie  
720-203-4948

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

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

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

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

**SOURCES FOR THIS ISSUE INCLUDE:**  
OSHA  
FMCSA  
ISHN  
NIOSH  
US DOL  
NSC  
NUCA  
Trailant  
Dina Adlouni  
EcoOnline  
MSHA  
hsi  
NHTSA  
FTC  
FBI  
National Insurance Crime Bureau  
CSP  
CCJ  
CVSA

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

## Drug Testing

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



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

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

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

### Report a Fatality or Severe Injury

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

#### **To Make a Report**

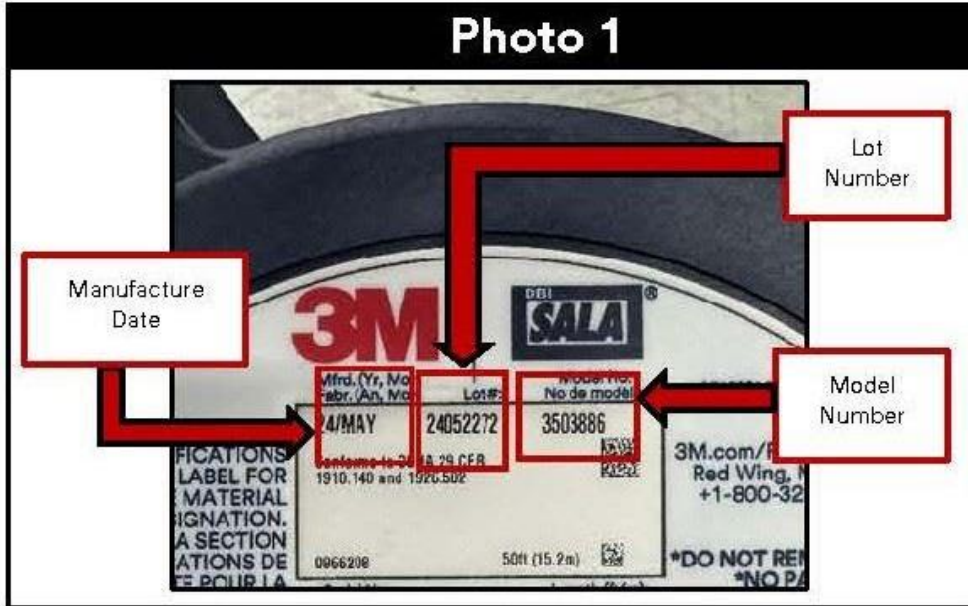
- Call the nearest [OSHA office](#).
- Call the OSHA 24-hour hotline at [1-800-321-6742](tel:1-800-321-6742) (OSHA).
- [Report online](#)

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



# RECALL -3M™ DBI-SALA® Ultra-Lok™ Self-Retracting Lifelines

Photo 1



As part of 3M's ongoing commitment to delivering high quality products, they are notifying customers of the following information related to select 3M™ DBI-SALA® Ultra-Lok™ Self-Retracting Lifelines.

3M Fall Protection has identified a potential supplied raw material issue in select 3M™ DBI-SALA® Ultra-Lok™ Self-Retracting Lifelines produced between November 17, 2023, and June 14, 2024.

3M has determined that in the event of a fall and under certain conditions, these devices may not lock up properly or prevent retrieval models from going into retrieval mode which could expose the worker to serious injury or death.

There have been no reports of accidents or injuries associated with this issue.

[READ FULL REPORT HERE](#)



## Helping Workers with Disabilities Get Ahead Through Good Jobs: A Toolkit of Practical Strategies

Investing in America's workers means building an economy from the bottom up and middle out by investing in a workforce that includes people with disabilities and connects them with jobs that do not just let them get by, but help them get ahead. These investments are creating job opportunities across the country. Workers with disabilities are ready to fill these vacancies. People with disabilities are experiencing record employment rates. In 2023, the employment rate for working-age people with disabilities was the highest on record at 37.2%. Disabled people also work in a wide variety of occupations and industries including construction, advanced manufacturing and clean energy sectors. Federal investments in good jobs can create opportunities for greater inclusion of people with disabilities in the workforce and in these industries.

### How to Use This Toolkit

This U.S. Department of Labor (DOL) toolkit provides strategies and best practices to recruit, hire, retain, and advance workers with disabilities in good jobs in construction, manufacturing, and clean energy. This toolkit can be used by many different groups but is primarily intended for public and private employers working to build equitable pathways to good jobs for people with disabilities in these industries. The toolkit provides a menu of strategies and practical advice, and shares examples and resources from government agencies and other entities.

This resource is organized into the following sections, each of which contains strategies and information relevant to disability inclusion in good jobs:

[Defining Disability](#)

[Planning to Include Disabled Workers](#)

[Recruiting and Hiring Disabled Workers](#)

[Retaining and Supporting Disabled Workers](#)

[Advancing Disabled Workers](#)

[Resources](#)

[Glossary](#)

National Disability  
Employment  
Awareness Month

Annual commemoration in October  
celebrates contributions of workers  
with disabilities

Office of Disability Employment Policy has chosen  
'ACCESS TO GOOD JOBS FOR ALL' as the theme for  
National Disability Employment Awareness Month

[Learn more about NDEAM and how organizations can participate.](#)



## 3 Ways Mobile Devices Can Improve the Accuracy and Efficiency of Safety Audits

### FILING A WORKPLACE COMPLAINT CHOOSING THE RIGHT ONE

Workers have the right to report injuries, safety issues, and actions taken against them for

speaking up including being fired, demoted, or disciplined.

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

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



Jobsite accidents are expensive for construction companies. The average injured worker spends 11 days off work, which means lost productivity and lower team morale. And that's not to mention the costly workers compensation claims that often arise.

Job safety audits can mitigate the risk of accidents. But many rely on slow processes designed with compliance – not proactive safety management – as the core driver. As a result, workers often remain exposed to hazards on site.

