

## New Logo & New Name ...

*BUT OUR CONTINUED ATTENTION TO GREAT SERVICE  
AND BUILDING LASTING RELATIONSHIPS IS THE SAME*

With the passing of our founder, it has become necessary to make a few technical adjustments. Over the next few months **MJS Safety LLC** will be transitioning to a new company name –

### **MJS Legacy Safety Consulting Services LLC**

All of the services provided to you through **MJS Safety LLC** will remain the same and be available to you through **MJS Legacy Safety Consulting Services LLC** with no interruption. We are committed to carrying on the legacy that Mike envisioned for both the company and our clients, and will continue to make ‘*caring for our client’s needs*’ our top priority.

*The contact information for both Carrie Jordan and Jeremy Jordan will remain the same.*

*Please note a new shipping address: 1026 N. 1<sup>st</sup> Street, Johnstown CO 80534.*

*There is no change to the mailing address: P.O. Box 10, Johnstown CO 80534.*

*Our training facility and offices will not change: 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543.*

It has been our distinct pleasure to serve your business needs for the past 26 years under **MJS Safety**. We look forward to continuing a productive and successful business relationship with you under the **MJS Legacy Safety** brand for many years to come.

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

Navigating the landscape of COVID-19 and its continuing variants has seemingly become less confusing. Hopefully this will be the path for the future. So that you can access the most updated information, we’ll continue to provide links for your convenience.

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

- [CDC – Centers for Disease Control](#) – Important info: [COVID-19 vaccine](#)
- [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.

▶ [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 June 2022. We are also able to offer the 1<sup>st</sup> 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

▶ 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...](#)

### ▶ 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. [read more...](#)



### ▶ What OSHA's National Emphasis Program Means for Employers

The dangers associated with heat related illness are well understood. [read more...](#)

### ▶ ANSI Z358.1-2014: Emergency Eyewash & Shower Standard

When handling hazardous materials... there's a lot of factors to consider in assuring personnel safety. [read more...](#)

▶ **Did You Know?** Employers cannot retaliate against workers for exercising their rights... [read more...](#)

### ▶ Chemical Hazards and Toxic Substances - Controlling Exposure [read more...](#)



### ▶ *important reminder...* Injury Reporting

US DOL reminds specific employers to submit required 2021 injury, illness data... [read more...](#)



### ▶ Quick Guide to Flammable Liquid Storage Requirements for Safety

Approved safety cans, as required by OSHA, are found in many different industries and facilities. [read more...](#)

### ▶ HOW THE RISE OF THE REMOTE WORKFORCE AFFECTS MANAGEMENT

Due to the COVID-19 pandemic, nearly every type of business had to become more adaptable... [read more...](#)

### ▶ DOL Begins Rulemaking Process to Revise Standards for Occupational Exposure to Lead

OSHA has published an Advance Notice of Proposed Rulemaking... [read more...](#)

### ▶ Voluntary Protection Programs

...recognize employers and workers who have implemented effective safety, health management systems... [read more...](#)

### ▶ Is Work-Related Stress Recordable as a Mental Illness Case?

Mental illnesses that have work-related stress as a contributing factor, are recordable... [read more...](#)

### ▶ 5 MOST COMMON OSHA VIOLATIONS MANUFACTURERS MAKE

...reducing the number of workplace injuries requires a cultural change within your organization... [read more...](#)

### ▶ Safety Tips for Overhead Doors in Loading Zones - high-traffic work areas with many safety hazards. [read more...](#)

### ▶ 5 Tips to Protect People and Equipment from Damage in Your Plant...

Thousands of workplace accidents occur every year. Some minor, others fatal, but many are preventable. [read more...](#)

### ▶ Every year, dozens of workers die and thousands more become ill while working in hot or humid conditions. [read more...](#)

### ▶ Save the Date - August 15-21 is **Safe + Sound Week**.

Join thousands of others in promoting the benefits of workplace safety and health programs. [read more...](#)

## ▶ OSHA Releases New Compliance Directive for Cranes, Derricks

This directive replaces the 2014 compliance directive and addresses the changes in the crane rule... [read more...](#)

## TRANSPORTATION NEWS SUMMARY

### ▶ **Reminder** - Revised Federal Drug

Testing Custody and Control Form Mandatory... [read more...](#)

### ▶ DOT Implements Annual Regs Violation Penalty Increases

The Department of Transportation recently published a final rule updating the civil penalty amounts [read more...](#)

### ▶ Extension and Amendment of the Modified Emergency Declaration - No. 2020-002 Under 49 Cfr § 390.25 The Fifty United States of America and the District of Columbia [read more...](#)

### ▶ FMCSA has Removed Arion Tech Inc's ArionT ELD from List of Registered ELDs

...due to the company's failure to meet the minimum requirements, **effective June 24, 2022**. [read more...](#)



### ▶ Hiring and Retaining Next Gen Drivers with Technology, Training and Empathy

You can't talk about hiring and retention without mentioning the "Great Resignation." [read more...](#)

### ▶ Railroad Crossing Safety

Each year nearly 1,000 people are killed in train related accidents [read more...](#)



### ▶ Carriers Should Consider Self-Defense Training for Women Drivers

As of 2020, women made up only 7.8% of the U.S.'s professional truck driver workforce [read more...](#)

### ▶ **Safety: A YEAR-ROUND CONCERN**

Safety means **different things** in **different industries**, but in **trucking safety** it is **keeping trucks running** at optimal levels while **drivers adhere** to health and **well-being standards**. [read more...](#)

## MSHA NEWS SUMMARY

### ▶ DOL Takes Action to Reduce Miners' Exposure to Silica Dust as Work Continues on an Improved Health Standard

MSHA launched unprecedented effort to protect miners from serious illnesses such as black lung disease, silicosis [read more...](#)



## MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

### ▶ **Do You Know Your Local Safety Legislation?**

*HERE'S HOW IT IMPACTS YOU AND YOUR LONE WORKERS* [read more...](#)

## **MJS Legacy 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 3<sup>rd</sup> party Drug Testing Compliance Auditing through NCMS, TPS Alert & Veriforce, as well as DISA account management.**

“Training Spotlight”

(a different course will be featured monthly)

AERIAL LIFT/MOBILE ELEVATING WORK PLATFORM TRAINING

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

For all of our Course Offerings visit the MJS Legacy Safety website

Schedule of classes July 2022: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- \*PEC Safeland Basic Orientation: NEW 2021 SAFELAND: July 11, 25; 8 – 4:30; This class available through video conference instructor led distance learning thru 6/30/22 - only upon request
• \*First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): July 15, 28; 8 – noon; In Person Classes: This class is also available for blended learning (online) with remote or in-person skills assessment
• \*Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: July 15, 28; 12:30 – 4:30; This class available via Instructor Led video conference

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

▶ NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjsafety.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

▶ 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

Unable to attend a class?

MJS Legacy 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

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
FMCSA
ISHN
US DOL
MSHA
NHTSA
BLS
For Construction Pros
CDC
National Weather Service
ANSI
Justrite
DOT
slack
Overdrive
CCJ
Jennifer Smith, CCJ contributor
Healthline.com
govinfo
Harvard Business Review



## OSHA / CONSTRUCTION

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

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

### OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

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.

## 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 Service 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!**

# What OSHA's National Emphasis Program Means for Employers



The dangers associated with heat related illness are well understood. However, deaths and serious illnesses continue to occur, and may increase in time, because of increased frequency of extreme temperatures.

To emphasize its concern and take necessary action, OSHA is implementing an enforcement initiative on heat-related hazards, developing a [National Emphasis Program](#) on heat inspections, and launching a rulemaking process to develop a workplace heat standard. In addition, the agency is forming a [National Advisory Committee on Occupational Safety and Health Heat Injury and Illness Prevention Work Group](#) to provide better understanding of challenges and to identify and share best practices to protect workers.

## What does this mean for employers?

### ➤ OSHA Area Directors across the nation will institute the following:

- Prioritize inspections of heat-related complaints, referrals, and employer-reported illnesses and initiate an onsite investigation where possible.
- Instruct compliance safety and health officers, during their travels to job sites, to conduct an intervention (providing the agency's heat poster/wallet card, which discusses the importance of easy access to cool water, cooling areas, and acclimatization) or open an inspection when they observe employees performing strenuous work in hot conditions.
- Expand the scope of other inspections to address heat-related hazards where worksite conditions or other evidence indicates these hazards may be present.

This means OSHA will increase enforcement activities under the General Duty Clause until a Federal Heat Standard is promulgated, especially focusing on high-risk industries like construction and other strenuous activities indoors and outdoors.

### ➤ Employers should evaluate their current programs on heat illness prevention and increase focus on training and recognition of the potential dangers. The program should make it clear as to when supervisors must implement enhanced "high heat" procedures that include:

- Observing individual employees for alertness.
- A mandatory "buddy system" within teams of workers.
- Performing the most strenuous tasks during the cooler hours of the shift.
- Cool down rest periods every two hours.
- Effective communication with lone workers.

## Key Components of an Effective Heat Illness Prevention Program

### ➤ The following components are critical for effectively protecting employees from the harmful effects of exposure to high heat and should be incorporated into an employer's heat illness prevention program:

- Communication of risk factors.
- Inclusion of effective heat illness prevention procedures
- Acclimatization.
- Weather monitoring procedures.
- The importance of regular hydration throughout the workday.
- Work/rest regimen.
- Skin and head coverings for direct sunlight exposure.
- Acclimatization protocol (Heat Stress and Strain Guide ACGIH – 2017)
- Training for all affected employees and supervisors which should include the following topics:
  - Information detailing the signs, symptoms, prevention, and treatment of heat related illnesses.
  - Self-monitoring techniques such as monitoring pulse rate (Heat Stress and Strain Guide ACGIH – 2017).
  - Emergency Response — taking immediate action when a worker appears to be disoriented or confused.
- Engineering and administrative control methods.
- Emergency response procedures.
- High heat procedures.
- Environmental and personal risk factors to heat illness.
- The effects of personal protective clothing such as Tyvek Suits.
- Shaded break areas such as canopies with tables, chairs, and fans.
- Importance of employees reporting heat related symptoms.
- The effects of alcohol and other lifestyle factors.

## Resources

Consider the [OSHA-NIOSH Heat Index App](#) as a tool for helping supervisors to recognize when additional preventative precautions should be implemented. This can be downloaded for Apple and Android users. [The National Weather Service Heat Index Chart](#) can also be useful as a visual aid.

## Conclusion

It is important for employers to understand that heat related illnesses are currently vastly underreported, and, often, those individuals whose heat illnesses are reported were not aware of the signs and symptoms of heat stress.

Take advantage of this National Emphasis Program and use the appropriate resources to revisit and update or improve your company or organization's existing Heat Illness Prevention Plan where applicable.

## ANSI Z358.1-2014:

### Emergency Eyewash & Shower Standard

When handling hazardous materials in factories, laboratories, or other workplaces, there's a lot of factors to consider in assuring personnel safety. As a final level of protection, emergency showers and eyewash stations need to remain visible, easily accessible, and reliable. This way, they can sufficiently combat any chemicals or other hazardous materials that may make contact with one's eyes or body.

