

## MJS Legacy Safety Consulting Services LLC

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

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

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

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### **The U.S. Department of Labor's Occupational Safety and Health Administration civil penalty amounts based on cost-of-living adjustments for 2025...**

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



Here are some details about **OSHA civil penalty amounts for 2025:**

- **Repeat violations:** The maximum penalty for a repeat violation is \$165,514.
  - **Serious, Other-Than-Serious Posting Requirements:** \$16,550 per violation.
  - **Failure to Abate:** \$16,550 per day beyond the abatement date.
  - **Employer size:** Employers with 50 or fewer employees are eligible for a civil penalty reduction based on size.
- Visit the [OSHA Penalties page](#) for more information.
- Inspections, Citations, and Proposed Penalties Standard Number: [1903.15](#)



### **Safety for Everyone**

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

- ▶ **DOL's OSHA Civil Penalties for 2025** [read more...](#)
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- ▶ **Head Protection: SAFETY HELMETS IN THE WORKPLACE SAFETY AND HEALTH INFORMATION BULLETIN** [read more...](#)
- ▶ **ISEA Releases Updated Dropped Objects Standard**  
About every 10 minutes, a worker in the U.S. is struck by an object that fell from above. [read more...](#)
- ▶ **Safety Protocols for Managing High-Temperature Operations in Metalworking** [read more...](#)
- ▶ **7 Essential Strategies to Safeguard your Data Center Against Electrical Hazards**  
Data centers may not appear to be hazardous at first glance. However.... [read more...](#)
- ▶ **The Dangers of Workplace Dust: Why it's Crucial to Prioritize Air Quality** [read more...](#)



### ▶ Employers to Keep Employees Informed

A new topic every month.....

- Workplace Public Health Rights Poster Effective January 1, 2025 [read more...](#)
- Protecting Personally Identifiable Information (PII) Fact Sheet [read more...](#)

### Your Right to Know

## TRANSPORTATION NEWS SUMMARY

- ▶ **Reminder - Federal Drug Testing Custody and Control Form Mandatory...** [read more...](#)
- ▶ **DOT 2025 Regs Violation Penalty Increases** [read more...](#)
- ▶ **2025 International Roadcheck inspection blitz** May 13-15  
Emphasis this year will be drivers' records of duty status (RODS) and vehicles' tires. [read more...](#)
- ▶ **Colo. Law: Move Over for Me ~ IT'S THE LAW ~** [read more...](#)
- ▶ **CVSA Releases New Out-of-Service Criteria for 2025**  
Driver Out-of-Service Criteria Updates [read more...](#)
- ▶ **New Survey Reports Majority of U.S. Fleet Professionals Say Stress Impacts Driving Performance** [read more...](#)



### ▶ **Bipartisan Bill to Increase Safe Highway Truck Parking Reintroduced**

...addressing the dangerous, nationwide shortage in safe, accessible parking spaces for large commercial trucks. [read more...](#)

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

### ▶ **GOT Truckers Act – 'It's ONLY FAIR'**

A renewed effort to guarantee overtime compensation for employee truckers is underway. [read more...](#)

### ▶ **FMCSA Adds Four Crash Types to Non-Preventable List**

The addition brings to 21 the total number of crash types included in the program. [read more...](#)

### ▶ **Gen Z: WELCOME TO THE TRANSPORTATION WORKFORCE**

Amongst their attributes, Gen Z has never known a world without the internet. [read more...](#)

### ▶ **MSHA is now on FACEBOOK and INSTAGRAM!** [read more...](#)

### ▶ **MSHA Safety Alert - 2025 Fatalities – Focus** [read more...](#)

### ▶ **STAY OUT - STAY ALIVE**

Active and abandoned mine sites are dangerous & potentially fatal [read more...](#)

## MSHA NEWS SUMMARY



## MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

### ▶ **A Guide to Building a World-Class Safety Culture**

A strong safety culture can help your organization have fewer accidents and ensure everyone knows they are collectively accountable. [read more...](#)

## COVID/RSV/FLU INFORMATION/RESOURCES SUMMARY

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



## "Training Spotlight"

(a different course will be featured monthly)

### > HYDROGEN SULFIDE AWARENESS COURSE

Our Hydrogen Sulfide Awareness course meets the requirements of the ANSI Z-390-2017 Standard for Hydrogen Sulfide Awareness training. This 4 hour course covers what hydrogen sulfide is, where it can be found, and what employees need to do to protect themselves when working on job sites where hydrogen sulfide may be possible. Respiratory protection, air monitor use and care, control measures, and industry best practices are also covered. Upon completion of this course students will receive a wallet card and certificate. Per the ANSI Z-390 standard, the training should be renewed on an annual basis.

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

#### Schedule of classes April 2025: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- \*PEC Safeland Basic Orientation: **NEW 2021 SAFELAND**: Apr 8, 17; 8 – 4:30;
- \*First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): Apr 9, 18; 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]: Apr 9, 18; 12:30 – 4:30;  
*This class available via Instructor Led video conference*
- \*Confined Space Entry Training - Attendant, Supervisor, Competent Person & Entrant [NUCA Course]: Apr 4;

To sign up for one of these classes, or inquire about scheduling a different class,  
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325

Need any classes in Spanish? Contact Carrie to schedule.

For any last minute schedule updates, go to [mjslegacysafety.com/training-calendar](http://mjslegacysafety.com/training-calendar)

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

#### — FEATURED TRAINING PROGRAMS —

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

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

Want to schedule a class  
On-Site at your Facility...

~ or ~

Attend a class at our  
Training Center?

Just give us a call !!

#### Need Help With

- ISNetwork
  - PEC/Veriforce
  - NCMS
  - Avetta/BROWZ
  - TPS ALERT
- CALL US!!!**

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

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

#### SOURCES FOR THIS ISSUE

INCLUDE:  
OSHA  
FMCSA  
ISHN  
US DOL  
EPA  
ISEA  
MSA The Safety Company  
Transport Topics  
Driveway  
Automotive Fleet  
Congresswoman  
Angie Craig –  
Women in  
Trucking  
CVSA  
DOT





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

## Drug Testing

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



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

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

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

**Take Care of your Mental Health!**

A healthy mind is very important  
for a healthy body!

## REPORT A FATALITY OR SEVERE INJURY



- [Federal law](#) requires all employers to notify **OSHA** when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye.
- A fatality must be reported within 8 hours.
- An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.

### To Make a Report

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

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

[Learn more about OSHA's severe injury report data, and the severe injury reporting requirement.](#)

## IMPORTANT UPDATE: PHMSA Random Drug Testing Rate Increase for 2025

There is an important regulatory update from the Pipeline and Hazardous Materials Safety Administration (PHMSA) that may impact your compliance obligations.

Effective January 1, 2025, PHMSA has increased the minimum annual random drug testing rate for covered employees from 25% to 50%. This change applies to operators of gas, hazardous liquid, and carbon dioxide pipeline facilities, as well as liquefied natural gas (LNG) plants and underground natural gas storage facilities.



The updated testing rate reflects data from PHMSA's Drug and Alcohol Management Information System (DAMIS), which showed a positive random drug testing rate exceeding 1% for the calendar year 2023. As a result, the higher rate is being implemented to further enhance workplace safety and compliance across the industry.

### Key Takeaways:

- Starting in 2025, you must ensure that at least 50% of your safety-sensitive employees are randomly selected for drug testing annually.
- Review your current random drug testing processes and adjust to meet this requirement.
- Ensure accurate recordkeeping of your drug testing program for compliance and audits.

Additionally, PHMSA will continue to enforce Multi-Factor Authentication (MFA) for DAMIS reporting, so please ensure your team is equipped to meet this requirement.



## 2025 Fees for Student Course Completion Cards for Outreach Training Program

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

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

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

[Authorized outreach trainers and online providers](#)

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

### MJS Legacy Safety

is an Authorized Outreach Trainer.

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

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

Give us a call!