With mobile devices, though, construction companies can conduct audits that let them close safety gaps before they cause an accident. Here, let's walk through three ways mobile supports just that.

### 1. Mobile enables consistent data collection and analysis

Most safety professionals use a combination of paper and digital tools to conduct job safety audits. For instance, they might use a clipboard to document hazards on a job site, like a lack of PPE. At the end of the day, they bring their paperwork back to the office so it can be entered into Excel.

But maybe their notes were formatted differently than the last auditor's. And data isn't entered into Excel until the end of the week. In either case, this approach leaves room for inconsistencies in safety data. What's more, it takes longer to address the PPE problem and respond to other safety hazards.

Mobile safety software simplifies and standardizes the auditing process. A good platform will offer...

- **Standardized audit forms.** These ensure consistency across all audits, which makes it easier to analyze safety trends.
- **Real-time data entry.** Safety professionals can fill out forms on their phone as they walk around a site. Thanks to cloud connectivity, the back office can instantly access safety data from their web portal. And even if the worker is offline, safety data will sync once a connection is restored.
- **Instant data analysis.** The software can flag safety concerns and trends before they snowball into major issues.
- **Push notifications.** Safety professionals can issue reminders to conduct safety walkthroughs at regular intervals to keep them from falling through the cracks.

The bottom line? Mobile makes it easier to collect and analyze the data companies need for each safety audit.

### 2. Mobile facilitates a proactive response to safety hazards

These days, practically everyone has a smartphone. With mobile safety software, that means anyone can report a hazard in real time — instead of waiting days for it to be flagged, logged, and addressed.

If there's a PPE shortage, for instance, a worker can notify a safety professional of the problem as soon as they realize they're running low. Then, the safety professional can rush-order more PPE and stop work on site until the issue is resolved.

Mobile can also help workers flag near misses: those "almost incidents" that largely go unreported. For example, if a worker almost trips on an extension cord, they can alert a safety professional so the cord can be relocated.

Thanks to mobile, the company can more proactively address safety concerns. That keeps workers safer on site. And it mitigates the company's risk.

### 3. Mobile gets everyone invested in safety

When workers can easily log and report hazards, they feel more invested in maintaining a safe work environment. That's crucial for every job site: participation is key to creating a culture of safety.

To foster that participation, though, it's important to tailor mobile safety resources to workers' specific needs. They probably don't need access to the same forms, checklists, and dashboards as a senior safety professional. With the right software, companies can customize what each worker sees. That makes it simple for workers to find the right alert button or communication tool exactly when they need it.

The takeaway: mobile technology can be the conduit for a strong safety culture.

### Use mobile to protect workers and your company

It's easy for job safety audits to feel like a check-the-box exercise. But with mobile, companies can conduct them faster and smarter. What's more, they can create the environment needed to support safety-first thinking at every level.

That's huge for workers and the bottom line.

# Do You Really Want to Call Your Employee Complacent?



A few weeks ago, several safety pros were writing a paper on hazard recognition. In the first draft they wrote, “leaders and workers were complacent about hazard recognition and the potential harm caused by not seeing hazards.” A debate ensued. Is “complacent” the right word? Sounds a bit insulting, like you’re lazy or out of touch. The second draft substituted the words “too confident” — “leaders and workers realized they were too confident that they saw the hazards they were working around.”

Complacency is very common in the safety vernacular. It’s been used for eons. Complacency kills. Complacency is a silent killer. It is a mindset. It is a habit. You become numb to the severity of a danger you see. You’re phoning it in. Complacency is human nature, a human behavior. And connected to this is the disputed claim that 95 percent of all injuries are caused by workers’ unsafe behaviors. Blame the worker. Blame complacency.

## Uninformed self-satisfaction?

The Merriam-Webster dictionary definition of complacency is not flattering: “unaware or uninformed self-satisfaction.” Are your workers uninformed and self-satisfied? The synonyms are not kind. Self-absorbed. Lazy. Smug, Arrogant. Zoned out. Impudent. Stuck-up. Insolent. Conceited. Cavalier. Cocky. Egotistical.

These are not the words used to describe your safety culture, correct? It’s the exact opposite. Unselfish values. Concern. Caring. Dissatisfaction – safety can always improve. Empathy. Compassion. Understanding. Awareness. Mindfulness. Your safety culture is made up of your people. Wouldn’t these words characterize the majority of your workforce?

## An accusation carrying baggage

Think hard before accusing a worker of being selfish, lazy, checked out, going through the motions, lost in their own world, unengaged, non-observant. Many workers will take offense, become defensive, hunker down, shut down and disengage.

It’s too easy, hasty, and judgmental to call out someone for being complacent. “You’re taking a short cut. Must be complacent.” “You’re rushing. Think you know it all?” “You’re not taking the initiative. You’ve gotten lazy.” “Not wearing PPE? Do you think you’re Superman?”

Accusing someone of being complacent puts all the onus on them. This gets back to those 95 percent unsafe behaviors. Caused by self-satisfied complacency? Leadership, management, supervisors are let off the hook here. No upward accountability. “Gotta get ‘er done now” can push short cuts and rushing. Production, efficiency or cost reduction can be prioritized over safety. The safety program is good enough as is. Supervisors fail to audit regularly. Safety investigations focus on individual fault or confirm a lack of systemic fault. Leaders are in the field not wearing PPE. Safety is talked up but never acted upon or invested in. Call this organizational, systemic complacency.

Consider the big picture before, “Man, you are on auto-pilot. Complacent. Zoned out. You need to be retrained. More training.”

## True complacency

To be sure, complacency exists in workplace safety. You’ll always find workers who’ve never been injured, never had a near miss, years into their job, and think “it won’t happen to me.” Always find workers who think they “know a better way.” Or are unhappy on the job, bored, frustrated, distracted, maybe with problems off the job.