Emergency eyewash stations, as well as shower equipment, are addressed by [ANSI/ISEA Z358.1-2014: American National Standard for Emergency Eyewash and Shower Equipment](#). This standard, written and published by the International Safety Equipment Association (ISEA), an ANSI-accredited standards developing organization, establishes minimum performance and use guidelines for eyewash and shower equipment for the emergency treatment of the eyes or body of someone who has been exposed to hazardous materials.

OSHA regulations address emergency eyewash and shower equipment in [29 CFR 1910.151](#). Specifically, [1910.151\(c\)](#) states: *"Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use."*

However, this is the only federal requirement for emergency eyewash and shower equipment. OSHA has often referred employers to ANSI Z358.1 as a recognized source of guidance for protecting employees who are exposed to injurious corrosive materials. Furthermore, it has been adopted by many governmental organizations and the [International Plumbing Code \(IPC\)](#).

ANSI/ISEA Z358.1-2014 covers emergency showers, eyewashes, eye/face washes, and combination units, and it is intended to provide uniform minimum guidelines for their performance, use, installation, test procedures, maintenance, and training.

Each clause in ANSI/ISEA Z358.1-2014 details a separate type of equipment. For all this equipment, including emergency showers, eyewashes, and similar equipment, the American National Standard states that the flushing liquid's velocity and quantity should be controlled, and that a control valve should be simple to operate and go from *off* to *on* in 1 second or less. The valve should also be resistant to corrosion.

### Did You Know?

Employers cannot retaliate against workers for exercising their rights to a safe and healthful workplace. OSHA enforces whistleblower provisions of 25 statutes protecting employees who report violations of workplace safety and other laws. To learn more, visit [whistleblowers.gov](#).



### ¿Sabías?

Los empleadores no pueden tomar represalias contra los trabajadores por ejercer sus derechos a un lugar de trabajo seguro y saludable. OSHA hace cumplir las disposiciones de 25 leyes que protegen a los empleados que denuncian violaciones de la seguridad en el trabajo y otras leyes. Para saber más, visite [whistleblowers.gov](#).

Emergency showers and eyewashes, in accordance with ANSI/ISEA Z358.1-2014, should deliver tepid flushing fluid. However, there are certain circumstances in which a facilities safety/health advisor should be consulted for optimum temperature. Tepid fluid is considered 16-38 degrees Celsius (60-100 degrees Fahrenheit). It is also the installer's responsibility to assure that the shower or eyewash station is positioned so that it is highly visible and accessible, being in locations that take no more than 10 seconds to reach.

A breadth of information, specifications, performance guidelines, and illustrations for emergency shower and eyewash stations are detailed in [ANSI/ISEA Z358.1-2014](#).

To aid in further compliance, ANSI/ISEA Z358.1-2014 is available as part of [ANSI/ISEA Z358.1 / ANSI/ISEA Z308.1 – Workplace First Aid Kits and Eyewash Package](#) and [ANSI/ISEA Z358.1 / ANSI/ISEA Z87.1 – Eyewash and Eye Protection Package](#).

ANSI/ISEA Z358.1-2014: American National Standard for Emergency Eyewash and Shower Equipment is available on the ANSI Webstore.

# Chemical Hazards and Toxic Substances



## Controlling Exposure

Controlling exposures to chemical hazards and toxic substances is the fundamental method of protecting workers. A hierarchy of controls is used as a means of determining how to implement feasible and effective controls.

**OSHA's** longstanding policy is that engineering and work practice controls must be the primary means used to reduce employee exposure to toxic chemicals, as far as feasible, and that respiratory protection is required to be used when engineering or work practice controls are infeasible or while they are being implemented.

Where possible, elimination or substitution is the most desirable followed by engineering controls. Administrative or work practice controls may be appropriate in some cases where engineering controls cannot be implemented or when different procedures are needed after implementation of the new engineering controls. Personal protection equipment is the least desirable but may still be effective.

### Elimination/Substitution

- Substitute with safer alternatives. [See [Transitioning to Safer Chemicals: A Toolkit for Employers and Workers](#)]

**Engineering Controls** (*implement physical change to the workplace, which eliminates/reduces the hazard on the job/task*)

- Change process to minimize contact with hazardous chemicals.
- Isolate or enclose the process.
- Use of wet methods to reduce generation of dusts or other particulates.
- General dilution ventilation.
- Use fume hoods.

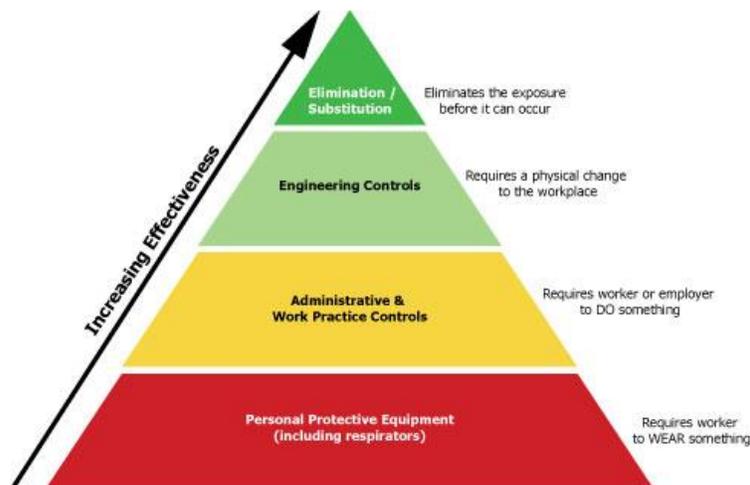
**Administrative and Work Practice Controls** (*establish efficient processes or procedures*)

- Rotate job assignments.
- Adjust work schedules so that workers are not overexposed to a hazardous chemical.

**Personal Protective Equipment** (*use protection to reduce exposure to risk factors*)

- Use chemical protective clothing.
- Wear respiratory protection. [See the [Respiratory Protection](#) Safety and Health Topics page]
- Use gloves.
- Wear eye protection.

For additional info go to this [link](#).



### *important reminder*

#### **Injury Reporting**

*US Department of Labor required specific employers to submit 2021 injury, illness data by March 2, 2022*

The U.S. Department of Labor's Occupational Safety and Health Administration reminds employers that the agency began collecting calendar year 2021 Form 300A data on Jan. 2, 2022. Employers were required to submit the form electronically by March 2, 2022.

Electronic submissions are required by establishments with 250 or more employees currently required to keep OSHA injury and illness records, and establishments with 20-249 employees classified in [specific industries](#) with historically high rates of occupational injuries and illnesses.

Visit the [Injury Tracking Application Electronic Submission of Injury and Illness Records to OSHA](#) for more information and a link to the Injury Tracking Application.

[Spanish version](#) available.



• A little "food" for thought •  
Americans eat approximately  
100 acres of pizza a day or  
about 350 slices per second.

# Quick Guide to Flammable Liquid Storage Requirements for Safety

Approved safety cans, as required by **OSHA**, are found in many different industries and facilities. They provide a safe and convenient method of moving, dispensing, or temporarily storing up to 5 gallons of flammable liquids.

Safety cans also guard against potential fires and explosions by controlling flammable vapors. Most flammable chemicals aren't volatile in liquid form. The danger comes from the vapors. Once at or above its flash point, an increased chance of a dangerous explosion exists.

To prevent such incidents, safety cans for flammable liquids are designed to handle the hazards, and must meet various federal standards and regulations. Failure to do so can be costly. (**OSHA** fined a soap and shampoo manufacturer in NY more than \$100,000 for violations. The inspection revealed incorrect usage, storage and labeling of flammable chemicals. Employees were also inadequately trained in the use of dangerous chemicals.)

Navigating the applicable codes and regulations for handling flammable liquids can be confusing. But, that's no excuse for non-compliance. Here's a quick run-down of the different regulatory agencies and standards for safety container compliance.

## ▪ Flammable Liquid Storage Requirements for Safety Cans: OSHA 29 CFR 1910

Congress established the **Occupational Safety and Health Administration** (OSHA) under the **Department of Labor** as part of the **OSHA Act of 1970**. Its responsibilities include making sure employers comply with regulations developed to protect employees from workplace hazards.

The [OSHA 1910.106 standard](#) governs handling, storing and using flammable liquids. It details four categories of flammable liquids based on their properties (e.g. flash point). It defines a safety can as follows:

**"SAFETY CAN SHALL MEAN AN APPROVED CONTAINER, OF NOT MORE THAN 5 GALLONS CAPACITY, HAVING A SPRING-CLOSING LID AND SPOUT COVER AND SO DESIGNED THAT IT WILL SAFELY RELIEVE INTERNAL PRESSURE WHEN SUBJECTED TO FIRE EXPOSURE."**

**OSHA** also dictates the design and construction of safety cans. Store flammable liquids with a flashpoint at or below 80 F (27 C) in **red** safety cans. Include a **yellow** band around the container to identify the contents.

**OSHA** requires all businesses or commercial enterprises to use [Type I or Type II safety cans](#). Type I cans have a single opening for filling and dispensing. Type II cans have separate openings for each. A small diameter hose for dispensing allows users to pour into narrow openings without spilling.

## ▪ Flammable Liquid Storage Requirements for Safety Cans: NFPA Code 30

Formed in 1896, the **National Fire Protection Association** (NFPA) is a leading global advocate for protecting human life and property from fire-related hazards. Like **OSHA**, the [NFPA 30 Flammable and Combustible Liquids Code](#) classifies flammable liquids by their flashpoints. But because it is a fire code, it also defines combustible liquids.

The **NFPA** definition of a safety can is the same as **OSHA**, except the **can capacity is 5.3 gallons** (20 liters).

## ▪ Flammable Liquid Storage Requirements for Safety Cans: UN/D.O.T. 49 CFR

**OSHA** and the **Department of Transportation** specify [additional requirements when transporting flammable liquids in commercial vehicles on public roads or highways](#). Always use **Type II D.O.T. safety cans**. These containers meet **OSHA** standards. They also feature rugged handle drop protection and a lid locking device.

## ▪ Flammable Liquid Storage Requirements for Safety Cans: Code Enforcement

**Codes are enforceable across the United States**. Local authorities often base local regulations on available codes. **Always check with local authorities and fire marshals** about which ones apply to your business.

**OSHA** and the other governing organizations **do not approve safety cans for flammable chemicals based on the standard**. They recognize third-party approval bodies that test containers against the requirements, such as [FM Global \(FM\)](#) and [Underwriters Laboratories \(UL/ULC\)](#).

Find additional information: [What are the Requirements for Flammable Liquid Storage?](#)

## What makes a safety can safe?

### Self-closing, leakproof, gasketed lid

Protects vapors from escaping and guards against dangerous spillage if the can is accidentally dropped or knocked over. Spring loaded, it closes automatically after filling or pouring to keep it a safe, closed container as required by law.

### Positive pressure relief cap

Allows the container to automatically vent to prevent rupture or explosion in the event of a fire.