**DEADLINE WAS MARCH 2<sup>ND</sup>** ...



... Collecting data on workplace injuries and illnesses is an important element of the **Occupational Safety and Health Administration's** mission to **improve workplace safety and health.**

Establishments in [certain industries](#) **Must Submit Required Injury And Illness Data** for each calendar year by **March 2** of the following year using Form 300A.

OSHA's Form 300A (Rev. 04/2004)  
**Summary of Work-Related Injuries and Illnesses**

Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(a)	(b)	(c)	(d)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
0	0
(e)	(f)

Injury and Illness Types	
--------------------------	--

**Employers must post their most recent Summary of Work-Related Injuries and Illnesses (Form 300A) from February 1 through April 30 in a visible location for their employees' awareness.**

OSHA provides a [secure website](#) that offers three options for injury and illness data submissions. If your establishment is required to submit this data, you must use OSHA's [Injury Tracking Application](#), or ITA. At this link you'll find detailed information on the following:

- Launch the Application
- Who is covered by this reporting requirement?
- What must covered establishments submit?
- FAQs
- When must covered establishments submit their completed Form 300A?
- Job Aids (How-To)
- How do I submit my establishment data?

All current and new account holders must connect your ITA account to a [Login.gov account](#) with the same email address in order to submit your data.

**Need more assistance?** Use the [help request form](#).

To report safety and health violations, file a complaint, or ask safety and health questions, call 800-321-6742 or visit [osha.gov/ContactUs](#).

## 2025 Trench Safety Stand Down

June 16-20, 2025

The event traditionally occurs in mid-June around the third week, along with June 2025 to be declared the sixth annual "[Trench Safety Month](#)". TSSD formally ends around August 15th of each year, with final submission of attendee forms.

### What is a Safety Stand Down?

A **Safety Stand Down** presents the opportunity for employers to talk directly to employees and others about safety. These **Stand Downs** will focus on trench & excavation hazards and reinforce the importance of using trench protective systems and protecting workers from trenching hazards.

### Trench Safety Stand Down Week Goals

TSSD was first held in 2016 by **NUCA**, with **OSHA** joining as a partner a year later. The goal of the event is to reach out to the many workers who work in and around trenches and excavations to provide them with information about current excavation requirements and safety procedures for working in trenches. By reaching as many workers as possible we can reduce the number of fatalities and serious injuries that occur each year in our industry, and make others, such as municipal and industry workers who are also exposed, aware of these serious hazards.

### Who Can Participate?

Anyone who wants to prevent trenching and excavation hazards in the workplace can participate in the **Stand Down**. We encourage utility construction, residential, highway construction, plumbers, military, unions, associations, educational institutes, and safety equipment manufacturers to participate. Please see [links](#) for more details and materials to use during your **Stand Down** week.





## Introduction

**OSHA** regulates head protection for general industry, construction, and maritime and requires employers to ensure affected workers wear appropriate head protection. This [Safety and Health Information Bulletin](#) (SHIB 3-6-2024) provides information for employers and employees when selecting PPE for head protection. This SHIB also provides instructions for properly inspecting and storing head protection. With a thorough understanding of the benefits and capabilities of head protection options, employers and workers can make informed decisions on selection and use.

## Background

Proper head protection is crucial in work environments with falling objects, struck-by, overhead electrical hazards, and risks from slips, trips, and falls. Both scientific understanding of head injuries and head protection technology continues to advance. Modern head protection, whether it's a safety helmet or a hard hat, varies in styles and levels of protection, allowing employers and workers to choose head protection appropriate for the job. OSHA's head protection standards state that there can be compliance through ANSI Z89.1-2009, 2003, and 1997: published by the International Safety Equipment Association (ISEA). The range of products available today allows employers and employees to select the right type of head protection for the job, comply with the requirements of all OSHA standards (general industry, construction, maritime), and obtain optimum head protection.

## ISEA Releases Updated Dropped Objects Standard

ISEA's newly revised standard is the global touchstone for preventing dropped objects.

About every 10 minutes, a worker in the U.S. is struck by an object that fell from above. It's a hazard that the International Safety Equipment Association (ISEA) is striving to mitigate with the release of its newly revised American National Standard for Dropped Object Prevention Solutions ([ANSI/ISEA 121-2023](#)).



"This is the world's only standard for dropped objects protection," said ISEA President & CEO Cam Mackey. "Our original standard was written from scratch — which is very rare — back in 2018. The latest update is the result of hard work and enormous dedication by our Dropped Objects Product Group members."

The new standard establishes minimum design, performance, testing and labeling/markings requirements for solutions that reduce dropped objects incidents in industrial and occupational settings. It focuses on active solutions workers should use to prevent falling objects, rather than addressing passive solutions (which are often ineffective) or personal protective equipment (PPE) which do not prevent objects from falling.

ANSI/ISEA 121-2023 provides employers with:

- Clear guidance to minimize the risk of dropped object incidents.
- Minimum design, testing and performance criteria.
- Information on the four active controls:
  - Anchor attachments (i.e., attachment points designed to be field installed on structures, equipment or workers, to provide appropriate connection points for tethering).
  - Tool attachments (i.e., attachment points designed to be field installed onto tools or equipment to provide appropriate connection points for tethering).

- Tool tethers (i.e., lanyards or materials designed to connect tools to approved anchor points).
- Containers (i.e., buckets, pouches and bags designed to carry or transport tools and equipment to and from heights).

### Falling Objects Different than Human Falls

While falling object protection differs from human fall protection, the stakes are equally high. Not only is anyone below an unsecured object at risk of injury or death, but the risk of collateral damage to other equipment, to machinery, to building surfaces, to vehicles and more is also enormous. A wrench dropped from several stories up can burst a pipe down below and cause major flooding damage, for example.

"Far more industries face risks from falling objects than they do from human falls," said Nate Bohmbach, Senior Director of Product Management at Ergodyne. "Safety at heights means not only securing anyone working above but ensuring that nothing on them or around them can detach and drop on anyone — or on any machinery or building surfaces — below."

Dropped objects protection isn't simply a good idea — it's a compliance issue. The Occupational Safety and Health Administration (OSHA) requires all employers to address falling/dropped objects hazards on the job. OSHA included requirements both in its General Industry (1910.23; 1910.28) and Construction (1926.451; 1926.501; 1926.759) standards.

"It's important for everyone to understand what a tethering system is and how it works and why no one should be using duct tape or twine to try to secure things," added Bohmbach. "The global best practice for dropped object prevention is tethering equipment that meets this revised standard."

### Get the Revised Standard Today

A copy of [ANSI/ISEA 121-2023](#) is available from ISEA online at <https://safetyequipment.org/our-standards/>.



# Safety Protocols for Managing High-Temperature Operations in Metalworking

The high temperatures in metalworking are necessary to shape and manipulate metals into desirable and useful objects — everything from the little parts holding mobile devices together to the bridges that connect cities and the cars driving on them. What's not necessary are the potential heat-related injuries. Workers are subject to significant risks due to constant intense heat during the processes, and safety protocols must be established to improve their safety and productivity.

## Understanding the heat hazards

Heat-related workplace injuries have been on the rise since 2000. The International Labour Organization reported 33.3% of heat stress-related workplace injuries in the Americas.

Workers face heat stress and long-term health complications in high-temperature metalworking operations. The processes involved expose employees to temperatures of up to thousands of degrees Fahrenheit.

Prolonged exposure to these conditions can lead to heat stress, dehydration and diminished concentration — all of which increase errors and accidents. Heat also affects productivity as fatigue sets in faster and workers' motor skills become compromised.

## Heat-related risks in metalworking

Workers in high-temperature environments are at risk for several heat-related illnesses, including the following.