Studies show that in workplaces with the best safety records, safety pros know the workforce well. They are out and about, talking, listening, coaching, understanding. They know who is smug, arrogant, agitated or distracted. Savvy pros also know when the higher ups are left unaccountable for safety — opening the door for at-risk behaviors on the floor.

Before accusing someone of being complacent, consider who you are talking to, what you know about them. What you know about the strength of your leadership and your safety culture. Remember the other words associated with being complacent. You might decide, as the safety pros discussing hazard recognition in the beginning of this article, that there are other means of winning hearts and minds. “I think we’re being too confident here.” “Are you sure about that?” “What example are you setting?” “Why is your way the best way?”

You might take the target off the individual and have a discussion with leadership. “I see signs we’re being complacent about safety here. And I mean a collective ‘we’.”



# PFAS Chemicals: WHAT THEY ARE AND 3 WAYS TO CONTROL THEM



SOURCE: Dina Adlouni, Content Marketing Manager, EcoOnline

Organizations around the world are becoming extremely wary of Per- and polyfluoroalkyl substances, otherwise known as PFAS or forever chemicals. They have garnered increasing attention due to their widespread presence and potential health risks. That's why thoroughly understanding PFAS chemicals is critical for any organization whose goal is to protect their employees, customers, as well as the environment.

Read on as we explore:

- What is PFAS
- What are the potential health risks
- Regulations surrounding PFAS chemicals
- 3 ways to control them in your organization

## Understanding PFAS Chemicals

**First things first: What is PFAS?** PFAS refers to a group of man-made chemicals characterized by their unique chemical structure: fluorine atoms bonded to carbon atoms. This chemical composition results in certain properties, such as oil and water repellency, heat resistance, and durability. As a result, PFAS chemicals have been used within various industrial and consumer products, including non-stick cookware, stain-resistant fabrics, firefighting foams, and food packaging.

## What are the potential health risks?

Forever chemicals can pose several health risks to your teams, which makes eliminating them from the workplace of the utmost importance. Developmental and reproductive toxicity, immune system dysfunction, liver damage, and certain types of cancer have all been linked to PFAS chemicals, according to the [United States Environmental Protection Agency \(EPA\)](#).

What's more, they can linger in the human body for extended periods, leading to long-term health consequences. Vulnerable populations, such as pregnant women, infants, and individuals with pre-existing health conditions, may be particularly susceptible to the harmful effects of PFAS exposure.

## Regulatory Landscape and Compliance

Because of these potential health risks as well as damage forever chemicals may cause to the environment, governments around the world have enacted regulations to better protect workers and the planet. These regulations encompass a range of factors, including restrictions on production and use, environmental monitoring requirements, and remediation obligations for contaminated sites. In the United States, the **Environmental Protection Agency (EPA)** has taken steps to regulate PFAS under various statutes, such as the [Toxic Substances Control Act \(TSCA\)](#) and the [Safe Drinking Water Act \(SDWA\)](#).

**That's right!** Forever chemicals have even been found in drinking water! According to the [United States Geological Survey \(USGS\)](#) which released a report in 2023, 45% of the country's tap water may contain at least one or several types of forever chemicals.

## 3 Ways Your Organization Can Stay Ahead of PFAS Chemicals

Despite the knowledge that forever chemicals can be found all around us, there is a way to keep your employees and the environment safe from harm! To do this, employers must make sure they control employee exposure by eliminating or substituting PFAS chemicals from the workplace.

### We've come up with three things you can do to help today:

#### 1. Locate products that may contain PFAS chemicals in your organization

The first step is to locate any and all items which may contain PFAS chemicals. They can be found by [reading the product's safety data sheet](#). Go to section 3 of the SDS which contains information on the ingredients of the substance. There, find the term "**perfluorinated surfactants**" or "**fluorinated**" which signifies forever chemicals.

As mentioned earlier, obvious culprits include anything which is heat and water resistant, foam within fire extinguishers, as well as fluorinated refrigerants and gaskets within refrigeration, cooling, and heating systems.

#### 2. Substitute and eliminate them from the workplace

Next, it's time to implement methods to minimize exposure and prevent environmental contamination. You can do this by eliminating them entirely from the organization by opting for alternative chemicals with less harmful effects to your teams and the environment.

Communicate your plans to your teams and come up with a timeline for when these products will be phased out entirely. There's no harm in implementing employee training programs to raise awareness of PFAS hazards and safe handling practices during this process as well.

#### 3. Utilize technology to help simplify the process

This can seem like a challenging process, but you don't have to do it on your own! In today's world, technology has empowered organizations to streamline their capabilities for PFAS risk assessment and management. One way to do this is through [chemical substitution software](#).

This is an innovative solution which helps organizations, like yours, digitize and centralize all existing chemicals in one platform, making it simpler to filter down to substances which may contain PFAS chemicals. Once all key substances are identified, you can easily find and compare substitutes with a comprehensive comparison grid. It's that simple!

## Secure a future that's safe for your people and the planet

It's time to protect your employees and the surrounding environment from any and all risks related to hazardous substances. Whether it's PFAS chemicals or others, using a multi-faceted approach to minimize exposure or remove them entirely from the workplace is key for any organization.

Need some help getting started? Check out the EcoOnline guide, [How to Manage Hazardous Chemicals in the Workplace](#), to help you navigate the complex world of chemical safety, which includes a 6-step handy checklist you can follow.

# Study Finds Workplace Safety Training for Older Kids is Effective

## Safety Matters

A recent study has found that teaching older kids about workplace safety can have a significant impact on their knowledge and attitudes towards the topic. The study, which was conducted by researchers in Colorado, focused on the effectiveness of a specific workplace safety training program called [Safety Matters](#) ([pdf](#)).

Safety Matters is a free, hour-long educational module that was developed by the National Institute for Occupational Safety and Health (NIOSH) and the American Industrial Hygiene Association. The program is designed for students in grades seven through 12, as well as young adults. It covers a range of topics related to workplace safety and health, and also provides information on potential careers in the field.