### Flame arrester within the fill/ pour spout

Guards against outside heat sources, such as a spark, from entering the container - thereby protecting the volatile vapor space on the inside of the container from igniting.

### 100% leak tested

Every safety can is tested under pressure to ensure it will not leak.

### Yellow band around can body

Warns of danger and includes large area for content identification.

### Carry handle

Rounded handle design doesn't cut into hand and makes it easy to carry heavy loads. Free-swinging style on Type I cans pulls back to open lid. Rigid carry handle on Type II cans include easy trigger mechanism for controlled pouring.

### Reinforcing rings

Strengthens can walls and reduces denting.

### Approved container

Independently tested and approved by FM, UL/ULC Listed, TÜV Certified



# HOW THE RISE OF THE REMOTE WORKFORCE AFFECTS MANAGEMENT

Due to the **COVID-19 pandemic**, nearly **every type** of business had to become **more adaptable** in terms of **work schedules** and **work locations**. An unprecedented **number of Americans** began working from **home to reduce** the spread of the coronavirus.

**Remote work** and **flexible working hours** offer benefits to employees and **their employers**. Still, like any **work arrangement**, it also **comes** with some **drawbacks**. Employers **may feel** more concerned about **ensuring safety** for a remote, **flexible workforce**. Safety is a **top priority** for many **companies** and especially an **organization's safety-standards** officers.

Below is **more information** about the **growing popularity** of flexible **work schedules** and how they could **impact safety**.

## Flexible Work Schedules on the Rise

A **flexible workplace** allows **employees** to decide when and **where they want** to perform **their work**. The **COVID-19 pandemic** has impacted the **workforce** and the **trend of flexible work** is **becoming more** and more **mainstream**. Flexible **work will likely** persist even in the **post-pandemic era**.

A **2020 survey** conducted by **Slack**, the popular **enterprise communications** software company, found that **72% of respondents** would **prefer a mix** of remote and **on-site work**. It's common for **employees** to want a **certain level of autonomy** when making their **work schedule** and **determining** when they want to **show up** for a shift.

According to a **2021 study** from the **ADP Research Institute**, **67% of workers** felt more **empowered to use** a flexible **working arrangement** if offered by their **employer**. Before the pandemic, only **26% felt this way**. Because of these **major changes** to employee **expectations**, employers will **have to bolster** their employee **retention efforts** and adopt a **spirit of flexibility**.

## How Flexible Work Hours Could Potentially Impact Safety

Aside from **C-suite executives** and other **upper management professionals**, the concept of a **flexible work arrangement** comes with **safety implications**.

Employers **still need to ensure safe and healthy working environments** for **remote employees** and employees **with flexible hours**. Any **employers that must comply OSHA** regulations should **consider the health and safety implications** of allowing employees to **work flexible hours**.

Some **employers will leverage** mobile or **remote workforce management** software, which can be a **centralized hub** for employees and **managers to stay** on top of changing **work hours**. It will **become increasingly common** for **organizations** to allow employees to **set flexible hours**. Still, it **doesn't mean** the company should **sacrifice safety** to allow for that **flexibility**.

Below are some ways flexible hours may impact safety risks for employees based on certain safety categories.

## General Health and Safety

Employers **must provide** employees with **information** about **managing health and safety risks regardless** of when or where they **work**. For example, **employers should** address the importance of **teaching employees** about using **electrical equipment properly**, **basic fire safety risks**, **first aid**, **correct manual handling**, and **lone working**.

Take the **lone working situation** into account. If **employees work** on varying schedules, **employers must** be aware of **any gaps between shifts**. No **employee**, say, in the **construction industry**, should be **working alone** because of **inherent safety risks**.

Remote **employees working** from home, on the **other hand**, would not **face many** of the same **safety or health issues** that an **employer would** need to be **concerned about**.

## Ergonomics

Another area of **concern safety managers** need to **consider** are the **physical risks** associated with a **lack of ergonomics**. Employees are **usually sedentary** while **working** from home – **long periods of inactivity** can lead to **musculoskeletal disorders** or other **injuries**.

Employers that **offer a flexible workplace** should **provide employees** with **knowledge** about **ergonomics** and why creating an **ergonomic workstation** is **important**.

Managers should **encourage employees** to take **rest breaks every** so often and **follow the 20-20-20 rule** to prevent **eye strain** while working on a **laptop or computer** for long **periods**.

## Stress and Mental Health

While **many employees** prefer **flexible work schedules**, it's possible that it **can interrupt** their **work-life balance**. Managers need to **support** employees if **they're new to working** a flexible **schedule** and **share ways** to help **employees manage** their **stress**.

This **may mean** giving **employees** more **information** about the company's **employee assistance program (EAPs)**, **encouraging** them to **socialize** with other **employees**, and making **schedule changes to see** which **hours work** best for their **work-life balance**.

Businesses across **different industries** may need to **manage a flexible workforce differently**, depending on **employee needs**. The nature of an **employee's work** will **determine** what **safety procedures** need to be **in place**.

## Maintaining and Managing the Safety of a Flexible Workforce

Employees **working a desk job** at home will face **different safety risks** than those **working in a trade position**. **Employers and safety-standards** officers need to **understand** the potential **impact flexible hours** could have on **workplace safety**. Consider **following some** of the **tips above** and understand that **safety must** be a **top concern**, regardless of the **type of workplace** a company implements.



## DOL: Voluntary Protection Programs

The **Voluntary Protection Programs (VPP)** recognize employers and workers in the private industry and federal agencies who have implemented effective safety and health management systems and maintain injury and illness rates below national Bureau of Labor Statistics averages for their respective industries.

In VPP, management, labor, and **OSHA** work cooperatively and proactively to prevent fatalities, injuries, and illnesses through a system focused on: *hazard prevention and control; worksite analysis; training; and management commitment and worker involvement.*

To participate, employers must submit an application to **OSHA** and undergo a rigorous onsite evaluation by a team of safety and health professionals. Union support is required for applicants represented by a bargaining unit. VPP participants are re-evaluated every three to five years to remain in the programs. VPP participants are exempt from **OSHA** programmed inspections while they maintain their VPP status.

**NEW** [OSHA issues a revised VPP Policies and Procedures Manual](#)

[Read more about VPP...](#)



## DOL Begins Rulemaking Process to Revise Standards for Occupational Exposure to Lead

The U.S. Department of Labor announced that its **Occupational Safety and Health Administration** has published an **Advance Notice of Proposed Rulemaking** to revise its standards for occupational exposure to lead.

Recent **medical research** on **workplace lead exposure** shows adverse **health effects** can occur in **adults at lower blood lead levels** than recognized **previously** in the **medical removal levels** specified in [OSHA's lead standards](#).

The **ANPRM** seeks **public input** on modifying **current OSHA lead standards** for **general industry** and construction to **reduce the triggers** for **medical removal protection** and **medical surveillance** and prevent **harmful health effects** in workers **exposed to lead** more effectively.

**OSHA** asks the **public to comment** on the **following areas** of the **lead standards**:

- *Blood lead level triggers for medical removal protection.*
- *Medical surveillance provisions, including triggers and frequency of blood lead monitoring.*
- *Permissible exposure limit.*
- *Ancillary provisions for personal protective equipment, housekeeping, hygiene and training.*

The **ANPRM** will also **gather comments** on **employers' current practices** that **address workplace lead exposure** and **associated costs** and other **areas of interest**.

[Read](#) the **Federal Register** notice for **submission instructions**.

[Submit comments online](#) by **Aug. 29, 2022**, on the federal e-Rulemaking portal and refer to **Docket No. OSHA-2018-0004**.

### Is Work-Related Stress Recordable as a Mental Illness Case?

Mental illnesses, such as depression or anxiety disorder, that have work-related stress as a contributing factor, are recordable if the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (*psychiatrist, psychologist, psychiatric nurse practitioner, etc.*) stating that the employee has a mental illness that is work-related, and the case meets one or more of the general recording criteria.

See sections [1904.5\(b\)\(2\)\(ix\)](#) and [1904.7](#).

# 5 MOST COMMON OSHA VIOLATIONS MANUFACTURERS MAKE



The **Occupational Safety and Health Administration (OSHA)** is tasked with reducing the number of workplace injuries. Although they conduct regular inspections, relying solely on OSHA to keep your company safe is not enough. Instead, it requires a cultural change within your organization, including a proactive approach to safety.

Unsafe practices can put a significant dent in a company's bottom line. Look at the size of some of the fines OSHA has assessed, as reported in [Industrial Safety and Hygiene News \(ISHN\)](#). OSHA violations can happen at any organization, but avoiding a costly citation happens when everyone — not just the management — plays a role in managing risk.

Are you doing what's required to avoid common OSHA fines? Is your risk management program adequately protecting your workers? The best way to figure out the strength of your safety program is to look at some of the most common OSHA violations and determine if your company is at risk for any of them.

The following are the five most common OSHA violations and the steps you can take to mitigate those risks. Quickly find and correct these possible violations yourself before an OSHA inspector finds them for you.

## 1. Fall protection (Standard #1926.501)

Falls continue to be a common cause of serious work-related injuries and deaths, and have been the top OSHA violation for the past eleven years, with 5,424 violations in 2020. The fall protection standard focuses on guidelines to help keep workers safe when working on surfaces six feet above the ground, without protected sides. It points out where safety systems are required, which methods to use, and how to implement them.

Employers must provide a workplace that prevents workers from falling off overhead platforms, elevated workstations, or into holes in the floor and walls. Avoiding this violation ensures that all walking or working surfaces have been assessed and tested for stability before workers are allowed to begin working on them. Also, it's the employer's responsibility to ensure that adequate safety systems are in place. These systems include guardrails, safety nets, or personal fall-arrest systems.

## 2. Hazard Communication (Standard #1910.1200)

The Hazard Communication Standard (HCS), with 3,199 violations in 2020, contains rules covering how manufacturers must inform their workers of the hazards and identities of the chemicals they are exposed to in the workplace. The rules cover labeling and tracking chemicals, and the required employee training on chemicals. Substances falling under the HCS include:

- acids
- asbestos
- disinfectants
- glues
- paints
- lead, mercury, and other heavy metals
- pesticides
- petroleum products
- solvents

Mitigate the risk of violating hazard communication by doing the following:

- Keep an updated list of hazardous materials in your work area
- Provide material safety data sheets for each hazardous material on the list
- Label all containers with hazardous materials to identify the materials and warn employees of the potential hazard
- Train workers on the dangers of the chemicals they will be using and instruct them on the use of personal protective equipment (PPE)
- Develop a written program tying together the materials and processes

## 3. Scaffolding (Standard #1926.451)

Scaffolding is a temporary platform erected for employees working above the ground. According to OSHA, companies must construct scaffolding to prevent tipping, and the scaffolding must protect employees working more than ten feet above the ground from falls by using guardrails or a fall arrest system.

Most work-related injuries from scaffolding occur when there's no fall protection and the ground underneath the scaffolding is unstable. Workers face electrocution when the structure is too close to power lines, or falling tools and equipment cause injuries to workers on the ground.