### 1. Heat stress and heat stroke

*Metalworkers frequently operate in environments close to furnaces and molten metals. Handling heated materials exposes them to heat exhaustion, which can cause excessive sweating, dizziness, confusion and fainting. Such lapses can have disastrous consequences for those working near hazardous equipment and chemicals. If the symptoms are left untreated, heat stress can also escalate to a life-threatening heat stroke.*

### 2. Burns

*Direct skin contact with hot surfaces, molten metal or sparks can cause metalworkers to sustain burns — ranging from first to third degree. Welding can cause sparks or airborne molten metal fragments that lead to injury. These risks are amplified without proper protective equipment, leading to severe and often avoidable injuries.*

### 3. Respiratory issues

*These high-heat environments often involve exposure to hazardous fumes, vapors and dust from the metalworking processes. Airborne particles can contain harmful substances such as oxide fumes, carbon monoxide and silica dust. Prolonged inhalation of these toxins can lead to serious respiratory issues, including chronic bronchitis, asthma or even long-term lung disease. The risk gets exceptionally high when workstations are *not equipped with proper ventilation systems* or staff do not have appropriate respiratory protection.*



## 4. Chronic conditions

*Repetitive movements and prolonged exposure to high heat, heavy machinery and hazardous substances in metalworking can contribute to chronic health conditions over time. For example, continuously handling heavy materials may lead to musculoskeletal injuries such as back or joint pain. Prolonged exposure to vibrations from power tools can cause hand-arm vibration syndrome (HAVS), which impairs circulation and nerve function. Additionally, those exposed to high noise levels may develop hearing impairment.*

## Safety protocols for high-temperature operations

Workplace safety statistics find that a worker is injured every seven seconds, especially in risky industries like manufacturing and metalworking. To mitigate the risk and keep employees safe, companies must adopt comprehensive safety measures that consider the unique challenges of high-temperature metalworking.

### 1. Engineering controls

*Engineering controls modify the workplace environment. Employing adequate measures enhances safety, productivity and overall well-being.*

*Ventilation systems: Proper airflow is vital in high-temperature environments to reduce heat buildup and prevent the accumulation of harmful fumes. Installing local exhaust ventilation systems near welding and cutting stations can improve air circulation.*

*Thermal barriers and insulation: Protection from constant high temperatures is key. Use heat-resistant materials to insulate hot surfaces and shield workers from direct exposure to radiant heat.*



*Cooling systems: Implement workplace cooling measures such as industrial fans, air conditioning units and portable cooling devices. Innovative products such as helmet cooling devices or jackets with electric fans can significantly reduce heat exposure.*

## **2. Personal Protective Equipment (PPE)**

*What workers wear can protect them from their environment. PPE is their first line of defense so they don't easily succumb to burns, heat stress and other dangers. Selecting and maintaining proper PPE can significantly reduce the risk of injuries and enhance worker safety in high-heat environments.*

*Heat-resistant clothing: Flame-resistant materials such as Kevlar or Nomex should make up the workwear. These fibers do not melt and offer superior barrier protection against heat. They also reduce the risk of burns from hot surfaces or molten metal.*

*Welding helmets and goggles: Helmets with auto-darkening lenses protect the face and eyes from intense light and sparks during welding. Goggles provide additional protection against debris and UV radiation.*

*Boots with heat-resistant soles: Sturdy footwear protects workers' feet from high-temperature flooring. They also prevent burns from accidental contact or spills of molten metal.*

*Respirators: Masks and respirators protect against harmful airborne particles generated during welding, cutting and grinding. These particles can cause serious health complications if inhaled.*

## **3. Hydration and break schedules**

*Prolonged exposure to high temperatures can easily lead to heat exhaustion and fatigue. Hydration and regular break schedules help ensure workers remain productive and healthy since dehydration amplifies heat stress.*

*Encourage employees to stay hydrated by drinking a cup of water every 15-20 minutes while working, and set up accessible water or electrolyte drink stations. Regular, enforced breaks in cooled areas allow them to recover from heat exhaustion. It helps reduce worker fatigue and heat-related illnesses so they can maintain optimal health and productivity.*

## **4. Training and awareness programs**

*It's important to keep employees in the loop about the risks associated with high-temperature operations so they know how to respond to potential hazards. Ongoing training gives them the proper knowledge to stay safe in challenging work environments.*

*These programs should cover heat stress, emergency response drills and safe equipment use. Regular drills allow employees to handle work accidents, heat strokes, chemical spills or open flames confidently. They should also be trained to safely operate tools such as plasma cutters and welders to minimize risks.*

## **5. Ergonomic improvements**

*Ergonomics is also crucial as it plays a significant role in reducing employees' physical strain. The appropriate fittings can enhance worker comfort in high-temperature environments, thereby improving productivity and lowering the risk of musculoskeletal injuries.*

**Workstation design:** *Arrange tools and machinery to minimize unnecessary movements, reducing physical strain. Ergonomic workstation design can help workers maintain proper posture and reduce the risk of injuries caused by repetitive motions, particularly in hot environments.*

**Anti-fatigue mats:** *Using padded mats in standing work areas can help alleviate physical strain on the body. Anti-fatigue mats improve worker comfort and support their legs and back.*

## **Non-negotiables: Must-have safety equipment**

To further emphasize safety, every high-temperature operation must have the following:

- Fire extinguishers and burn kits
- Emergency eyewash stations
- Heat-resistant PPE, including gloves, helmets and clothing
- Monitoring systems for air quality and temperature
- Easily accessible hydration stations

## **Turning up the heat on safety standards in metalworking**

Given the health risks associated with the metalworking profession, it's crucial to establish a proactive approach to safety. Taking care of employees by identifying work-related risks, ensuring their work environment is safe and well-ventilated, and providing them with access to proper training and equipment can create a more productive workplace that protects staff and boosts operational efficiency.

# 7 Essential Strategies to Safeguard your Data Center Against Electrical Hazards



Data centers may not appear to be hazardous at first glance. However, their relative safety can lead to complacency, making these facilities' electrical risks increasingly dangerous. Regardless of how safe a server room may seem, data center safety is crucial, especially as the cloud and artificial intelligence (AI) sectors grow.

A data center can use up to 50 times more energy per floor space than a conventional office building. With so much electricity flowing through this infrastructure, electrical safety is essential. Here are seven strategies IT workers must employ to manage these risks.

## 1. Hardware selection and design

Data center safety starts with using the right components for a facility's needs. Legacy hardware — especially power supply units (PSUs) and distribution equipment — may be unable to keep up with servers' energy demands efficiently. Electrical faults become more likely in such a scenario.

Similarly, businesses should review their server room designs to ensure the right amount of electricity flows to each rack at any given time. Automated testing tools may be necessary in this process. Automatic load balancing solutions are also ideal, as electrical needs tend to fluctuate between moments.

Cooling systems deserve special attention. Heat management is crucial for safe equipment operations but is also typically the largest power consumer, potentially leading to excess electrical strain. Airflow-friendly server orientation and in-rack cooling can use up to three times less energy, offering a balance between temperatures and safety.

## 2. Lockout/tagout procedures

Lockout/tagout (LOTO) practices are also a central piece of data center safety training. Because servers face strict uptime requirements, employees will almost always have to work near energized equipment. As a result, they must tag out nearby PSUs and distribution systems while locking out the ones they're maintaining.

Before beginning work on any server or accompanying system, employees need to turn it off and disconnect it from power. Allowing a few minutes for electricity to dissipate after disconnection is also critical, as lingering charges can still pose shock hazards.

Multimeters are useful here, as workers can use them to determine whether a system is de-energized before handling any wires. Organizations must also periodically review their LOTO procedures. OSHA mandates that energy control inspections should occur at least annually, but quarterly reviews offer greater safety.

## 3. Cable management

Proper cable management is likewise essential. Excess bundling and tangling of wires can hamper airflow, leading to higher temperatures that may make electrical faults or related malfunctions increasingly likely. By contrast, neat, tidy cabling provides easy, safe access to components and enables better airflow.

Employees need to also keep cables clear from walkways or moving parts. Wear and tear can cause cords to fray and expose wires, creating easy-to-miss shock hazards. Zip ties and similar measures can prevent such damage by minimizing sagging cables.

Running wires under the floor or within plastic conduits is often the best way to manage cables. These approaches ensure cords are both clear from areas where they may bunch up and safe from physical abrasion, minimizing the risk of fraying.