The study involved 283 youth who participated in the Safety Matters training. Researchers collected pre- and post-test evaluation forms to assess the participants' knowledge and attitudes towards workplace safety. The results showed a significant increase in both areas.

Before the training, the participants had an average knowledge score of 62%. After completing the Safety Matters module, their average score increased to 85.3%. The participants also showed an increase in their attitude towards the importance of workplace safety and health, with their average score rising from 4.5 to 4.8 on a five-point scale.

The study's authors noted that the positive impact of the training was seen across all age, sex, race, ethnicity, and previous work experience groups. They described the Safety Matters module as a "promising, community-based model" for reaching young people who may not otherwise receive workplace safety training.

In addition to its focus on workplace safety, the study also highlighted the importance of the program's emphasis on health. The authors argued that this dual focus is critical for young people, as they are often at a higher risk for work-related injuries and illnesses.

The study was published in the National Safety Council's Journal of Safety Research.

## How to Keep Mandatory Refresher Training Interesting

The Occupational Safety and Health Administration (OSHA) has numerous standards that require annual training for employees. However, many standards list other circumstances where retraining, or refresher training, is necessary.

Refresher training is an important way to reduce accidents, injuries, and illnesses, protecting both your workers and your organization.

But how do you keep your workers engaged when it's their 15th time taking the training?

MJS Legacy Safety strives to mix it up when we know those attending the class have been through the same thing repetitively with us. Adding case studies, different videos, group exercises, hands-on activities, etc. are just some of the ways we can keep things interesting.

**NEED REFRESHER TRAINING?**

— GIVE US A CALL —

## Requiring Employers to Keep Employees Informed

### Labor Law Posters

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

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

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

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

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

### CO Overtime & Minimum Pay Standards

In Colorado, overtime pay is required for non-exempt employees who work more than 40 hours in a workweek or 12 hours in a workday. The overtime rate is 1.5 times the employee's regular rate of pay. Since the minimum wage in the state is \$14.42 per hour, the overtime minimum wage in Colorado is \$21.63 per hour. Jun 23, 2024

Double-time pay, which is twice the employee's regular rate, is not required under Colorado law, but employers may choose to offer it as a benefit.

The employers are restricted from providing the employees paid time off rather than paying overtime. However there are some exceptions to overtime laws in Colorado for some professions like ski employees, commission sales employees, nursing home or hospital employees as well as interstate transport workers.

[CO Overtime & Minimum Pay Standards poster](#)

### OSHA Workplace Poster: JOB SAFETY AND HEALTH: IT'S THE LAW

*What is the OSHA poster and why do I need it?*

The **OSHA JOB SAFETY AND HEALTH: IT'S THE LAW poster**, available for free from **OSHA**, informs workers of their rights under the **Occupational Safety and Health Act**. All covered employers are required to display the poster in their workplace. Employers do not need to replace previous versions of the poster. Employers **must** display the poster in a conspicuous place where workers can see it.

If you are in a state with an [OSHA-approved state plan](#), there may be a [state version](#) of the **OSHA** poster. Federal government agencies must use the [Federal Agency Poster](#).

## Reminder - Federal Drug Testing Custody and Control Form Mandatory

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



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



**COLORADO**  
Department of Revenue

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

### DOT 2024 Regs Violation Penalty Increases

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

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

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

### reminder.....November 18<sup>th</sup> compliance date coming soon

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

As part of these new Federal requirements, CDL drivers who have open violations in **FMCSA’s Drug and Alcohol Clearinghouse** will soon lose their commercial driving privileges.

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

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

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

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

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

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

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

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

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

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

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

### Drug and Alcohol



Clearinghouse Update

important . . .

# High Alert - Phishing Fake Registration Emails

An email is being sent to registered entities by someone **pretending to be FMCSA** and requesting that you complete attached forms, which ask for **SSN and USDOT PIN**. **FMCSA** does not require such information on the [official FMCSA forms](#). **DO NOT** fill out any attached forms. Always refer to the [official FMCSA forms](#).

In some cases, they are also asking for a certificate of insurance and Driver's License to help protect you against fraud. There is also a threat that if you don't respond within a day, you will be fined, which is also not an **FMCSA** practice. The email shows that it came from either [safety@fmcsa.gov](mailto:safety@fmcsa.gov) or [filing@fmcsa.gov](mailto:filing@fmcsa.gov), which **ARE NOT legitimate email addresses** and **ARE NOT used or owned by FMCSA**.

Next, if you reply to the email, it actually goes to [@fmcsa-safety-fmcsa.com](mailto:@fmcsa-safety-fmcsa.com), which is also **NOT** a domain owned or used by **FMCSA**. Not only is some of this information **Personal Identifiable information (PII)**, but this information would also allow the unauthorized party to gain access to your **FMCSA** account. The email containing the link is also very convincing that this is coming from **FMCSA**.

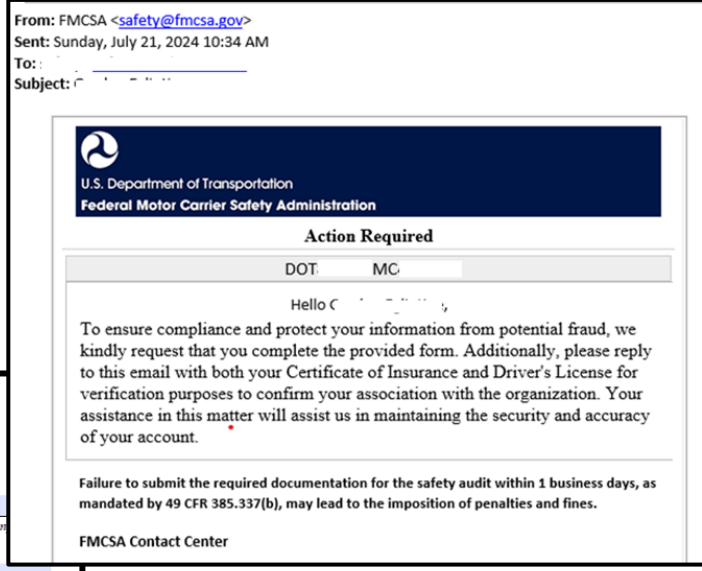
Communications from **FMCSA** relating to information requests of this type would either request you to log in to your portal account at [FMCSA Login \(dot.gov\)](https://www.fmcsa.gov/portal) or come directly from an **FMCSA** dedicated mailbox. While these emails typically end in a ".gov", we encourage our stakeholders and customers to **VERIFY any email or communication** they feel to be suspicious with the appropriate agency. The Federal Trade Commission (FTC) recommends following certain [procedures](#) for email verification.