Employers should hire a qualified instructor to teach their employees how to recognize hazards associated with scaffolding. Among meeting the many scaffolding requirements that result in a company being OSHA compliant, an important one is that each plank on the scaffolding must be able to support its own weight and at least four times the planned load.

## 4. Lockout/Tagout (Standard #1910.147)

OSHA's standard for the Control of Hazardous Energy, also known as Lockout/Tagout, outlines what workers must do to depower a dangerous machine during servicing or maintenance. One of the primary steps of lockout/tagout is locking the machine in the "off" position accompanied by a tag indicating the name of the person that has the key to the lock.

The lockout/tagout standard summarizes measures for controlling hazardous energies, including electrical, mechanical, hydraulic, pneumatic, chemical, thermal, etc. Machinery can release hazardous energy even when the machine is not being used. Because of this, dangerous machinery must be completely shut off before starting any servicing or maintenance.

There were 2,065 lockout/tagout violations in 2020, all of which could have been prevented with the following:

- Developing and implementing an energy control program
- Using lockout devices for equipment that can be locked out
- Developing, documenting, implementing, and enforcing energy control procedures
- Using only lockout/tagout devices authorized for use with the particular piece of equipment or machinery
- Establishing a policy that permits only the employee who applied a lockout/tagout device to remove it
- Ensuring that new or overhauled equipment is capable of being locked out
- Providing effective training as mandated for all employees covered by the standard.

## 5. Respiratory protection (Standard #1910.134)

Respirators come in the form of a facepiece, hood, or helmet protecting a worker from potentially harmful airborne agents or contaminated air. These chemicals in the air can result in several respiratory issues, including cancer and lung impairment. It's up to employers to ensure that respirators are available and adequately fit the employee's face.

Every organization should host a formal respirator program, teaching workers how to use the respirators correctly since they will only effectively protect workers when used as the manufacturer intended. Employers must be aware that they should only provide respirators that meet **OSHA** safety standards, and they must train all workers on the correct way to wear them.

### Risk management starts with you

**OSHA** violations can happen, and accidents in manufacturing are nearly inevitable, even in a **smart factory**. Organizations must **foster and cultivate** a **safety culture**, giving everyone a **role to play** to **encourage** them to **focus on safety**.

Work **culture revolves** around **values and beliefs** that can **unite an entire** organization, and a **safety culture** should **do the same**. A **risk management plan** should **support** your **company's goals**, and being **proactive about minimizing** workplace incidents will allow you to **bridge the safety gap**.

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 workers by setting and enforcing standards, and providing training, education and assistance.

## Safety Tips for Overhead Doors in Loading Zones

Loading zones are high-traffic work areas with many safety hazards. Even for fully-trained employees, bad habits and lapses in best safety practices can be fostered over time — such as using overhead doors without proper caution.

This occurrence increases the risk of an accident even further, leading to [severe injury and sometimes death](#). Fortunately, these accidents are preventable with good safety management. Let's discuss some essential safety tips ([details](#)) for navigating overhead doors in loading zones.

1. Set strict rules
2. Train your employees
3. Evaluate loading zone doors
4. Recognize the telltale signs of damage
5. Schedule regular maintenance

### Optimize safety in your loading zones

Overhead garage doors are the gateways to your property. They keep your loading zones moving and thus play an integral role in your business's daily operations. Optimize your loading zones and improve workplace safety by investing in custom overhead doors, doing careful routine maintenance, and instilling safe values into your staff.



# 5 Tips to Protect People and Equipment from Damage in Your Plant



Safety is a complex process with countless approaches, but all of them should take advantage of a few core safety tips that can save lives and gear around the workplace. Thousands of workplace accidents occur every year. Some are minor and others are fatal, but many are preventable.

Every year, an estimated 340 million people globally experience a work-related accident. Of course, some industries are more dangerous than others. Any industry involving heavy machinery and equipment has a particularly high risk of damage to personnel and gear as well as a particularly high cost to repair or care for damage when it does occur. Luckily, these tips will help improve plant safety for humans as well as machines.

## 1. Perform Regular Maintenance

Maintenance is one of the easiest ways to improve plant safety for both employees and equipment. Many people make the mistake of only performing maintenance on equipment when it breaks. However, this approach presents a few dangers. Pushing equipment to its breaking point is not beneficial for equipment health or longevity.

Waiting until equipment is actually broken or underperforming to conduct maintenance can also lead to higher maintenance costs, since repairs of this degree tend to be more involved and more expensive (such as needing replacement parts). Conducting regular checkups on equipment can help avoid expensive maintenance and protect employees. Team members face significant danger when operating equipment that is not functioning at ideal capacity.

## 2. Conduct Thorough and Regular Training

Damage to equipment as well as physical injury to employees often occurs as a result of unqualified personnel utilizing equipment they are not knowledgeable about. Training is an excellent way to mitigate this, with the added benefit of increasing the value of the plant's workforce. While training sessions may take time away from the typical workday schedule, they have a high return on investment.

Employees who are properly trained on how to use equipment can operate more of the plant's machinery effectively. This creates a useful list of backup personnel who can fill in for equipment experts if needed. Studies have shown that engaging in safety training can significantly impact employees' safety-related behavior on the job, which benefits employees as well as the machinery they are utilizing.

## 3. Protect Cables and Electrical Equipment

Each year, thousands of workers are injured or killed on the job due to electrical hazards. Some might assume that those working on a plant are knowledgeable about electrical equipment and thus it poses minimal risk. However, electrical accidents can happen to even the most seasoned expert, and electrical safety will help prevent damage to equipment, as well.

There are a few steps that plant safety specialists and managers can take to reduce the risk of electrical-related damage. For example, installing cable protection can fortify cables against a variety of dangers and make a significant impact on electrical safety. Cable protection is a great place to start since it is easy to implement, sometimes as simple as installing sleeves or tubing over cables.

Additionally, moisture and water management are important for proper electrical safety. Some kinds of equipment can be sensitive to humidity or moisture in the air, which can affect electrical components. This is something to be aware of and work to minimize where necessary.

## 4. Make Cleanliness a Priority

Cleanliness is more than a matter of appearances. It has a monumental impact on workplace safety and can cause serious damage to equipment. For example, falling, tripping, and slipping are among the top causes of workplace accidents (with equipment-related accidents a close second). Things like drips, spills, and even dust buildup should be addressed promptly and regularly.

Dust in particular is much more dangerous than it sounds. Debris in the air can harm the lungs and lead to illness, making air cleanliness critical to plant safety. Dust and other particle debris can also harm the performance of equipment, clogging vital components and damaging electrical parts. Consider adding cleaning procedures to regular maintenance checkups for equipment.

## 5. Pay Special Attention to Amputation Hazards

Fortunately, employee damage requiring or causing amputation is relatively uncommon. Additionally, biotech researchers have made great strides in prosthetic limb technology over recent years, thanks to numerous medical industry innovations. Nonetheless, OSHA statistics record over 8,000 work-related amputations annually, 44% of which are in the manufacturing sector alone. Despite the progress of technology in treating amputations, they are traumatizing for employees and can end careers or cause permanent mobility problems.

Preventing amputation-related damage around plants is a matter of combining all of the above safety tips. Equipment that is well-maintained, with adequate safety barriers in place, will pose less of a risk. Extensive training on dangerous equipment for all plant workers can also go a long way toward preventing amputations. Safety specialists can also consider having operators of dangerous equipment work with a partner or spotter to help prevent risky or improper use of equipment.

### Safety For Team Members and Machines

Decreasing the risk of damage to employees and equipment in the workplace can be a challenging, large-scale task, but having a place to start will help. Consider sending out a safety survey to employees or analyzing safety data from prior years to collect information about what areas are most in need of greater protection. Add regular equipment checkups into the maintenance rotation. Implementing even one new safety initiative at a time can go a long way toward protecting workers and the equipment they use every day.

**LET MJS Legacy Safety BE  
YOUR ONE STOP SHOP FOR  
TRAINING.**

See [page 4](#) for classes offered  
this month  
as well as links to  
[All](#) of the training available.

**Questions?**

**CALL US!!**

**WE'RE HERE TO HELP!**

### Did You Know?

Every year, dozens of workers die and thousands more become ill while working in hot or humid conditions. OSHA's [revised Heat Illness Prevention campaign webpage](#) consolidates resources on the dangers of working in the heat and how to keep workers safe.



### ¿Sabías?

Cada año, docenas de trabajadores mueren y miles más se enferman mientras trabajan en condiciones de calor o humedad. La [página web revisada de la campaña de prevención de las enfermedades relacionadas con el calor](#) de OSHA consolida los recursos sobre los peligros de trabajar en el calor y cómo mantener a los trabajadores seguros.

### SAVE THE DATE

**SAFE +  
SOUND**  
Week August 15-21, 2022



August 15-21 is [Safe + Sound Week](#). Join thousands of others in promoting the benefits of [workplace safety and health programs](#).

# OSHA Releases New Compliance Directive for Cranes, Derricks

**This directive replaces the 2014 compliance directive CPL 02-01-057 and addresses the changes in the crane rule that OSHA made in 2018.**

A new directive involving cranes and derricks has been issued by OSHA. The directive addresses training, inspections and certifications. The National Commission for the Certification of Crane Operators (CCO) has offered insight into the changes.



According to CCO, the new compliance directive, [CPL 02-01-063](#), replaces the 2014 compliance directive [CPL 02-01-057](#) and addresses the changes in the crane rule that OSHA made in 2018. The new directive only revises the existing section on operator training, certification and evaluation, and leaves the other sections of the 2014 directive unchanged.

The focus areas of the compliance directive are:

- When to initiate an inspection into an operator's training, certification, and evaluation
- How to approach an inspection involving multi-purpose equipment and multi-employer worksites
- How to determine whether the operator has received training that meets the requirements of the standard
- What steps to take when inspecting the certification/license of an operator
- How to address certification concerns such as fraudulent certifications or testing organizations not meeting requirements
- When an employer would need to conduct additional evaluations for an operator

While compliance directives provide OSHA enforcement personnel with guidance on conducting inspections and policy on citing violations of the standard, the guidance and explanation can be helpful for employers. At the NCCCO Foundation Industry Forum held in November 2021, OSHA provided the top 10 citations for cranes in construction for 2020-2021. Of these, three are related to the certification/qualification process for personnel, according to CCO.

Ranking	Standard	Item
#1	1926.1427(a)	Certification of operators
#9	1926.1425(c)(3)	Materials rigged by a qualified rigger
#10	1926.1428(a)	Signal person qualifications

The 2018 crane rule from OSHA provided a framework for establishing operator competency for the construction industry.

The operator must be: Trained + Certified/Licensed + Evaluated = Qualified.

In the compliance directive, OSHA states that there is no particular order in which an employer must comply with the training, certification and evaluation elements and further reiterates that, should an operator not meet all three criteria, they are considered to be an "operator-in-training."