## 4. Arc flash boundaries

*Data centers must also grapple with arc flash hazards around their power distribution systems. Faults in switchboards or other high-powered equipment can cause sudden sparks hot enough to melt or burn items up to three feet away, so boundaries and proper personal protective equipment (PPE) are necessary.*

*Arc flash boundaries consist of two primary zones — a limited approach boundary and a restricted approach one. No one can enter the first without fire-resistant and nonconductive PPE. Only a qualified worker with sufficient PPE and a documented work protocol can cross the second distance.*

*How far each line should be from the arc flash hazard depends on the kind of current, voltage level and equipment within the system. Businesses can consult with an experienced electrician to determine the risks for their specific hardware.*

## 5. Risk analysis and monitoring

*No data center safety plan is complete without a thorough risk assessment, either. Equipment, electrical usage and environmental conditions vary widely between facilities, so no two centers have identical hazards. A risk analysis will reveal the specifics about what to address and how best to manage them.*

*Because data centers are experiencing increasing demand, many will need to scale up over time. Consequently, regular re-assessments are necessary to ensure the building remains safe as its hardware and operation evolve.*

*Data center operators can go further in this practice by deploying ongoing monitoring tools. Internet of Things sensors can monitor temperature and humidity levels, among other conditions, to alert workers of issues as they arise. Businesses can then manage electrical faults or other safety incidents before they grow into larger problems.*

## 6. Fire suppression equipment

*While shocks may be the most prominent electrical hazards, electrical fires also deserve attention. High heat and energized equipment can be a dangerous combination in terms of combustion, so all data centers need to have fire suppression systems in place.*

*Generally speaking, dry pipes, which use compressed air or nitrogen instead of water, are ideal in this sector. Water or foam sprinklers may be more common, but they could damage equipment and result in costly downtime.*

*Regardless of what type of fire suppression a data center installs, the organization must inspect its condition regularly. **National Fire Protection Agency** standards [require monthly inspections for dry pipe exteriors](#) and annual ones for the interior. A qualified professional should perform these tests.*

## 7. Employee training

*As with any work environment, employee education is nonnegotiable. Businesses must develop a data center safety training program that addresses all relevant hazards and specific steps to report and manage them.*

*Testing employees before permitting them to work is ideal, as it ensures everyone understands best practices before potentially getting in harm's way. Relatedly, data center operators should consider regular reassessments to stop workers from becoming complacent.*

*Organizations may need to update their protocols and training as their facility evolves. Consequently, it's best to include educational materials and workflow policies during every risk assessment to ensure they're up to date.*

## Data center safety is a growing concern

**Data centers are growing as the world relies more on AI and other digital services. As that change occurs, ensuring electrical safety at such facilities will likewise become increasingly critical. Employing these seven strategies will keep workers safe while ensuring uptime at these important structures.**



# The Dangers of Workplace Dust: *Why it's Crucial to Prioritize Air Quality*



Dust is an often-overlooked hazard in the workplace that can lead to serious health and safety concerns. Whether you're working in an industrial environment, office, or construction site, dust can accumulate and create a range of issues. Addressing the dangers of dust is not only essential for regulatory compliance but also for the health and well-being of employees. With the right preventative measures, including proper ventilation and air filtration, employers can reduce dust-related risks and create a safer work environment.

## Types of dust and their health risks

Workplace dust can come from a variety of sources, including materials like wood, metal, chemicals, or even everyday office supplies like paper. The specific risks posed by dust depend on its composition, but the common dangers include respiratory problems, skin irritation, and even long-term conditions like asthma or lung disease.

### For example:

- *Silica dust is prevalent in industries like construction and mining. Exposure to silica can lead to a lung condition called silicosis, which causes inflammation and scarring in the lungs, reducing lung capacity and increasing the risk of lung cancer.*
- *Wood dust, common in carpentry and woodworking, can lead to respiratory problems, skin issues, and in severe cases, cancer of the nasal cavity.*
- *Metal dust from industries like welding and metalworking can cause a variety of health issues, including asthma, pneumonitis, and even long-term conditions such as chronic obstructive pulmonary disease (COPD).*
- *In an office setting, dust from everyday activities can still accumulate, contributing to allergic reactions, asthma flare-ups, and general discomfort.*

## The importance of air quality in dusty workplaces

Poor air quality due to dust exposure can lead to a host of issues. Workers in dusty environments may experience symptoms like coughing, shortness of breath, eye irritation, and throat discomfort, all of which can reduce focus and performance. Chronic exposure, even at low levels, can compound over time, leading to serious respiratory diseases and other health issues.

Ensuring good air quality in the workplace is essential for maintaining employee health and reducing the likelihood of illness caused by dust exposure. Effective dust control not only helps keep workers safe but also boosts overall efficiency by preventing health-related disruptions and sick leave.

## Mitigating dust risks: Ventilation and filtration solutions

To minimize the health risks posed by dust in the workplace, implementing proper ventilation and filtration systems is key. These systems ensure that airborne dust particles are effectively captured and removed, preventing them from accumulating in the air workers breathe.

One of the most effective solutions is installing [HEPA filters](#), which are designed to trap at least 99.97% of particles as small as 0.3 microns. HEPA filters can capture even the finest dust particles, making them an ideal choice for workplaces where airborne contaminants pose a significant health risk. Installing these filters in ventilation systems can drastically improve air quality, providing cleaner, safer air for employees.

Additionally, employers should consider implementing local exhaust ventilation (LEV) systems to capture dust at its source before it spreads throughout the workspace. LEV systems are particularly effective in high-risk environments like manufacturing and construction sites.

## Workplace policies to manage dust exposure

While ventilation and filtration systems are critical, establishing workplace policies around dust management is equally important. Employers should conduct regular risk assessments to identify areas where dust may accumulate or become a health hazard. Once identified, steps should be taken to reduce or eliminate dust exposure.

### Some key policies might include:

- *Regular cleaning schedules to reduce dust buildup on surfaces, equipment, and in ventilation ducts.*
- *Providing PPE such as masks and goggles for workers exposed to significant levels of dust.*
- *Training programs to educate employees on the risks associated with dust exposure and how to reduce their personal risk.*
- *Monitoring air quality levels using real-time sensors or regular testing can also help employers stay ahead of potential dust hazards.*

**Dust in the workplace is a serious issue that should not be ignored. From the immediate effects on worker health to long-term risks, controlling dust and maintaining good air quality is essential for any industry. A proactive approach to dust management is not only a regulatory requirement in many industries but a critical step in fostering a safe and sustainable workplace for all.**

## Requiring Employers to Keep Employees Informed

### Labor Law Posters

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

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

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

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

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

### Workplace Public Health Rights Poster Effective January 1, 2025

This poster update revises Public Health Rights regulations.

**Rule 4. Poster requirements.** A poster informing all employees and workers of their rights under HFWA and PHEW must be posted, displayed, or otherwise provided by employers and principals, as required by C.R.S. § 8-13.3-408 (HFWA), and C.R.S. § 8-14.4-103 (PHEW). All agricultural employers must post a notice of agricultural employees' rights under Part 2 of Article 13.5 of Title 8, C.R.S., as required by C.R.S. § 8-13.5-202.

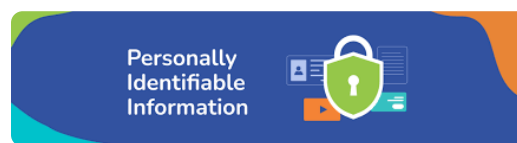
[Poster](#) (pdf)

*[See more poster information and links to posters in several other languages](#)*

### Protecting Personally Identifiable Information (PII) Fact Sheet **Revised**

(OSHA FS-4388 - 2024) (English: [PDF](#))

(OSHA FS-4389 - 2024) (Spanish: [PDF](#))



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

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



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



**COLORADO**  
Department of Revenue

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

### DOT 2025 Regs Violation Penalty Increases

The Department of Transportation published a [final rule](#) in the *Federal Register*, effective Monday, Dec 30, 2024, updating the civil penalty amounts that may be imposed in 2025 for violations of certain DOT regulations, including **Federal Motor Carrier Safety Administration** regulations focused on in trucking-company audits.