## What You Can Do:

- DO NOT respond or provide information to the senders.
- DO NOT click any suspicious links, [hover over](#) them to see the real email address or url of that link. Click ONLY on links you deem trustworthy.
- Visit the U.S. Department of Homeland Security's [Cybersecurity and Infrastructure Security Agency \(CISA\)](#) for more guidance on online deceiving tactics. Learn more about phishing.
- File a complaint with the Federal Bureau of Investigations (FBI) by using their [IC3 site](#)
- Reach out to the [FMCSA Contact Center](#) or call (1-800-832-5660) if you are the target of these practices.



Go to [Registration Alerts](#) for detailed information regarding more phishing scams.



**Section A ALL MUST COMPLETE**

TODAY'S DATE \_\_\_\_\_ REQUESTOR'S FAX NUMBER (include area code) \_\_\_\_\_ REQUESTOR'S E-MAIL ADDRESS (if any) \_\_\_\_\_

**MOTOR CARRIER IDENTIFICATION INFORMATION:**

CURRENT LEGAL NAME (personal, partnership, or corporation) \_\_\_\_\_ CURRENT "DOING BUSINESS AS NAME" (if different from legal name) \_\_\_\_\_

DOCKET/MC NUMBER \_\_\_\_\_ USDOT NUMBER \_\_\_\_\_ **SSN (REQUIRED)** \_\_\_\_\_ **USDOT PIN (Required)** \_\_\_\_\_ RMIS ID (Required) \_\_\_\_\_  
(Registry Monitoring Insurance Services / FMCSA Integration)

**ADDRESSES (as currently listed in FMCSA systems):**

STREET ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE/PROV. \_\_\_\_\_ ZIP CODE \_\_\_\_\_ PHONE (include area code) \_\_\_\_\_

**PHONE NUMBERS:**

CURRENT BUSINESS NUMBER (include area code) \_\_\_\_\_ CURRENT CELL PHONE NUMBER (include area code) \_\_\_\_\_

**AFFILIATION WITH FMCSA-LICENSED ENTITIES OR OTHER APPLICANTS APPLYING FOR USDOT NUMBER REGISTRATION**  
 Do you currently have, or have you had within the last three years of the date of this application, relationships involving common stock, common ownership, common management, common control or familial relationships with any FMCSA-regulated entities?  
 Yes  No

# FMCSA Removes Two Devices from List of Registered ELDs



On Aug 15<sup>th</sup> the U.S. Department of Transportation **Federal Motor Carrier Safety Administration** (FMCSA) removed **BLUE STAR ELD** and **RELIABLE ELD** devices from the [list](#) of registered Electronic Logging Devices (ELD). **FMCSA** placed these ELDs on the **Revoked Devices list** due to the companies' failure to meet the minimum requirements established in [49 CFR part 395, subpart B, appendix A](#). The removals were effective August 15, 2024.

**FMCSA** will send an industry-wide email to inform motor carriers that all who use these revoked ELDs must take the following steps:

1. Discontinue using the revoked ELDs and revert to paper logs or logging software to record required hours of service data.
2. Replace the revoked ELDs with compliant ELDs from the [Registered Devices list](#) before **October 14, 2024**.

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

During this time, safety officials are encouraged not to cite drivers using these revoked ELDs for 395.8(a)(1) – “No record of duty status” or 395.22(a) – “Failing to use a registered ELD.” Instead, safety officials should request the driver’s paper logs, logging software, or use the ELD display as a back-up method to review the hours of service data.

Beginning **October 14, 2024**, motor carriers who continue to use the revoked devices listed above will be considered as operating without an ELD. Safety officials who encounter a driver using a revoked device on or after **October 14, 2024** should cite 395.8(a)(1), and place the driver out-of-service (OOS) in accordance with the [Commercial Vehicle Safety Alliance OOS Criteria](#).

**FMCSA** strongly encourages motor carriers to take the actions listed above now to avoid compliance issues in the event that the deficiencies are not addressed by the ELD providers.

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

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

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

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

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

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



when you're forced to take family photos



# Consumer Alert: NHTSA REMINDS DRIVERS TO SAFEGUARD THEIR VEHICLES

One vehicle is stolen every 31 seconds in the United States.

With **National Vehicle Theft Prevention Month** wrapping up at the end of July, the **U.S. Department of Transportation's National Highway Traffic Safety Administration** is reminding drivers to protect themselves year-round from this growing and costly problem, as vehicle theft can happen to anyone at any time.

Each year, vehicle theft costs Americans more than **\$8 billion**. Victims are left handling the aftermath, such as higher insurance premiums and vehicle depreciation if they're lucky enough to get their vehicle back. More than **1 million vehicles** were stolen in **2023**, a **25% increase** in vehicle thefts over the previous few years. That's the equivalent of **one vehicle stolen every 31 seconds**.

"Vehicle theft is a common and costly problem, but there's a lot we can do to protect against it," **NHTSA Deputy Administrator** Sophie Shulman said. "That's why we're reminding drivers to take these precautions and use good judgment every time you park and exit your vehicle."