## Operator-In-Training

Operator-in-training allows the operator to continue operating cranes when they are not yet certified/licensed or evaluated as required, but in such cases the operation must be under supervision of a trainer. OSHA expects there to be a continuous cycle of training, certification, and evaluation. As operators switch types of cranes, they may assume an operating-in-training status pending the applicable new certification. As changes in equipment and operating activities require different or higher levels of crane operating knowledge, skills, and abilities, employers will need to ensure that the operator has been trained and evaluated in these areas.

While the standard does not require employers to create and maintain training records, Compliance Officers are directed to ask for training records, program materials, and interview the employer and employees to determine what training was provided.

Employers should determine if the operator has been sufficiently trained by a prior employer or other means, such as a labor union, and is familiar with the crane(s) and its operations. OSHA recognizes that not all operators-in-training will be inexperienced operators or unfamiliar with the crane(s) and doesn't require additional training by each employer if the requirement has already been met.

Lastly, OSHA points out that employers have a continuing duty to monitor the performance of their operators to determine whether retraining is necessary. Compliance officers are encouraged to conduct interviews to determine what steps the employer has taken to identify concerns about the operator's ability to safely operate the crane and perform assigned tasks and what steps the employer has taken when such concerns have been identified.

## Operator Certification/License

Once a determination is made that the equipment operated is within the scope of the rule (see [1926.1400](#)) and that none of the exceptions of [1926.1427\(a\)](#) apply, there are essentially four key questions on the flow-chart provided by OSHA in the directive:

- Is the operator certified/licensed?
- Was the certification/license issued by an accredited testing organization, an audited employer program, or compliant state or local government licensing program?
- Is the certification/license within the expiration period established by the issuing entity and has not exceeded 5 years since it was issued?
- Is the type of crane operated the same as, or similar to, that specified by the certification/license?

Verification of the status of a certification body, such as CCO, has been made much easier by the NCCCO Foundation which has published a "Who's Accredited?" Directory that is kept up to date.

With regard to the operator's certification details which must be available to OSHA upon request (*hard copy or electronic*), CCO recommends that entities utilize the [Verify CCO Online \(VCO\)](#) system to access CCO's database for the most current information on certificants. The cards that are currently being produced by CCO include a QR code to directly link the user to this information.

For equipment that falls under the scope of the standard but doesn't have a nationally accredited certification available, crane operators should be certified with the most similar certification. The NCCCO Foundation has a [Crane Type Advisory Group](#), that makes determinations on these types of equipment. Examples would be rotating and non-rotating telescopic forklifts when configured in a manner to fall under the scope of the rule.

CCO has the broadest array of nationally accredited operator certifications available in the industry including *Telescopic Boom Fixed Cab, Telescopic Boom Swing Cab, Lattice Boom, Articulating Boom, Tower, Overhead Cranes* as well as *Digger Derrick, Dedicated Pile Driver, and Drill Rig*. Most-similar certifications should not be utilized when the certification for that type of equipment is available by a nationally accredited certification body, such as CCO.

OSHA also states that compliance with [1926.1427\(c\)\(4\)](#) is intended to prevent a licensing/testing organization's training arm from "teaching to the test," which would undermine the test's ability to determine the individual's true subject matter expertise for safe operation of equipment. Compliance officers are encouraged to consult with the national office should there be such allegations.

In cases where the operator is certified in a language other than English, compliance officers will be required to verify that the language specified on the operator's certification documentation is the same as that in the crane manual, load charts, etc. in the equipment operated at the jobsite.

Compliance officers will also interview the operator to determine who paid for the operator's certification or license (including recertification). If the operator paid, compliance officers will ask when the operator was certified, whether the operator was employed by the employer at that time, and whether the operator was reimbursed. Employers are required by [1926.1427\(c\)\(3\)](#) to pay for the certification of the operators they employ after the effective date of February 7, 2019. While payment for recertification of an employed operator is covered under this provision, payment for test preparation for certification testing is not covered. Employers may devise various arrangements to pay for certification of an operator that will be evaluated on a case-by-case basis.

## Operator Evaluation

Long before the 2010 crane rule became effective, [29 CFR 1926.20\(b\)\(4\)](#) required employers to permit only those employees qualified by training or experience to operate equipment and machinery. The 2018 operator qualifications rule provided criteria and accepted means for evaluating an operator's experience in operating cranes.

The main focus of the evaluation requirements is to ensure that the operator has the knowledge, skills, and abilities to operate:

- The assigned equipment
- For specified assigned tasks

Previously evaluated operators must therefore be re-evaluated when new knowledge, skills, or abilities are required for new tasks or operating different equipment, configurations, etc.

As a new requirement, the 2018 crane rule requires that employers must document the completion of the evaluation in accordance with [1926.1427\(f\)\(6\)](#) and make the document available at the worksite for as long as the employer employs the operator. The employer is required to document the following information:

- Operator's name
- Evaluator's name and signature
- Date the evaluation was completed; and
- Make, model, and configuration of the crane(s) that the operator can safely operate for construction tasks

The same make and model of cranes can be configured in many ways and include varying operating systems. Some makes and models of cranes may be so similar, even between manufacturers and models, that typically operators can safely operate them without the need for additional training. In such cases, employers would not need to document separate evaluations on each piece of equipment. Employers need only document baseline evaluations and then evaluations for different equipment that requires increased levels of operator training and/or familiarization.

Additionally, employers only need to distinguish and list operational aids and safety devices on an operator's evaluation documentation to the extent that they require operators to acquire differing skills, crane knowledge, or familiarity with the equipment.

The evaluation must be conducted by an individual who has the knowledge, training, and experience necessary to assess equipment operators. This knowledge, training, and experience is not necessarily the same as the knowledge, training, and experience to perform the particular construction operations or processes themselves. Additionally, the evaluator must be an employee or agent of the employer.

Within the flowchart for crane operator evaluation, the key elements are:

- "Has the operator been evaluated on the assigned equipment?"
- "Did the employer determine the evaluator is competent?" (If yes, please document)
- "Did the evaluator determine the operator is competent to operate a crane which is similar to that assigned, and for a task similar to that assigned?"
- "Does the required evaluation documentation include at least the six pieces of information specified?"

If the employer has not conducted the required evaluation(s) of the operator that serves as the basis for the operation of particular equipment for the particular task, then the operator is considered as an operator-in-training with respect to that equipment or task (see requirements for operators-in-training).

## Multi-Employer Worksites

For multi-employer worksites, OSHA states that "controlling contractors must exercise reasonable care to prevent and detect violations of the crane standard at the construction site." OSHA goes on to say, "Controlling contractors assume a heightened duty to monitor an operator who is allowed on the site without providing evidence that the operator has been certified/licensed and evaluated in accordance with the crane standard... If the controlling contractor informs the other employers on the site that the crane operator has not provided evidence of certification/licensing, each employer could then take appropriate measures to ensure the safety of its own employees to fulfill its duties as an exposing employer."

## Additional Resources

OSHA will also be releasing the revised Small Entity Compliance Guide and Frequently Asked Questions related to this final part of the rule. In the last cycle these documents were released within a few months of the Compliance Directive.

## Avoiding OSHA Citations

The best way to avoid citations by OSHA is to know and understand how the rule affects you, ensure that your operators and those around equipment are properly qualified, and that documentation is in order before OSHA asks. CCO will continue to monitor information released and assist in creating resources to assist the industry in compliance.

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



- As of August 30, 2021, 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.

### DOT Implements Annual Regs Violation Penalty Increases

The Department of Transportation published a final rule in the *Federal Register*, Monday, March 21, updating the civil penalty amounts (*effective immediately*) that may be imposed for violations of certain DOT regulations, including **Federal Motor Carrier Safety Administration** regulations focused on in trucking-company audits.

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

## Extension and Amendment of the Modified Emergency Declaration

No. 2020-002 Under 49 Cfr § 390.25

The Fifty United States of America and the District of Columbia

The **Federal Motor Carrier Safety Administration** (FMCSA) hereby declares that the continuing national emergency warrants extension and amendment of the modified Emergency Declaration No. 2020-002. The extension and amendment of the modified Emergency Declaration continues the exemption granted from certain requirements in 49 CFR Part 395 of the **Federal Motor Carrier Safety Regulations** (FMCSRs) for the fifty States and the District of Columbia as amended herein.

In accordance with 49 CFR § 390.25, this extension and amendment of the modified Emergency Declaration No. 2020-002 is effective at 12:00 A.M. (ET), June 1, 2022, and shall remain in effect until 11:59 P.M. (ET), August 31, 2022, unless modified or terminated sooner by FMCSA.

[FAQs Regarding: FMCSA Amendment of the Extension of the Modified Emergency Declaration Extension and Amendment of the Modified Emergency Declaration - Final - May 27 22.pdf](#)

## FMCSA has Removed Arion Tech Inc's ArionT ELD from List of Registered ELDs

The U.S. Department of Transportation FMCSA has removed ArionT ELD from the [list](#) of registered Electronic Logging Devices (ELD). FMCSA has placed ArionT ELD on the [Revoked Devices list](#) due to the company's failure to meet the minimum requirements established in [49 CFR part 395, subpart B, appendix A](#), effective June 24, 2022.



FMCSA will be sending an industry email to let motor carriers know that all who use ArionT ELD must take the following steps:

1. Discontinue using the revoked device(s) and revert to paper logs or logging software to record required hours of service data.
2. Replace the revoked device(s) with compliant ELD(s) from the [Registered Devices list](#) before August 24, 2022.

Motor carriers have a grace period of up to 60 days to replace the revoked device(s) with compliant ELD(s). If the ELD provider corrects all identified deficiencies, FMCSA will place the device back on the list of registered devices and inform the industry and the field.

During the grace period, safety officials are encouraged not to cite drivers using ArionT ELD for 395.8(a)(1) – “No ELD” or 395.22(a) – “Failed to use a registered ELD.” During this time, safety officials should request the driver's paper logs, logging software, or use the ArionT ELD display as a back-up method to review the hours of service data.

Beginning August 24, 2022, motor carriers who continue to use the revoked device listed above would be considered to be operating without an ELD. Safety officials who encounter a driver using a revoked device on or after August 24, 2022 should cite 395.8(a)(1), and place the driver out-of-service in accordance with the [CVSA 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 in time.

For more information on ELDs, visit [FMCSA's ELD implementation website](#).

## Hiring and Retaining Next Gen Drivers with Technology, Training and Empathy

You can't talk about hiring and retention without mentioning the **"Great Resignation."** Last December alone, more than [4 million Americans quit their jobs](#). The [greatest increase in resignations](#) occurred among workers between ages 30 and 45. **One of the industries hardest hit? Trucking.**

Many truck drivers moved to other companies that were paying higher bonuses. The pandemic also stalled training and CDL testing, although by 2021, over 50,000 CDLs and learner's permits were being issued monthly. FMCSA plans to launch a new three-year pilot program which will drop minimum required driver age for interstate CDLs from 21 to 18. Yet, finding and keeping drivers remains a top concern.

A majority of the truck driver population is growing older and nearing retirement age, but it's difficult to attract new talent. Driving is physically and mentally demanding. Reported driver frustrations include difficult working conditions; demands making it difficult to maintain a healthy work-life balance; legacy software that's cumbersome to use; wait times to drop off or pick up loads with delays of 2-and-a-half hours or longer; an inability to easily find appropriate and safe parking; and stagnant or lower wages.