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

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

## 2025 International Roadcheck inspection blitz



The **Commercial Vehicle Safety Alliance's** annual **International Roadcheck** inspection blitz is scheduled for May 13-15, the organization announced this recently.

During the three-day high-visibility, high-volume inspection and compliance enforcement initiative, law enforcement personnel will inspect trucks and drivers at weigh/inspection stations and temporary sites, and with mobile patrols. Data from the 72 hours of **International Roadcheck** will be collected and results will be released this summer.

Each year, **Roadcheck** places special emphasis on a driver violation category and a vehicle violation category. This year, those categories will be drivers' records of duty status (RODS) and vehicles' tires. To help drivers and motor carriers prepare for this year's **Roadcheck**, CVSA created an [informational flyer](#) on this year's focus areas.

#### Driver focus: Hours of service recording

To ensure compliance with hours-of-service regulations, drivers must accurately reflect their time and duty statuses in their electronic or paper records/logs. Failure to record, complete or retain the log, or knowingly falsifying logs or other related reports, is not only a driver out-of-service violation, it also makes the driver and/or carrier liable to prosecution.

"People dealing with an issue on the side of the road are in a dangerous position, especially our first responders and others who regularly are near live traffic," said Shoshana Lew, executive director of CDOT.

"It is up to all of us, in every situation, to make the road as safe as possible when we see a vehicle pulled over on a shoulder. Move over and slow down for everyone, every time."



### Colo. Law: Move Over for Me

[HB23-1123](#) REQUIRES that drivers move over a lane whenever they encounter **ANY** stationary vehicle with its hazards flashing – and if they can't move over, they **Must Slow Down** to at least 20 mph below the posted speed limit.

~ **IT'S THE LAW** ~

# CVSA Releases New Out-of-Service Criteria for 2025

... effective April 1, 2025



The Commercial Vehicle Safety Alliance has introduced important updates to the out-of-service criteria (OOSC) for drivers and vehicles.

*This year, the changes primarily focus on mechanical components, such as brakes, tires, and suspension elements, with minor adjustments to driver out-of-service conditions.*

\*\* Notably, it will now be an out-of-service violation for a prohibited driver to accompany a driver in training, and drivers without a valid medical certificate will no longer be allowed to operate commercial vehicles transporting people or property.

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## Driver Out-of-Service Criteria Updates

A revision to Part 1, Item 3 of the **North American Standard OOSC** clarifies that "an accompanying driver of a driver with a commercial learner's permit (CLP) cannot be unauthorized to drive for any reason," according to the [CVSA announcement](#).

This update references the **Federal Motor Carrier Safety Administration's (FMCSA)** update in the *Federal Register*, which specifies that a **CLP holder must be accompanied by a valid commercial driver's license (CDL) holder who is authorized to operate the commercial motor vehicle for that trip. In other words, if a driver is in prohibited status due to a reported substance or alcohol DOT violation, they cannot accompany a CLP holder for training purposes.**

This update follows the new **FMCSA Drug and Alcohol Clearinghouse-II** regulation, which revoked the commercial driving privileges of prohibited drivers in November 2024.

In another driver OOSC update, medical certificates will be removed from **Part I, Item 4** to clarify that the **OOS condition is the same regardless of whether the vehicle is carrying property or people.** The CVSA explained that "not having a medical certificate is an imminent hazard on the first offense for a driver, regardless of the type of vehicle being driven."

## Vehicle Out-of-Service Criteria Updates

### Brakes

One of the changes from this CVSA update involves brake systems. It introduces a new OOSC for inoperative brakes caused by an unplugged electrical cable and a disconnected service gladhand. This change could lead to fewer individual OOS violations, as it serves as a catchall for any number of inoperative brakes, rather than a documented violation for each inoperative brake.

The update also removes "hoses and tubing that are crimped in such a manner as to restrict airflow" as OOS conditions since crimped air lines affect the brake release more than brake application.

### Tires

Numerous OOSC updates were applied to tires, including the following:

- If only the rubber of a mudflap is contacting a tire, this is not considered an OOS condition.
- A tire without an automatic tire inflation system (ATIS) is out of service if it has a noticeable leak in the tread area. Additionally, tires with leaks in the sidewall are considered an OOS condition, regardless of whether they have an inflation system.
- The separate OOS conditions for radial and bias tires were eliminated, combining them into a single section.

This update is especially timely, considering the vehicle violation focus area for the 2025 **Roadcheck** inspections is tires. The next **International Roadcheck** is scheduled for May 13-15, 2025.

### Suspensions

The CVSA clarified that cracked or broken u-bolt bottom plates should be considered an OOS condition. Additionally, CVSA added a note and updated a diagram "to help distinguish between the bolts and the bushings in spring hangers."

[See CVSA 2024 International Roadcheck Results](#)



# New Survey Reports Majority of U.S. Fleet Professionals Say Stress Impacts Driving Performance



A new study released by Geotab Inc. demonstrates a need for increased support for commercial fleet drivers to address rising concerns about their wellbeing and road safety.

68% of drivers report that work-related stress negatively impacts their performance, seriously affecting their wellbeing, road safety, and the economy. As challenges around driver shortages continue, the study emphasizes that investing in comprehensive driver support systems is essential to improving job satisfaction, reducing turnover, and ensuring safer roads.

High turnover rates create costs for recruiting and training new drivers, with carriers experiencing lower productivity and generally higher crash rates, according to the [National Academies of Sciences, Engineering, and Medicine](#). Replacing a single driver can cost anywhere from \$10,000 to \$20,000.

## Speeding, Congestion, and Distractions Add to Driver Stress

The Geotab study reveals the complex challenges commercial drivers face, many of which contribute to job dissatisfaction. Many drivers report regularly exceeding the speed limit to meet job demands, while 60% say congestion has made their work more challenging.

Additionally, 76% of drivers observe others using mobile phones, highlighting other risky road behaviors. These findings indicate a clear need for ongoing training focused on safe driving practices to address driver wellbeing and road safety.

*“Our research shows a direct and critical link between driver wellbeing and the overall performance of the transportation industry,”* Vik Sridhar, product leader at Geotab, said. *“The future of the transportation industry depends on a thriving workforce. Prioritizing driver support is a strategic necessity for carriers to attract and retain drivers, leading to better business outcomes and safer roads.”*

These findings underscore the importance of addressing structural challenges like an aging workforce, barriers to entry for new drivers, and lifestyle demands that don't align with commercial fleets or trucking.

## Reducing Crash Risks Through Proactive Driver Support

Poor driving results in thousands of fatalities annually. According to the **Federal Motor Carrier Safety Administration**, the average cost of a large truck crash involving a fatality is \$3.6 million per crash. Proactive support for drivers can reduce crash risks and improve overall performance.

Geotab's research demonstrates the importance of investing in driver support programs, promoting stress management techniques, and fostering a safety culture within the transportation industry. By taking these steps, companies can not only improve road safety but also gain a competitive advantage in attracting and retaining drivers.

Research findings are available in [“The Ripple Effects of Driver Stress on Road Safety and the Bottom Line”](#).

Methodology, data collection, and analysis conducted by Endeavor Business Intelligence (US) on behalf of Geotab. Data collected December 20, 2024, through January 10, 2025.

# DOT Amends Oral Fluid Drug Testing Procedures

## Part 40 Final Rule - DOT Summary of Changes



On November 5, 2024, the Department of Transportation (DOT) published a final rule in the *Federal Register* ([89 FR 87792](#)). This final rule amends the DOT's regulated industry drug testing program primarily as it relates to oral fluid testing.

### When is the final rule effective?

The final rule was effective December 5, 2024.