## What can you do to safeguard your vehicle?

- Park in well-lit areas.
- Close and lock all windows and doors when you park.
- Hide valuables.
- Don't leave keys in the vehicle.
- Don't leave a running vehicle unattended.
- If your vehicle has an immobilizer, use your key fob to lock your vehicle.
- Don't leave your keys in your vehicle when you fill up at the gas station.
- Purchase an anti-theft system if the vehicle didn't come equipped with one.

According to the **National Insurance Crime Bureau**, Hyundai and Kia models took the top three spots of [America's most stolen vehicles](#) in **2023**. The Chevrolet Silverado 1500, Honda Accord, Honda Civic and Ford F-150 series pickup also made the list.

In response to a **TikTok social media challenge** that resulted in at least **14 reported crashes** and **eight fatalities**, Hyundai and Kia rolled out free theft-deterrent software in [early 2023](#) for millions of their vehicles that lack an immobilizer. In December, both automakers unveiled hardware modifications – an ignition cylinder protector – for vehicles that are not eligible for the security software upgrades. **NHTSA** urges owners of these vehicles to contact Hyundai (toll-free at [800-633-5151](tel:800-633-5151)) or Kia (toll-free at [800-333-4542](tel:800-333-4542)) for more information.

In addition to preventing thefts, drivers can use **vehicle recovery systems** to locate stolen vehicles and lessen the economic impact of the theft.

For more information on motor vehicle theft prevention, visit [NHTSA.gov/theft](https://www.nhtsa.gov/theft).

## Truck History Reports

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

Find Report . . . . .

And learn more about truck history reports.

## Colo. Law: Move Over for Me

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

# CVSA Releases 2024 Human Trafficking Awareness Initiative Results



Earlier this year, **commercial motor vehicle** law enforcement **personnel and industry** and association professionals from **Canada**, Mexico and the **U.S.** **participated** in this year's **Human Trafficking Awareness Initiative (HTAI)**.

The **Commercial Vehicle Safety Alliance (CVSA)** invited its **law enforcement** and industry/association **members** to participate in an **annual five-day human trafficking awareness** and outreach campaign. **Participating** enforcement and **industry members** took that opportunity to **raise awareness** and train **individuals** on the crime of **human trafficking**, indicators to look for and **what to do** when a victim of **human trafficking** has been **identified**.

Participating **members submitted** reports to **CVSA** about their **activities leading up** to and during the **initiative**. Fifty-one **jurisdictions took part** in this **year's HTAI**.

## Examples of law enforcement's activities include:

- Handed out human trafficking information to drivers to review during the portion of an inspection when the driver is waiting
- Observed and spoke with passengers in trucks to monitor for signs of human trafficking
- Distributed flyers and wallet cards and talked to the public at truck stops, city halls, train and bus stations, ports of entry, department of motor vehicle offices, weigh/inspection stations, etc.
- Displayed the human trafficking hotline on digital roadway billboards
- Posted messages, [videos](#), infographics, etc., to social media
- Included brief information about human trafficking and a hyperlink to more information in new entrant and compliance review emails
- Delivered human trafficking awareness and prevention training to motor carriers
- Issued [news releases](#), held news conferences, and spoke with reporters for print and [television news segments](#)
- Completed the human trafficking online learning modules
- In the U.S., participated in [Wear Blue Day](#) on Jan. 11 ([#WearBlueDay](#))

For **HTAI**, **CVSA** collaborated with **TAT** (formerly known as *Truckers Against Trafficking*) to offer **human trafficking identification** and **prevention training** and reference materials to the motor carrier **industry and law enforcement**.

This year, **38,158 wallet cards**, 13,510 window decals and **1,603 posters were distributed**. There were **334 human trafficking** outreach events, and **204 presentations were delivered**. In addition, **692 media contacts** were made and there were **107 reported social media posts**.

In addition, **CVSA** worked with the **Paramount/CBS network** to create **public service announcement (PSA)** videos, which **feature a human trafficking survivor, truck driver** and **commercial vehicle enforcement officer**. The **PSAs are available** for public use and **distribution** as a [30-second video](#) and an [extended five-minute video](#). The **PSAs aired during commercial breaks of streaming television shows and movies on Pluto TV, Paramount+** and local **streaming service EYEQ Local**. Combined, those **PSAs yielded 15,652,611 impressions**.

From **Nov. 15, 2023**, the day this **year's HTAI was announced**, to the end of **March**, which was the **month of Mexico's HTAI**, **CVSA's** website saw **20,552 views** on its **Human Trafficking Prevention Program** webpages.

**CVSA's Human Trafficking Prevention Program** seeks to **eliminate** the crime of **human trafficking** through coordinated **enforcement** and investigations and **educational awareness**.

If you **suspect someone** is in a **human trafficking situation** or you are the **victim of human trafficking**:

- In the [U.S.](#), call 888-373-7888.
- In [Canada](#), call 833-900-1010.
- In [Mexico](#), call 800-5533-000.

To find out **what your local jurisdiction** is doing to **increase human trafficking awareness** and **prevent human trafficking** throughout the **year**, [contact](#) the agency/department **responsible** for overseeing **commercial motor vehicle safety** within your **state, province or territory**.