While newer, innovative trucking and fleet management software can't address all of these challenges, it can help alleviate some of the pain points. For example, a unified, cloud-based platform can offer solutions for mission-critical dispatch, workflow, routing, ELD, and fleet management business requirements to improve operational efficiency and make life easier for drivers.

### Leveraging Technology to Improve the Driver Experience

New hires, whether fresh out of training or tenured veterans, expect to participate in some kind of onboarding process. Trucking software can improve the driver experience and offer virtual and hybrid training.

Equally important is its ability to offer more predictability so drivers can achieve a better work-life balance. Route optimization and freight planning software help with scheduling drivers and shipments and optimizing routes to give drivers opportunities to earn more and fit in more stops per day. Workflow mobile app software and other efficiency-boosting automation tools reduce rote tasks and human error.

Electronic logging devices keep drivers safe and compliant, while mobile workflow apps help drivers handle freight transactions efficiently. Real-time GPS tracking and in-app navigation and route optimization tools help drivers find appropriate parking or different routes around traffic jams.

These easy-to-use tools also take the guesswork out of compliance (HOS/ELD), document imaging captures for bills of lading (BOLs), support hands-free communication (messaging) with dispatchers and managers, and more.

### Best Practices for Hiring (And Keeping) Drivers

Trucking companies should leverage a multi-pronged, lead-to-hire approach when sourcing new employees. In a competitive market, it pays to think a little differently. For example, HR departments and hiring managers can implement technology that optimizes most touchpoints.

Thinking outside the box — and challenging preconceived notions about driver recruiting — is important.

Innovative solutions come from asking the right questions: *How can we improve driver experiences? How can technology alleviate hiring pain points for both potential drivers and the company? How can data drive continuous improvement within the hiring process? How (and when) should the human connection replace automation to reduce anxiety and improve driver hiring?*

A wealth of technology exists to help with driver recruitment and hiring. HR and marketing departments can utilize advertising software to cater directly to mobile drivers, providing targeted ads delivered to drivers in real-time. Fleets can also use customizable, trackable landing pages for all ads and messages

with a nearly instantaneous load time and geofencing technology to target students from specific driving schools.



Once you've made an offer and a candidate accepts, the process doesn't stop. More employees are choosing to work for engaged and socially responsible organizations. Software advancements — cloud-based systems for dispatchers, planners and fleet managers, and mobile document imaging tools or electronic BOLs — have made it possible for many trucking companies to switch to more environmentally-sustainable paperless processes.

HR and executive teams should collaborate to define and establish their corporate brand and culture. Then, they must share their brand and values not only with current employees, but also (and equally important) with their external applicants.

**The most critical ingredient necessary for building and retaining a strong, loyal workforce? Empathy.** Ask drivers what they're looking for. It's important to see drivers not as cogs in a wheel but as valuable members of the company. Fleet managers and other trucking industry professionals, including software providers, must take time to get to know drivers, consider their needs and experiences, find their pain points and gain insight into their lives so that they can offer a better work experience and lifestyle.

Polling current drivers about these items provides a good litmus test for the trucking company to understand what current and potential employees want and expect from their employer. Use surveys and one-to-one conversations, for example, to inform HR's approach to recruiting new drivers. Technology can help facilitate these processes with hands-free communication.

Finally, companies should also focus recruitment efforts on traditionally underrepresented groups. Trucking associations and publications are also hosting diversity and inclusion conversations within the industry.

### Increasing diversity in the trucking industry

Consider recruiting from populations that have a small but growing presence in trucking, including Hispanic populations, people of color, immigrants and women. Designing recruiting and engagement strategies specific to these groups can deepen a trucking company's candidate pool, help address the nation's mounting driver shortage and increase career opportunities for historically underrepresented groups.

Companies might consider bilingual reporting. Some technology companies, including fleet management software providers, offer language translation options in their apps or training materials. Trucking companies with larger Hispanic workforces could use translations to provide materials in Spanish.

Use social media, online message boards and forums dedicated to specific groups like women in trucking, minority or former military groups. Consider using video as a recruiting or employee engagement and retention tool.

### Keep drivers happy by meeting their expectations

Driver candidates are out there but trucking companies need to think creatively to attract, hire and retain them. Keeping drivers happy will require companies to address their expectations and the obstacles ahead.

Digital tools and solutions can support flexibility. It's clear that technology — plus empathy, creative outreach and engagement tactics, diversity recruiting and communication — is critical for driver success. Trucking and technology companies should collaborate to create tailored digital experiences to engage drivers, increase productivity, improve job satisfaction, eliminate internal silos and foster connections with each other and the company.

# Railroad Crossing Safety



According to the National Transportation Safety Bureau, nearly every 2 hours, a person or vehicle is hit by a train in the U.S. Rail accidents and/or incidents include the following scenarios:

- Derailment
- Train-train collisions
- Train-car collisions
- Train-person collisions
- Damage to property

Each year nearly 1,000 people are killed in train related accidents. The majority of collisions between trains and motor vehicles occur when trains are traveling at less than 35 mph. In a quarter of all collisions, the train is already in the crossing when the car hits it. During the day, about 75% of

car and train collisions involve the train hitting the car. At night, about 50% of the time, the car runs into the train at an inadequately marked crossing. The lesson here is to drive safe and expect the unexpected at train crossings.

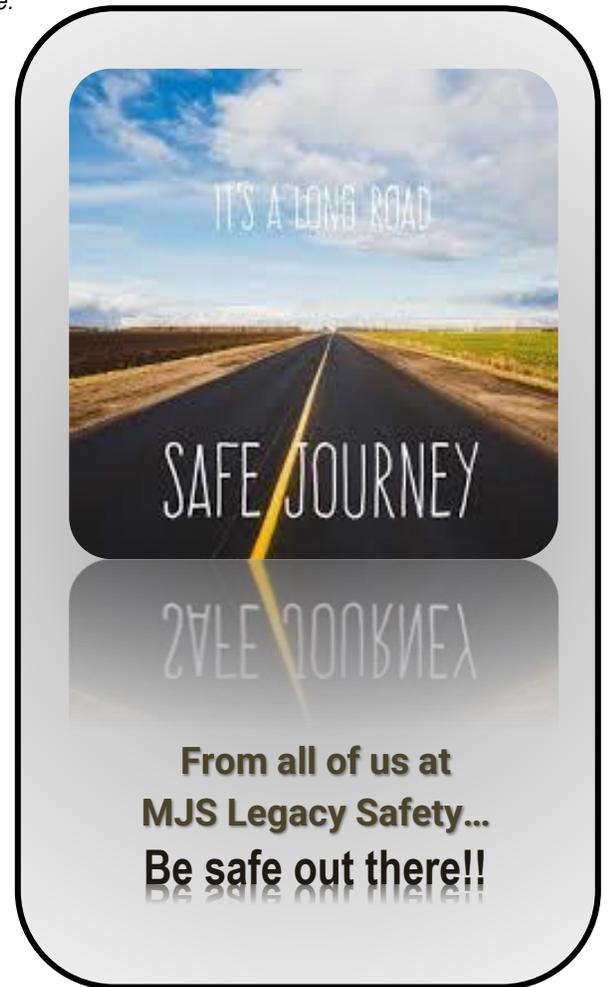
The average train weighs 12 million pounds, so the weight ratio of a train to a car is about 4,000 to one. This compares to the weight ratio of a car to an aluminum can. The same thing happens to the car hit by a train as happens to a can run over by a car – it gets squashed. The motorist in a train/motor vehicle collision is 40 times more likely to die than in a collision between two motor vehicles. After a tractor-trailer comes to a stop at a railroad crossing, it takes 27 seconds to cross the track at 2 mph. A train traveling at 41 mph covers 660 feet – in 11 seconds, which is as far up the tracks as the truck driver can see. Those who drive for a living must practice crossing safety.

## TIPS FOR DRIVERS

- Never drive around lowered gates. Driving around lowered gates is illegal and deadly. If you suspect a signal is malfunctioning, call the toll free number posted on or near the crossing signal or your local law enforcement agency.
- Never race a train to the crossing. Even if you tie, you lose.
- Do not get trapped on the tracks. Only proceed through a highway-rail grade crossing if you are sure you can completely clear the crossing without stopping. Remember, the train is three feet wider than the tracks on each side.
- Get out of your vehicle if it stalls. If your vehicle stalls on a crossing, immediately get everyone out and far away from the tracks. Call your local law enforcement agency for assistance. If a train is coming, get out immediately and move quickly away from the tracks in the direction the train is coming from. If you run in the same direction the train is traveling, when the train hits your car you could be injured by flying debris.
- Watch out for a second train. If you are at a multiple track crossing and are waiting for a train to pass, watch out for a second train on the other tracks, approaching in either direction.
- Expect a train on any track at any time. Most trains do not travel on a regular schedule. Be cautious at a highway-rail grade crossing at any time of the day or night.
- Be aware that trains cannot stop quickly. Even if the locomotive engineer sees you, a freight train moving at 55 miles per hour can take a mile or more to stop once the emergency brakes are applied. That's 18 football fields!
- Do not be fooled. The train you see is closer and is moving faster than you think. If you see a train approaching, wait for it to go by before you proceed across the tracks.
- Cross train tracks at a designated crossing only. When you need to cross train tracks, go to a designated crossing, look both ways, and cross the tracks quickly without stopping. Remember that it isn't safe to stop closer than 15 feet from the rail.

## TIPS FOR PEDESTRIANS

- Do not walk on or over railroad property – this is trespassing! Railroad tracks, trestles, yards and equipment are private property and trespassers are subject to arrest and fine.
- Cross tracks only at designated pedestrian or roadway crossings. Do not walk, run, cycle or operate all terrain vehicles (ATVs) on railroad tracks, rights-of-way or through tunnels. The only safe place to cross railroad tracks is at a designated public crossing.
- Do not cross the tracks immediately after a train passes. A second train might be blocked by the first. Trains can come from either direction. Wait until you can see clearly around the first train in both directions.
- Never walk around or behind lowered gates at a crossing. Do not cross the tracks until the lights have stopped flashing and it is safe to do so. You can be fined for failure to obey these signals. The more severe penalty could be a serious injury or death.
- Do not hunt, fish or bungee jump from railroad bridges or trestles. There is only enough clearance on the tracks for a train to pass. Trestles are not designed for public use and are not meant to be sidewalks or pedestrian bridges!
- Do not attempt to hop aboard railroad equipment at any time. A slip of the foot can cost you a limb or your life.



# Carriers Should Consider Self-Defense Training for Women Drivers

SOURCE: Jennifer Smith, CCJ contributor



America's trucking industry is consumed by an ever-expanding chasm that is the driver shortage.

The industry is exploring everything from the many technologies available that could improve efficiencies and increase driver uptimes to driverless vehicles. It's also working to lower the legal interstate driver age from 21 to 18, but to-date the industry has managed to evade a significant portion of the population: Women. As of 2020, women made up only 7.8% of the U.S.'s professional truck driver workforce, according to the American Trucking Association.