### What does this mean for collectors?

- 1) *The rule clarifies that a qualified urine collector ([§ 40.33](#)) is not a qualified oral fluid collector ([§ 40.35](#)), and vice-versa.*
- 2) *The rule provides temporary qualification requirements for mock oral fluid monitors.*
  - DOT clarifies that generally, a qualified collector for the oral fluid mock collections required under § 40.35(c) must be a qualified oral fluid collector and have specific experience in oral fluid collections or training.
  - Prior to this rulemaking, there were no qualified oral fluid collectors per §40.35(c)(2) to monitor and evaluate a trainee's mock collections.
  - To best facilitate the timely training of oral fluid collectors, the final rule permits an individual who is not a qualified oral fluid collector to serve as the monitor for oral fluid mock collections **ONLY** if:
    - The individual successfully completes an oral fluid "train the trainer" course (§ 40.35(c)(2)(iii)); **OR**
    - The individual conducts oral fluid collector training (§ 40.35(c)(2)(ii)).
    - DOT is waiving the requirement that an individual have at least 1 year experience conducting oral fluid collector training.
    - The individual conducting the oral fluid collector training should (1) have a thorough understanding of Part 40, (2) be well versed in the course content they are teaching, and (3) maintain records to demonstrate that the training was conducted. The course content must meet the requirements specified in § 40.35(b).

**The temporary regulatory relief outlined above will sunset one year after HHS publishes a *Federal Register* notice that it has certified the first oral fluid drug testing laboratory.**

- After the one-year period, individuals observing oral fluid mock collections (i.e., monitors) will need to comply with the qualified oral fluid collector requirements in § 40.35(c)(2).
  - So that all are aware of the effective dates of the regulatory flexibility, DOT will publish a *Federal Register* document specifying the date the first oral fluid laboratory was certified by HHS and the effective date that individuals observing mock collections (i.e., monitors) will need to comply with the qualified collector requirements in § 40.35(c)(2) established in the May 2023 final rule.
- 3) *The rule identifies which individuals may be present during an oral fluid collection*
    - An oral fluid collector must not allow any person other than the collector, the employee, or a DOT agency representative to actually witness the testing process.
  - 4) *The rule clarifies how collectors are to document that a sufficient volume of oral fluid was collected*
    - After an employee provides a sufficient oral fluid specimen, the collector must check the "Volume Indicator(s) Observed" box in Step 2 of the Federal CCF to document that the collector observed the volume indicator(s).

### Can individuals complete oral fluid collection device training and oral fluid mock collections before HHS certifies oral fluid testing laboratories?

- Yes. **However**, training on an oral fluid collection device that has not been approved for use as part of an official HHS laboratory certification package comes with the risk that the device may not be ultimately included by a laboratory with its application package to HHS and/or approved for use by HHS.
- This risk is borne entirely by the trainer and prospective collector, as DOT does not have any role in determining which particular oral fluid collection device is submitted by a laboratory as part of its application to HHS.

### Where can I find a copy of the final rule?

**NOTE:** This document is a brief summary of the rule and should not be relied upon to determine legal compliance with the rule.

ODAPC encourages affected entities, including employers and service agents, to review the final rule at [ODAPC's web site](#).

**MJS Legacy Safety** will complete our "qualified oral fluid collector" training as soon as classes are released and available.  
Questions? Give us a call!

## Bipartisan Bill to Increase Safe Highway Truck Parking Reintroduced

Recently, **Congresswoman Angie Craig** (MN-02) joined **U.S. Reps. Mike Bost** (IL-12), **Pete Stauber** (MN-08), and **Salud Carbajal** (CA-24) in reintroducing the bipartisan **Truck Parking Safety Improvement Act**. This legislation addresses the dangerous, nationwide shortage in safe, accessible parking spaces for large commercial trucks by providing U.S. Department of Transportation funding for the construction of new lots and spaces.

Currently, there are **not enough areas for truck drivers to safely park and rest on highways nationwide** – and drivers are often forced to choose **between continuing to drive or parking in unsafe locations**.

"Truck drivers keep our nation's supply chains moving, and today they are often forced to park on exit ramps that make it unsafe for them and other drivers," said Rep. Craig. "Increasing rest spot availability means a safer and more efficient road for truck drivers and everyday commuters alike, and I'm proud to work with my colleagues across the aisle on this critical issue."

"I grew up in a family trucking business," said Rep. Bost. "I know firsthand how difficult, and oftentimes dangerous, it can be when America's truckers are forced to push that extra mile in search of a safe place to park. By expanding access to parking options for truckers, we are making our roads safer for all commuters and ensuring that goods and supplies are shipped to market in the most efficient way possible. This is a matter of public safety for everyone; and I'm committed to do all I can to drive this legislation over the finish line."

"One of the most meaningful ways Congress can show its support for America's professional truck drivers is to ensure they have a safe place to park and sleep when they take their federally mandated rest break or finish their shift. The chronic lack of truck parking poses an unacceptable risk to both truckers and the nation's motoring public. Congress must step in to provide a solution," said **American Trucking Association** President and CEO Chris Spear. "We thank Representatives Bost and Craig for their leadership on this vital piece of legislation, which will increase the efficiency of our supply chain and improve highway safety for all motorists."

"Lack of safe truck parking has been a top concern of truckers for decades and as a former truck driver, I can tell you firsthand that when truckers don't have a safe place to park, we are put in a no-win situation," said Todd Spencer, President of the **Owner-Operator Independent Drivers Association**. "We must either continue to drive while fatigued or out of legal driving time, or park in an undesignated and unsafe location like the side of the road or abandoned lot. It forces truck drivers to make a choice between safety and following federal **Hours-of-Service** rules. The current situation isn't safe for the truck driver and it's not safe for others on the road. **OOIDA** and the 150,000 small-business truckers we represent thank Representative Bost and Representative Craig for listening to truckers across America and leading the charge to improve highway safety for all drivers. The bill has longstanding, broad industry support and should be a top priority as Congress begins reauthorizing our nation's highway safety programs."

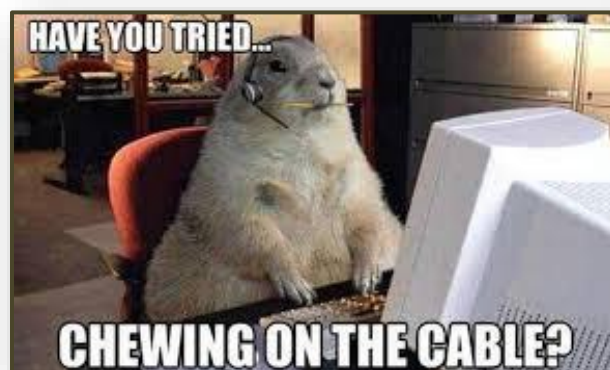


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# GOT Truckers Act – ‘IT’S ONLY FAIR’



A renewed effort to guarantee overtime compensation for employee truckers is underway.

Recently, the **Guaranteeing Overtime for Truckers Act** was reintroduced in the House and Senate. Known as the **GOT Truckers Act**, the bill would amend the Fair Labor Standards Act of 1938 to remove the motor carrier overtime exemption. It does not require companies to pay drivers by the hour. The bill would simply require that truckers receive overtime compensation – 150% of their regular rate of pay – for all of the hours beyond the standard 40-hour work week.

Reps. Jeff Van Drew, R-N.J., and Mark Takano, D-Calif., introduced [HR1962](#), while Sen. Alex Padilla, D-Calif., introduced [S893](#).

The Owner-Operator Independent Drivers Association supports the **GOT Truckers Act** and launched a campaign on its [Fighting For Truckers](#) website.

*“The Fair Labor Standards Act denies truck drivers guaranteed overtime pay,” OOIDA wrote. “Unlike nearly all other blue-collar employees, this exemption means truckers aren’t guaranteed time-and-a-half pay if they work more than 40 hours a week because of traffic, bad weather or delays at loading docks. Since many truckers are often only paid for the miles they drive, they don’t get fair pay for all of the hours they work. The FLSA exemption only serves to devalue a trucker’s time.”*

## Why was an exemption granted in the first place?

The original intent of the motor carrier exemption in the 1938 act was to prevent truck drivers from being encouraged to work excessive hours. However, the opposite has happened. It is common for truck drivers to work 70 hours in a week while receiving a base pay similar to what someone would make in a 40-hour week.

Van Drew, who also introduced the bill in the previous session, said it is time to compensate truckers fairly.