For more Colorado resources see:

- ▶ [Colorado Bureau of Investigation - Human Trafficking & Child Exploitation](#)
- ▶ [Additional resources](#)



# Buckle Up...Always!

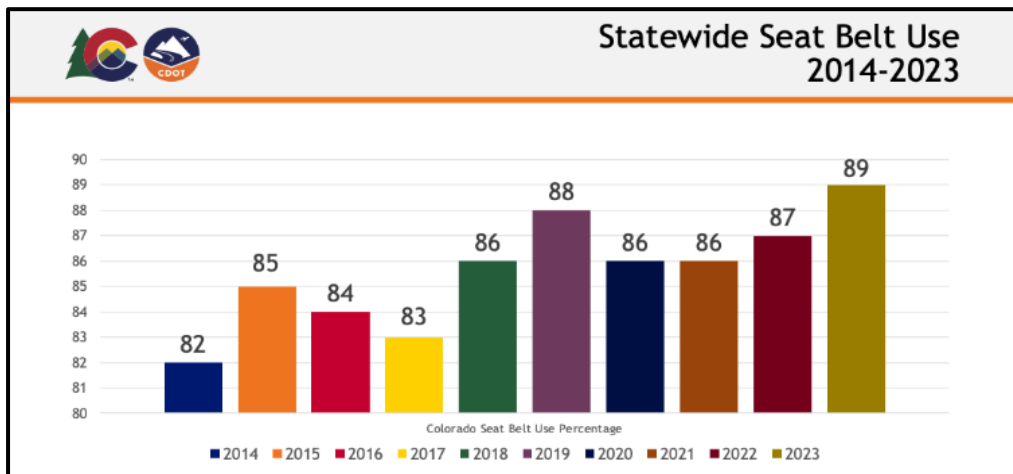
Since 2002 Colorado has seen statewide seat belt use increase from 72% to 88%.

Each year around Memorial Day, increased enforcement due to the [Click It or Ticket](#) seat belt campaign encourages drivers and passengers to buckle up to avoid citations and arrive home safely. It comes ahead of the summer travel season, which tends to see an increase in traffic crashes across the state.

Wouldn't it make a lot of sense to **ALWAYS** buckle up, even after the [Click It or Ticket](#) seat belt campaign ends? **Let's Look at the Numbers!**

According to the 2023 Colorado Statewide Seat Belt Survey, 88.6% of Coloradans buckle up—the highest on record. Since 2014, seat belt use among commercial vehicle drivers has increased 24%, and pick-up drivers have increased their use by 14%. These both mark significant improvements for groups with historically lower use rates. Colorado still sits below the overall national average of 91.9% use rate.

“Between June and August 2023, there were 200 fatal car crashes on Colorado roadways,” said Col. Matthew C. Packard, chief of the Colorado State Patrol. “The unfortunate reality is that an impaired, aggressive or distracted driver could disrupt your drive at any time. Wearing a seat belt is the single most effective thing you can do to protect yourself in a crash and reduce your chance of injury or death by up to 65%.”



A CDOT data graph showing Colorado's seat belt use by year from 2014 through 2023. The data is as follows: 2014 - 82%, 2015 - 85%, 2016 - 84%, 2017 - 83%, 2018 - 86%, 2019 - 88%, 2020 - 86%, 2021 - 86%, 2022 - 87% and 2023 - 89%. Source: 2023 Colorado Statewide Seat Belt Survey.

In 2023, there were 223 unrestrained occupant vehicle fatalities in Colorado, an 8% decrease from 2022. Since the start of 2024, there have been 63 unbuckled fatalities statewide. Vehicle fatalities are expected to continue decreasing as more Coloradans make the choice to buckle up.

“Most Coloradans are doing the right thing by wearing a seat belt,” said CDOT’s Office of Transportation Safety Director Darrell Lingk. “Buckling up is the law. It also protects you from the extreme forces of a crash. Whether you’re the driver or a passenger, be sure to wear a seat belt and encourage others to do the same.”

CDOT stresses the importance of wearing your seat belt correctly. The shoulder belt is designed to fit across your chest and should be kept away from your neck; the lap belt should rest across your hips. NEVER place the shoulder belt behind you, under your arm or off your shoulder. Proper seat belt use helps keep you secure and is the best defense against injury and death in a crash.

Vehicle crashes are a leading cause of death for children under 13 years old. Parents and caregivers can learn more about Colorado child passenger safety laws, recommendations and car seat recalls at [CarSeatsColorado.com](#).

For more information about seat belt safety and enforcement citation numbers, visit [SeatBeltsColorado.com](#).

## Connect with MSHA

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

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



## MSHA head: MINING INDUSTRY 'IN MUCH BETTER SHAPE' AS WORKER FATALITIES DECLINE

Collaboration within the mining industry has spurred “*significant improvement*” in reducing fatalities, Mine Safety and Health Administration head Chris Williamson said during a July 10 stakeholder meeting.

The agency has [recorded](#) nine mine worker deaths through July 10. That’s 77.5% fewer than the 40 recorded during all of 2023.

Although Williamson superstitiously “*knocked on wood*” during the meeting, he also felt comfortable asserting that multiple ongoing efforts have helped spark a turnaround.

*“The reduction in the number of fatal accidents is substantial, and that just didn’t happen by chance. Or at least I submit that it did not,”* Williamson said. *“I spent a lot of time last year talking to people all throughout the mining community. Last year was unsettling for a lot of people – a lot of people scratched their heads.”*

*“But we had conversations. We all looked at it and said we must do better. And at least so far this year, the mining industry is in much better shape.”*

One reason? Rulemaking, Williamson said.

In December, MSHA published a [final rule](#) requiring mine operators to have a written safety program for surface mobile equipment (excluding belt conveyors).

In April, the agency issued a [long-anticipated final rule](#) that lowers miners’ permissible exposure limit to respirable crystalline silica to 50 micrograms per cubic meter of air – half the current limit – over an eight-hour time-weighted average.

Williamson also discussed being moved by a conversation with a 34-year-old miner named Kevin, who is disabled from silica exposure and exploring lung-transplant options.

Silica is “*a toxic substance. It’s well-known to cause cancer,*” Williamson said. *“It’s something that nobody wants to be around and be exposed to, right, certainly at certain levels that can make one sick. That’s why we did this rule. To not have any more Kevins. To not have anybody else getting sick from silica. To get rid of things like silicosis and progressive massive fibrosis and all these health terms. ... And I think we can do that.”*



### Health tool for miners

Office of the Chief Information Officer worked collaboratively with the Mine Safety and Health Administration to develop a [new tool](#) that provides quick access to health services tailored to miners’ needs.