Statistically, one of the top reasons women don't consider truck driving as a career is safety.

Nearly 18% of respondents in a Women in Trucking Association survey think trucking is not a safe industry for women, with 87% saying they feel truck stops are unsafe for women and 85.5% saying rest areas are unsafe. Approximately 75% say the cab is a location with significant safety threats.

According to data from the Insurance Institute for Highway Safety, women tend to be more focused on safety than men. But that data is referring to driving safely, which by the way is a great reason to hire women. But when considering a career as a professional driver, women have a greater fear than being involved in or killed in an accident.

I remember the first time my mother had a conversation with me about sexual violence. I was 6.

From a young age, women are taught how to avoid violence – sexual or otherwise – at the hands of men. If I'm walking along a sidewalk at night after grabbing dinner with friends, I'm constantly observing what's around me; I'm holding my keys between my fingers, and I have my finger at the ready to press the lock button on my phone five times to call emergency services (*five is too many if you're in an emergency situation, by the way*) until I'm safely in my car, which I don't get in until I've checked the back seat.

And that's only on the sporadic occasion that I'm out at night. Can you imagine being a woman out on the open road having to be constantly on alert? That's stressful.

According to the National Sexual Violence Resource Center, one in five women in the U.S. experienced completed or attempted rape during their lifetime, and 81% of women reported experiencing some form of sexual harassment and/or assault in their lifetime.

And then you hear horror stories like when 53-year-old truck driver Christine Summers was beaten to death by a random man on the side of I-59/20 in Alabama after pulling to the shoulder because she saw something in the road.

My mother, a former truck driver who keeps in touch with friends who've remained in the industry, recently told me another scary story. One of her friends was driving when she saw a man holding a weapon in the car beside her. The man noticed her looking at him, and when she sped up, he stayed beside her. When she slowed down, he stayed beside her. She was finally able to shake him, but she was shaken.

So what are trucking companies supposed to do to make women feel safer on the road? Allow them to carry their own guns?

My grandfather always carried a small pistol with him on the road. While there's no federal law that prohibits drivers from packing heat as long as they observe local and state laws, many trucking companies don't allow their drivers to carry.

I'm sure there are plenty of good reasons for that (like insurance liabilities, etc). I own a gun myself, and I am trained to use it, but it is far more dangerous for someone to walk around with a gun and not know how to use it, especially a woman who could easily be overpowered by a man and have her own weapon used against her.

Maybe trucking companies could consider allowing drivers to carry if they participate in certified training courses – and potentially even a mental evaluation and clearance – but of course there are gray areas there, too. Not to mention having to remember all the carrying laws for each state, which more often than not would simply result in a lack of following them, and keeping track of which states' permits are valid in other states.

**No.** A better option would be mandatory self-defense classes – maybe even ongoing rather than a one-time deal – provided by the company.

A University of Oregon sociologist found that women who took 10-week self-defense training were significantly less likely to experience unwanted sexual contact than those who didn't.

According to the Women in Trucking Association survey, approximately 25.5% of respondents have had some formal training in self defense, but the organization noted that the industry needs to work harder toward making safety training for women drivers a priority, and I agree.

Not only is self-defense training far less costly for a company than if an accident with a gun were to occur, it's also extremely effective and has additional benefits outside of protection – like improved confidence and better health.

Self-defense is also a better option because many – not just women – fear guns, and no one who fears a gun should hold one. That's a recipe for disaster. Learning how to use your body to protect yourself is far more empowering.

# Safety: A YEAR-ROUND CONCERN

Safety means **different things** in **different industries**, but in **trucking safety** it is **keeping trucks running** at optimal levels while **drivers adhere** to health and **well-being standards**.

The **summer months** bring a **flock of tourist drivers** to highways, increasing the **chance of traffic accidents** among fleets and **nearby vehicles**. We recommend **inspecting vehicles** and replacing certain parts **before long-haul trips** this season to avoid **unexpected downtime**.

## Replace headlights

The days are **getting longer** and the **nights are getting shorter**, but there is **still very good reason** to inspect **lighting equipment** in **heavy-duty vehicles**. For one, **deer birthing** season runs from **May through June**, and truckers will see a **lot more roaming wildlife**. June also **kicks-off hurricane season**, meaning that **dark rain clouds** will occupy a **once bright sky**. These factors contribute to **why fleets should consider** replacing headlights. But which **type is best** to install?

**LED and Halogen lights** remain the **top lighting sources** for truckers, and the **jury is still out** as to which type of **lighting is better** than the other. The **vibrant blue-white optics** found on **LED lights** allow for a **wider scope** of landscape, making this a **desirable choice to see road signs** and **running wild animals**. Drivers can **continue using LED headlights** on trucks even when some **diodes burn out** (*until laws are changed*), as a perk. They also draw **far less power compared** to halogen to **produce the same brightness**.

While they are **long-lasting** and helpful for drivers, **nearby vehicles** can find LEDs **distracting due** to the **light's intensity**. On the **flip-side**, halogen lights **remind truckers** of traditional **incandescent lights** because of the **similar yellowish-white glow**. These lights **offer a bright path** forward but are limited in **side views**, making it difficult for **drivers to see what's** around the periphery. But **they're cheap**, can last **up to 1,000 hours** and are **easy to replace**.

## Install ADAS technologies

From the **flashing text message** to the **billboard** with the pretty lady, **distractions are everywhere**. According to the **Federal Motor Carrier Safety Administration**, [70% of truck accidents](#) are caused by **distracted driving**. In 2019, **36,096 people died** in **motor vehicle crashes** tied to **human error**. To reduce the number of **crashes**, trucking brands like WABCO have designed **Advanced Drive Assistance Systems (ADAS)** technologies to help drivers **remain alert and avoid collisions**. There are **four types** of ADAS technologies that are **commonly installed** in big rigs: **Adaptive, Automated, Monitoring** and **Warning**.

**Adaptive ADAS** helps the **vehicle make small adjustments** based on its **surroundings**. **Adaptive Cruise Control (ACC)** is one **example** that acknowledges **surrounding driver speeds** and adjusts the **truck's speed accordingly** to maintain a **safe distance**.

**Automated ADAS** can **actually take control** when help is **needed most**, like in **emergency situations**. **Automated ADAS** is **available** in most **modern trucks** and cars and **offers automatic braking alerts** and capabilities.

**Monitoring ADAS** is basically **camera and/or sensor-based surveillance** that **recognizes safety concerns** while driving.

**Warning ADAS** offers **real time alerts** that **measure speed**, distance, angle and **other safety variables**. In the event of **impending danger** – lane departure, for example – the **warning platform** sends an **audible alert to the driver**, allowing them to make **necessary corrections**.

## Check mirrors

Vehicles **within 30 feet** of a **commercial truck** cannot easily be **seen by drivers**. According to the **National Highway Traffic Safety Administration**, nearly 840,000 **blind spot accidents** occur each year, **resulting in 300 deaths**.

It's easy to **underestimate the importance** of mirrors until they **need replacement**. There are many **types of mirrors** on the market: **heated**, non-heated **folding and towing** mirrors just to name a few. **Some even have built-in lights** to offer **more visibility**. Before **purchasing** a mirror, assess if there is **minor or major damage to the current units**, whether it needs to be **repainted after delivery** and if **additional features**, such as built-in lights, are of interest.

## Consider cameras

Backing a **semi at a loading dock** can be **nerve-wracking**, and this is when **back-up cameras** are helpful. Cameras can also **assist with blind spot coverage**. According to one Truck Parts company, **black-and-white or colored camera systems** come in **several sizes**; are **waterproof**; run on **12DVC of power**; and may include **integrated heating features** for cold weather operation. The technologies can **offer blind spot coverage** in addition to **remote video diagnostics**. Side and rear cameras **can also be mounted** to trailers to **help monitor clearance** underneath **awnings** and watch the progress of **cargo being moved** to and from the truck. When **driving at high speeds**, drivers can **use these types** of cameras to watch the **movements of other vehicles**, too.

## Carry warning triangles

**Triangle kits** are **helpful safety accessories** to have in **emergency situations**, and they are **legally required**. When on the side of the road, **placing reflective warning triangles** around the **truck's location** will alert passing **vehicles of a problem**, and they are required by the **Federal Motor Carrier Safety Act** to be deployed in **three locations within 10 minutes** of stopping. **The emergency triangles' locations** are based on the **type of roadway** and where the **truck is stopped**.

June may be **National Safety Month** but safety is a **year-round concern**. In trucking, being **safe means pre-trip planning** by keeping up with **vehicle maintenance** to better **safeguard fleets and nearby vehicles**.

For any **part repairs** or replacements, be **sure to refer** to the **specific part's installation** instructions and the **truck operator's manual** for more **information and safety requirements**.



## US DOL Takes Action to Reduce Miners' Exposure to Silica Dust as Work Continues on an Improved Health Standard

*MSHA launched unprecedented effort to protect miners from serious illnesses such as black lung disease, silicosis*

The U.S. Department of Labor's **Mine Safety and Health Administration** has launched a new enforcement initiative to better **protect** the nation's Coal and Metal and Nonmetal (MNM) miners from **health hazards** resulting from repeated **overexposure** to **respirable crystalline silica**. **MSHA** reports **silica dust affects** thousands of miners each year and, without **adequate protection**, miners **face risks** of **serious illnesses**, many of which **can be fatal**.

Crystalline **silica** is a **common** mineral found in the **earth's crust**. Materials **like sand**, stone, **concrete** and mortar **contain crystalline silica**. Respirable **crystalline silica** – minute **particles at least 100 times smaller than ordinary** beach sand – becomes **airborne during cutting**, sawing, **grinding**, drilling, and **crushing stone** and rock.

Without **proper protections** and **engineering controls** in place, miners can be **exposed to dangerous** levels of **crystalline silica particles**, which increases their **risk of developing** serious **silica-related diseases**. These conditions include **incurable lung diseases** such as **coal workers' pneumoconiosis**, commonly referred to as "**black lung**;" progressive **massive fibrosis**, the most severe **form of black lung**; silicosis; lung and **other cancers**; chronic obstructive **pulmonary disease**; and **kidney disease**.

"Simply put, **protecting miners from unhealthy levels of silica cannot wait**," said Assistant Secretary for **Mine Safety and Health** Chris Williamson. "We are **committed** to using **every tool** in **MSHA's toolbox** to **protect miners** from developing **debilitating** and **deadly lung diseases** that are **entirely preventable**. We have seen **too many miners** carrying **oxygen tanks** and struggling to **breathe just** to take a **few steps** or do the simplest of **tasks after having** their lungs destroyed by **toxic levels of respirable dust**."

"Our **agency is working** hard and is **committed to issuing** a silica rule that **will enhance health** protections for all **miners**. The enforcement **initiative** that we are **announcing today** is a step we can **take now while** we continue the rulemaking **process toward** the **development** of an improved **mandatory health standard**," Williamson added.