*“I for one do rise in support of removing the exemption under the Fair Labor Standards Act,” Van Drew said during a hearing in 2023. “It denies truckers guaranteed overtime pay. Any other industry or business, when you work hours and hours over your regular time, you get paid overtime. It’s only fair, and truckers work harder than just about anybody else, so it makes it even more fair.”*

The change would apply to company drivers, but OOIDA contends that forcing shippers and receivers to value a trucker’s time will also benefit owner-operators.

*“This law won’t tell the U.S. DOT how to regulate working hours or set pay rates for truckers,” OOIDA wrote. “It merely levels the playing field for truckers and nearly every other worker in America.”*

## No taxes on overtime?

The bill to remove the motor carrier overtime exemption is even more important now that President Donald Trump has pledged to eliminate taxes on overtime wages.

Trump promoted the idea during his election campaign and then mentioned the plan during his address to Congress on March 4.

*“The people who work overtime are among the hardest working citizens in our country,” Trump said during a campaign speech in September 2024.*

The bipartisan **GOT Truckers Act** would not only enable employee truck drivers to receive overtime compensation but also allow them to receive a tax break if Trump’s plan comes to fruition.



# FMCSA Adds Four Crash Types to Non-Preventable List

*The addition brings to 21 the total number of crash types included in the program.*



Federal trucking regulators have added four non-preventable crash types to their list of 17 accidents that will not be included in the calculation of a motor carrier's safety performance records.

The last time non-preventable crash types were added to the [Crash Preventability Determination Program](#) used to determine fleets' safety scores was 2023. The **Federal Motor Carrier Safety Administration** administers the list.

Eligible crashes modify information in the agency's [Safety Measurement System](#) to distinguish preventable from not preventable crashes. Under the CPDP, a motor carrier involved in an eligible crash may submit a *Request for Data Review* with a required police accident report and other supporting information — such as documents, photos or videos — through the agency's DataQs system. Crashes determined to be not preventable through the CPDP are removed from the calculation of the Crash Indicator Behavior Analysis Safety Improvement Category in the SMS but are still listed on the website. Not Preventable determinations are also noted in FMCSA's Pre-Employment Screening Program, which carriers use when reviewing the driving record of a potential new hire.

The new additions to the CPDP include crashes when:

- a CMV was struck on the side by a motorist operating in the same direction.
- a CMV was struck because another motorist was entering the roadway from a private driveway or parking lot.
- a CMV was struck because another motorist lost control of their vehicle.
- any other type of crash involving a CMV where a video demonstrates the sequence of events of the crash.

Across these categories, FMCSA said preventability will be determined according to the following standard: "If a driver, who exercises normal judgment and foresight could have foreseen the possibility of the accident that in fact occurred and avoided it by taking steps within his/her control which would not have risked causing another kind of mishap, the accident was preventable."

In written comments, the industry largely supported the additions to the program, also suggesting 15 additional accident types that FMCSA officials declined to support as non-preventable.

FMCSA said 26 commenters supported the addition of the four new crash types in the program, noting that the crash type focused on the use of video evidence generated the most commentary. Several commenters addressed challenges with the DataQs system in uploading videos and requested that the system be updated to allow upload of more file types and larger file sizes.

American Trucking Associations said it has long supported the CPDP as a necessary process to ensure equal treatment of all carriers in the Compliance Safety Accountability SMS, but it said the CSA SMS should not grade motor carriers based on crashes that are not the fault of the CMV driver or carrier and should not be reflected in the CSA SMS safety record. It also raised concern about the FMCSA resources required to manage the program.

"ATA is pleased with the proposal to expand the CPDP; however, we are concerned that the increase in program eligibility will add to an already overburdened program with significant delays," ATA said. "On average, our members are experiencing a 90-day or longer turnaround time."

J.B. Hunt said it supports the program and stressed that removing non-preventable crashes from a carrier's Crash Indicator BASIC calculation will better allow FMCSA to prioritize motor carriers that are experiencing a disproportionate number of preventable DOT-reportable crashes for safety interventions. It also believes the change will benefit drivers by including more notations of not preventable determinations on their Pre-Employment Screening Program records.

Motor carrier Werner Enterprises also backed the expanded crash list.

"After reviewing the proposal, Werner Enterprises, Inc. supports the addition of four more types of crashes that are not preventable, particularly a new crash type that encompasses circumstances where a CMV was involved and video demonstrates the sequence of events of the crash," Werner said in a written comment. "Furthermore, Werner supports the proposed modifications that expand existing excludable crash types."

FMCSA said it believes that the public display of all crashes, regardless of the preventability determination, provides the most complete information regarding a motor carrier's safety performance record. However, the agency noted that the non-preventable determinations do not establish legal liability, fault or negligence by any party. "Fault is generally determined in the course of civil or criminal proceedings and results in the assignment of legal liability for the consequences of a crash," FMCSA said. "By contrast, a preventability determination is not a proceeding to assign legal liability for a crash."

# Gen Z: WELCOME TO THE TRANSPORTATION WORKFORCE

SOURCE: [Women In Trucking Staff](#)



By 2030, members of Generation Z, or those born during the late 1990s and early 2000s, are forecast to make up about 30 percent of the workforce, says Theresa Adams, senior HR knowledge advisor with the [Society for Human Resource Management \(SHRM\)](#).

Amongst their attributes, Gen Z has never known a world without the internet. They're also more ethnically diverse than older generations. As trucking companies try to attract and retain members of Generation Z, the following guidelines can help:

## Reflect Their Diversity

A more diverse universe of potential candidates is a positive. "We want all ages and backgrounds," says Marilyn Surber, principal and co-founder with the consulting firm, [Candela Professional Group](#).

Appealing to Gen Z candidates often requires a different approach than the one-size-fits-all approach to recruiting and retention that may have worked when trucking was relatively homogenous, Surber says. Today, recruiting materials should reflect the diversity of the candidates who make up Gen Z. "We have to show candidates, people who look like them," she adds.

## Use Technology to Reach Out

Because Gen Z has grown up with technology, employers recruiting candidates from this group can often benefit by reaching out through the platforms Gen Zers tend to use, such as texting and social media, Adams says. "It's really important to attract them where they're looking," she adds.

## Emphasize Job Stability

While it's sometimes assumed that younger workers are inveterate job-hoppers, many value stability. In a recent SHRM report, nearly seventy percent of emerging professionals identified guaranteed hours or job stability as a very important factor when evaluating potential employers.

## Highlight Flexibility and Social Commitment

Many members of Gen Z are committed to social issues and sustainability, Surber says. By offering benefits that recognize this, such as the ability to take a volunteer day once per quarter, companies can boost their appeal with these candidates.

Many Gen Zers are used to working where, when, and how they want. As a result, they tend to value flexibility, Adams says. In positions where it makes sense, offering the opportunity to work remotely can also help in attracting candidates.

## Point Out Earnings Potential and Relatively Low Investment

As the cost of college education rises, trucking careers can become more attractive, given the generally lower investment of time and money required to get started. "You can maximize your income with less time and investment upfront," Surber says.

The key is communicating the opportunities available, as well as the ability to make a good wage, Adams says.

## Train Managers Working with Gen Z

The pandemic lockdowns occurred as many members of Gen Z were in their teens and beginning to learn to navigate the world as adults. This, along with the proliferation of technology, may have affected some employees' soft skills, such as professional communication and time management. Successful employers will train managers to effectively communicate with and help develop Gen Z employees, Adams says. She adds that having strong managers and supervisors are critical factors in employees' decisions to remain with a company.

## Develop Opportunities for Professional Growth

About one-third of emerging Gen Z professionals expect to stay at their next or current job for four years or more, according to the SHRM report. However, twice that many would stay if provided consistent opportunities to build in-demand skills. "This generation is hungry to learn," Adams says.

Providing a peer coach can also be helpful. "After the isolation of COVID, many want to feel like they're part of a team," according to Adams.

## Connect with MSHA

The Mine Safety and Health Administration is now on [FACEBOOK](#) and [INSTAGRAM](#)!  
FOLLOW NOW FOR MINING NEWS, REGULATIONS, AND SAFETY & HEALTH BEST PRACTICES.