### Pattern of Violations results

Our Mine Safety and Health Administration [released the results](#) of a screening identifying chronic violators and mine operators that show a disregard for miners’ health and safety.



## Workplace Inclusion Should Incorporate Employees' Sense of Physical and Mental Safety

Inclusion is **foundational to a healthy workplace**. It's table stakes for employee retention but **also in ensuring** productive and **impactful work** outputs. The **meaning of inclusion** has stayed **constant** – creating an **environment where** all feel welcomed, **accepted**, and respected **as individuals** – but the ways in which to **achieve and practice** inclusion have **evolved tremendously**.

These days it's **common for inclusion** to be used **interchangeably**, or even **solely associated**, with **diversity efforts**. While inclusion is **foundational to building** a diverse **workplace**, there are other **elements** of a modern **inclusion strategy** that need to be **incorporated to enhance** employees' sense of **"belonging."**

One area that has **been a taboo topic** until more recently, but **important to employees** feeling respected, is **workplace safety** – both at a **physical and psychological** level. A recent Traliant **survey found** that **1 in 4 employees** have **witnessed workplace violence** in the **last five years** and only 44% feel **they are part** of a speak-up **culture**. The report also **found a direct correlation** between **workplace violence** – including harassment – and **employees' mental health**. State legislatures are also seeing **workplace violence** as a growing **concern** given California just **implemented the nation's first "Workplace Violence Prevention"** law, which went into **effect July 1, 2024**.

This shows that **employees need more** out of businesses' **cultural and inclusion** efforts, including one that **prioritizes diversity and** other important **factors such as safety**. Here are some **ways that leaders** can put that into practice, **ensuring they're creating** an inclusive and **safe workplace**.

### Re-defining inclusion

The **foundation of an inclusive** workplace is **recognizing** and embracing its **evolution**. That means **re-defining inclusion** organization-wide to **instill a more modern** and all-encompassing **mindset**.

Workplace **violence and harassment** is an **ongoing concern** with [nearly two million U.S. workers](#) experiencing these **incidents every year**, according to **OSHA**. Traliant found in **its own research** that **56% of employees fear** retaliation if they **were to report it**, and only **one-third would report** violence or **harassment issues** if they could **do so anonymously**. Not only do these statistics **indicate that workplace** violence is **on the rise**, but also that **organizations aren't including**, or even **considering**, **employees' concerns** in **safety discussions** and strategies. If any **form of retaliation exists** in the workplace, **employees' voices** will never **feel welcomed** or **even encouraged**. This is, in **fact, the opposite** of inclusion.

A modern **inclusion strategy unblurs** the line between **employees' sense of safety** and inclusivity but also **ensures that employees** are **educated** on what **inclusion means** and properly **trained**.

### The best ways to build and execute on this strategy is:

- *Assess existing inclusion programs to include modern factors, such as workplace violence and harassment. Ensuring employees know what to report is a critical first step to encouraging them to report.*
- *Routinely train employees on how to report. This includes establishing anonymous reporting mechanisms – such as hotlines and websites – where employees can confidentially voice their apprehensions or report wrongdoing without fear of reprisal.*
- *Incorporate open discussions about ethical dilemmas into reoccurring company meetings and manager one-on-ones so that this mindset is instilled from the top down.*

## Implement inclusive training, especially for management

Tolerating or **ignoring harassment** will typically **breed more** throughout an **organization** as there are no **consequences for negative** behavior. This goes for **all types of misconduct** as leaders that **do not act on** unethical or even **dangerous incidents**, inherently create a **culture of impunity** that is **toxic to both employees** but also the **business at large**.

Establishing **safe reporting channels** is important to **promoting a speak-up** culture, but it's equally **important to thoroughly** train employees on **those resources** so that everyone **knows what**, how, and where to report. **Most importantly**, establishing and training on **these types of reporting** resources shows that it's **acceptable to come forward with concerns**, and that **all voices are included** and **taken seriously**, no matter the **circumstance**.

Managers **especially must embrace** inclusive **management training** so that they **can set an example** for others but also **have the resources** and knowledge to **properly guide employees** when in need. These leaders also **need to ensure** that they're **consistently complying** with policies and **protocols themselves** to protect the trust needed to **keep these processes** in place. For instance, if a **manager experiences**, or **even hears of a misconduct incident**, they should be **one of the first** to address, speak up, or **begin the remediation** process. **"Practice what you preach"** is an **important mantra** to **inclusive management** and allows **employees to see** and understand what is **expected of them**.

Broadening **employees' sense** of belonging is the **catalyst for embracing** inclusion's **evolution**, and that means **creating an environment** that fosters **all levels of safety**. When a **modern inclusion** strategy is implemented, **organizations can support** the reduction of **unethical or violent** incidents in the **workplace** while also seeing a **cascading effect** where **employees shower** higher levels of **respect, collaboration**, and **productivity**. The bottom line is that the **meaning of inclusion** will **never change**, but mindsets around its context and the **way it is practiced** certainly can.

### OSHA Workplace Mental Health Bulletin

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

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

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

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

Heading into fall, seasonal health issues will be here soon. For your convenience, we'll continue to provide links so that you can access the most updated information.

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

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

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

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

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

## OSHA's Recordkeeping Requirements for Exposure to COVID-19

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

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

## SUPPORTING WORKERS WITH LONG COVID: A Guide for Employers

SINCE THE COVID-19 PANDEMIC BEGAN IN THE SPRING OF 2020, COVID-19 HAS IMPACTED PEOPLE IN MANY WAYS. Government reports estimate that millions of Americans have experienced prolonged, lingering symptoms, a condition known as Long COVID. These symptoms can be severe enough to affect an individual's ability to function, including the ability to work.

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



From all of us at  
MJS Legacy Safety...

Be safe out there!!