As **part** of the program, **MSHA will conduct** silica **dust-related mine** inspections and **expand silica sampling** at mines, while **providing mine operators** with compliance **assistance** and **best practices** to limit miners' **exposure to silica** dust.

Specifically, the **silica enforcement initiative** will include **four components**: inspections, **sampling**, compliance assistance, and **miners' rights**.

### 1. Inspections

#### Coal and MNM mines

**MSHA will conduct spot inspections for silica at coal and MNM mines in accordance with section 103(i) of the Mine Act.**

- *At mines with repeated overexposures to silica, mines may be inspected every 15-days at irregular intervals.*
- *MSHA will require for overexposures over 100 micrograms (existing PEL):*
- *For MNM mines, abatement within a period of time.*
- *For overexposures not abated, MSHA will issue a 104(b) withdrawal order.*
- *For coal mines, MSHA will encourage mine operators to change the dust control and mine ventilation plans and review plans/exposures after changes are made.*

#### Coal mines

##### Review of Ventilation and Roof Control Plans

- *MSHA District Managers will review ventilation and roof control plans for extended cuts (greater than 20 feet).*
- *District Managers may require mine operators to specify in these plans:*
  - *The number of miners working downwind of the continuous mining machine.*
  - *The number of extended cuts miners will work downwind.*
- *MSHA will take additional dust samples for miners who are overexposed. (See sampling)*
- *MSHA District Managers will review approved plans to determine if the plans are appropriate when MSHA's samples indicate silica overexposures.*

## 2. Sampling

### Coal and MNM mines

**MSHA will collect respirable dust samples from occupations known to have a high-risk of exposures to silica. This will include:**

- *MNM miners involved in overburden removal.*
- *Coal miners involved in the construction of a shaft or slope.*

### Coal mines

#### **Extended Cuts (Greater than 20 feet)**

**For mines with approved extended cut mining, MSHA may collect additional dust samples for:**

- *Miners working downwind of a continuous mining machine.*
- *The number of extended cuts miners will work downwind.*

#### **Developing Cross Cuts**

**Developing a crosscut is a period in the mining process when miners may be potentially at a significant risk of high exposures.**

- *MSHA samples these miners when possible.*

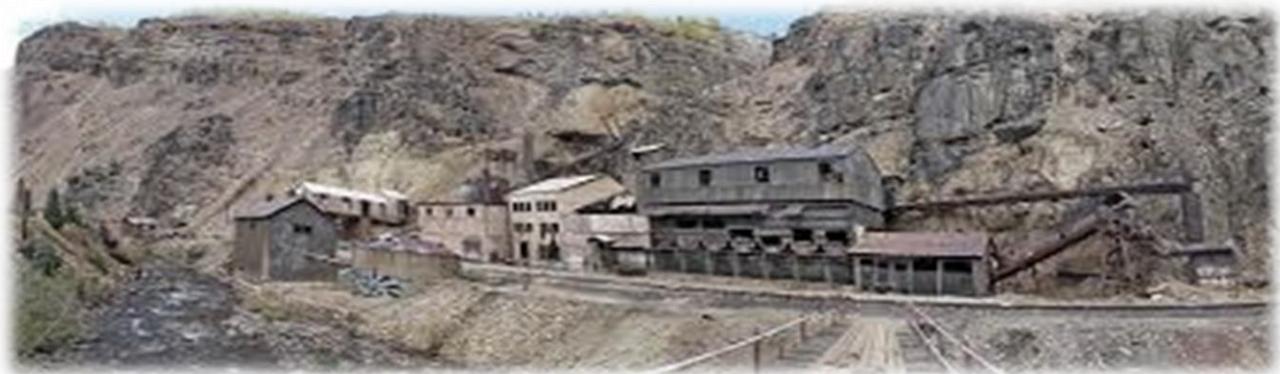
## 3. Compliance Assistance

- *MSHA will work with stakeholders including mine operators, industry, and labor.*
- *MSHA will share additional information through stakeholder calls and to MSHA grantees.*
- *All information will be posted on the Agency's website.*
- *MSHA will distribute materials related to this initiative and provide compliance assistance through [Educational Field and Small Mine Services](#) staff. The staff will provide compliance assistance and outreach to mine operators, unions and other mining community organizations to promote and advance protections for miners.*

## 4. Miners' Voice

- *MSHA will reinvigorate efforts to educate miners about their rights to make hazardous condition complaints and their protections against retaliation and discrimination.*
- *MSHA will ensure that miners are aware of their right to:*
- *Accompany an MSHA inspector.*
- *Obtain an immediate MSHA inspection if they believe safety or health hazards exists.*
- *Identify hazardous conditions and refuse unsafe work without fear of retaliation and discrimination.*
- *Additional information will be posted on the MSHA's website.*

The recently launched **MSHA initiative** is intended to take immediate action to reduce the risks of silica dust exposure as the department's development of a mining industry standard continues.



# Do You Know Your Local Safety Legislation?

HERE'S HOW IT IMPACTS YOU AND YOUR LONE WORKERS

For more than 50 years and across as many states, OSHA has protected workers from all industries in the US. They do this through their roughly 2,000 safety inspectors who make sure that employers are following the safety legislation, standards and regulations for not only their entire workforce, but their lone worker in particular.

As you'll see below, not only do employers and companies have a moral obligation to protect their workers and employees, but they also have a legal one. Under the Occupational Health and Safety Act of 1970, regulations regarding lone worker safety have been predominantly guided by two core standards.

## Lone worker legislation in the United States

Unlike our Canadian neighbors to the north, the United States does not have federal, country-wide legislation to protect the safety of their lone workers. Instead, these people are protected by different legislation and regulations that vary from industry and state.

## OSHA 1915.84: Working alone

**1915.84(a)** Except as provided in [§ 1915.51\(c\)\(3\)](#) of this part, whenever an employee is working alone, such as in a confined space or isolated location, the employer shall account for each employee:

**1915.84(a)(1)** Throughout each work shift at regular intervals appropriate to the job assignment to ensure the employee's safety and health; and

**1915.84(a)(2)** At the end of the job assignment or at the end of the work shift, whichever occurs first.

**1915.84(b)** The employer shall account for each employee by sight or verbal communication, maintaining lone worker safety is an important employer responsibility to properly protect lone workers, organizational leadership must consider OSHA regulations, lone worker safety best practices, and employee needs and expectations.

It is important to point out that [safety standard 1915.84 Working alone](#) is for shipyard employment, however it is very applicable to improving lone worker safety in all sectors. This standard requires employers to ensure lone workers can be accounted for through visual or verbal communication, which includes automated check-ins and any other means to confirm their safety and well-being. This type of communication can be automated or manual check-in, depending on your safety circumstances and needs.



## OSHA Section 5(a)(1): General Duty Clause

(a) Each employer —

- (1) shall furnish to each of his employee's employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;

- (2) shall comply with occupational safety and health standards promulgated under this Act.

(b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

The [General Duty Clause](#) under the OSH Act requires employers to provide safe work environments that do not present any dangerous work safety hazards. In order to determine if the work environment has any occupational safety hazards and risks, perform regular hazards assessments of the area as well as circumstances.

## Lone Worker Legislation & Policy in Washington State

As we said earlier, US safety legislation and regulations can differ from each state.

Leading the way in 2020, Washington State passed [RCW 49.60.515: Sexual harassment and assault policy](#)—Adoption of by hotel, motel, retail, or security guard entity, or property services contractors—Requirements. This legislation protects the mentioned workers from sexual harassment and assault, as well requires the employer to provide an emergency panic button.

A year later in 2021, the Washington State Department of Labor and Industries released "[Working Alone Safely: Controlling the Risks of Solitary Work](#)" which covers their recommendations on a range of important lone worker-related areas such as safety regulations, safety training, as well as emergency response.

## Lone Worker Legislation & Policy in California

In California, the government passed [Title 8, Section 3395, California Code of Regulation: Heat-Illness Prevention in Outdoor Places of Employment](#), which protects people working in the heat through training requirements as well as provision of water stations and shaded break/rest areas. There is reference to lone workers in section f where it is stated:

"Ensuring that effective communication by voice, observation, or electronic means is maintained so that employees at the work site can contact a supervisor or emergency medical services when necessary.

*An electronic device, such as a cell phone or text messaging device, may be used for this purpose only if reception in the area is reliable. If an electronic device will not furnish reliable communication in the work area, the employer will ensure a means of summoning emergency medical services.”*

### **H.R.1195 - Workplace Violence Prevention for Health Care and Social Service Workers Act**

As a result of increasing assaults of US healthcare workers and social service workers, Congress passed [H.R.1195 - Workplace Violence Prevention for Health Care and Social Service Workers Act](#) in 2021, which requires the Department of Labor to address these assaults and violence within healthcare, social services, and related sectors.

### **Working alone in hotels – Panic Button Legislation**

In addition to Washington State, a growing number of districts and states are requiring hotel and hospitality employers to provide panic buttons to their lone working staff. The first was New Jersey state in 2019, with Illinois following their lead and then several US cities including Oakland, Miami Beach, Seattle, Chicago, Santa Monica, and Sacramento passing similar panic button mandates.

### **Duty of care**

In addition to OSHA safety regulations, employers must also be morally responsible and practice duty of care, which, according to the Oxford Dictionary, means, “a moral or legal responsibility not to allow someone to be harmed.” In this case, we are obviously referring to lone workers and duty of care means going the extra mile to provide a safe work environment for their vulnerable team members; even when working outdoors.

When it comes to duty of care, it will vary from organization to organization and team to team. Look at each of the safety hazards identified in your hazard-risk assessments and exhaustively explore strategies to mitigate these hazards and risks.

### **Growing issue**

In addition to the OSHA regulations, we are beginning to see a growing number of industries that are addressing the specific issue of lone worker safety. For example, the hotel and hospitality industry addressed the very serious issue of violence and assault with their staff, and a number of jurisdictions have passed laws requiring panic buttons be provided for at-risk staff.

Additionally, lone worker safety is being prioritized on other industries that require solitary work such agriculture, healthcare and utilities. These sectors present their own unique safety hazards to lone workers and they must be assessed and mitigated promptly and properly.

### **Educate and communicate**

While it is unnecessary for every employee to have this legislation memorized, it is important to communicate how the legislation impacts their job and benefits their safety. Strict rules and regulations can be tough to implement and practice, however when the team is educated about the benefits, they will be more willing to get on board. Provide the legislation in an accessible place (preferably online) as well as updated information about why it matters to that particular company and work.

### **Safer and happier**

Remember, this legislation can be used as a structure for your safety protocols and program. Look at the health and safety needs of your team and immediately look at ways to address those issues.

Prompt action is important. Taking safety legislation and practicing duty of care not only demonstrates that the employer is compliant with local law, but that they care about their employees and lone workers. When employees feel cared for, they are usually happier and perform better work, resulting in a number of long-lasting benefits on multiple levels. Look at the legislation in comparison with your safety hazards, and develop strong safety strategies that will improve the safety – and happiness – of your team.

**MJS Legacy Safety can help with your Workplace Safety Solutions**

**We are your One Stop Safety Shop**

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