## MSHA Safety Alert [\(pdf\)](#)

### 2025 Fatalities - Focus

Ten miner fatalities occurred between January 3 and March 5, 2025 – more than triple the number for the same period in 2024. Accidents classified as Powered Haulage remain the most common with four fatalities, followed by Machinery (two fatalities), and Fall of Face, Rib, Side or Highwall (two fatalities).

Four fatalities involved failures of ground or coal rib conditions. Four fatalities involved improper maintenance or unsafe operation of equipment. One fatality involved explosives, and another involved not locking and tagging out equipment.

The **Mine Safety and Health Administration** asks you to remain vigilant every day at our nation's mines. Fatalities can be prevented by implementing effective safety and health programs. Important elements in any safety and health program include workplace examinations, hazard recognition and avoidance, and training. To prevent serious and fatal accidents, everyone in the mining industry needs to be alert for hazards.

**MSHA** is urging the mining community to focus on identifying and eliminating safety and health hazards. When we work together, we can succeed in improving safety and health for miners.

### Best Practices:

- *Conduct examinations prior to working or traveling near ribs and highwalls. For highwalls, conduct more frequent examinations after periods of rain, freezing, and thawing.*
- *Operate and maintain equipment in accordance with manufacturer's recommendations.*
- *Clear and remove all persons from the blast area unless suitable blasting shelters are provided to protect persons from flyrock.*
- *Develop and implement policies and procedures to ensure tasks are performed safely.*
  - Train miners in safe maintenance and repair procedures. This includes safe access, lock out/tag out, and blocking equipment against hazardous motion.
  - Train miners on how to identify hazards and unsafe work practices and give them the ability to stop unsafe activity.

## With spring coming, hiking & exploring will be ramping up.....

### Active and abandoned mine sites are dangerous & potentially fatal

There are approximately 14,000 active mines and about 500,000 abandoned mines throughout the nation. There are mines in every state. This makes the possibility of encountering an active or abandoned mine likely in those areas.

Active and abandoned mine sites pose serious risks to people untrained and unfamiliar with the site. Each year, explorers, hikers, and off-roaders are injured or killed while exploring, swimming, or playing on a mine property.

As students return to school while the weather is still warm and water seems inviting, it is more important than ever to remind people to stay out of abandoned or active mine sites like quarries, tunnels, and pits.

**Stay Out, Stay Alive** is a nationwide public awareness campaign to educate children and adults about the hazards of exploring and playing at active and abandoned mine sites. The safety initiative's primary mission is to remind people of the one and only key safety practice when encountering an active or abandoned mine site.

### That is: **STAY OUT - STAY ALIVE**

[Learn more](#) about the different hazards found at mining operations.

*Miners have the right to file hazardous complaints, and are required by law to report all mining accidents immediately – within 15 minutes of when the operator knew or should have known about the accident.*

*Miners can call or email any MSHA inspector or office, call our 24/7 hotline at 1-800-746-1553, or report online through MSHA's [Hazardous Condition Complaint system](#), or use the Miner Health and Safety app.*



Check out the [Health Tool](#) for miners

## A Guide to Building a World-Class Safety Culture



A strong safety culture can help your organization have fewer accidents and ensure everyone knows they are collectively accountable. Additionally, when employees recognize their workplace prioritizes their well-being, they will feel more trusting and show a greater commitment to their employers, which could result in better productivity. Follow these essential steps to create and maintain a safety culture peers notice and want to follow.

### Get inspiration from others

Building a safety culture from the ground up is not always easy, which is why those involved in that task should begin by looking for examples of what other companies have done. Their choices can inspire others and shape their decisions. When involved in such a substantial task as safety culture, the best approach is to see what has worked well elsewhere instead of proceeding without those insights.

It is similarly beneficial to ask workers what changes they would like to see as your organization develops a safety culture or strengthens an existing one. Many appreciate inclusion in this process, likely making them more eager to participate.

### Identify and address the workplace's main safety risks

Safety managers and other authorities must find and target the primary dangers in the work environment and do what they can to reduce them. The specific steps taken depend on the hazards identified. If the threat is an industrial machine, a proactive step would be to install guards so the equipment will not operate without them. Alternatively, stair treads and protective footwear can minimize slip-and-fall instances.

Also important is appropriate signage that clearly communicates the risks and what people should do to stay safe. Consider the languages spoken among the workers and design the signs to eliminate language barriers.

One of the easiest and most effective ways to find dangers in the workplace is to walk through the environment and observe people. Watch how they perform their duties, which equipment they use and whether their jobs involve chemicals or other substances. Collecting that information makes it easier to pinpoint the most significant risks and effective ways to manage them.

A strong safety culture requires well-balanced workloads, too. If people feel they are always rushing to keep up with overly burdensome expectations, they may be more likely to forget or ignore certain safety procedures. Then, they are more likely to believe doing things differently "*just this one time*" won't make a difference. Unfortunately, that choice can cause accidents to happen.

### Make safety a collaborative effort

One way to integrate collaboration into a strong safety culture is to join forces with other firms that share ideals. That makes it easier to discuss the challenges and victories experienced elsewhere and learn how to overcome specific obstacles with shared input.

Working together can be a great way to keep everyone motivated and let them know they could use each other as resources. Creating new safety ideals alone can become challenging because those involved need outside feedback. However, the input from those at companies in the same or similar industry creates a valuable dialog that encourages learning from one another.

### Create a strong safety culture through continuous improvement

Although these steps can help you create an effective safety culture, professionals must keep looking for ways to enhance the current practices to resist complacency and ensure internal procedures reflect goals and growth. That might mean making training content more accessible or developing a more user-friendly way to submit safety concerns to superiors.

Another option is to have periodic safety meetings that people from all departments attend. Those gatherings will clearly show the current safety stance and which areas need the most improvement. The associated takeaways may also show executives it is time to hire external consultants who can lend their expertise to solve particular challenges.

No matter how you decide to proceed, schedule times for all involved parties to reflect on the safety culture and provide detailed feedback. This step will keep any organization and its procedures relevant.

### Stay encouraged despite perceived setbacks

To create a strong safety culture, people must show ongoing dedication and work hard. Stay focused on the bigger picture, even as challenges arise. The overall benefits of your safety culture will reap rewards in the long run.



Seasonal health issues are still affecting a lot of people.  
For your convenience, we'll continue to provide links so that you can access the most updated information.

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

- [CDC – Centers for Disease Control](#) – Important info re: [COVID-19 vaccine & boosters](#), [RSV & flu](#)
- [OSHA Fact Sheets](#) – [AVIAN INFLUENZA \(Bird Flu\)](#) – [Noroviruses](#) – [Filing Whistleblower Complaints Related to COVID-19](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [OSHA Guidance](#)
- [DOL Resources](#)

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

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

- [EARN and the Job Accommodation Network](#) (*pdf*) provides information/resources to help employers support employees with Long COVID.
- Department of Labor – [coronavirus-covid 19 long covid](#)

## News Release

### US Department of Labor terminates COVID-19 healthcare rulemaking

January 15, 2025

The U.S. DOL announced that its [Occupational Safety and Health Administration](#) has [terminated its COVID-19 healthcare rulemaking](#).

On June 21, 2021, [OSHA](#) issued an **Emergency Temporary Standard** to protect workers from **COVID-19 in healthcare settings**, which also served as a **proposed rule** on which [OSHA](#) requested **comments**. The agency **received public input** on this proposal **during multiple comment periods** and **public hearings** from June 2021 through May 2022. [OSHA](#) submitted a **draft final COVID-19 rule** to the **White House Office of Management and Budget** on Dec. 7, 2022.

On April 10, 2023, former President Biden **signed into law House Joint Resolution 7**, which **terminated the national emergency** related to the **COVID-19 pandemic**.

With the **recent announcement**, [OSHA](#) is now **terminating the rulemaking** because the **most effective and efficient use of agency resources** to protect **healthcare workers** from **occupational exposure to COVID-19**, as well as a **host of other infectious diseases**, is to **focus its resources** on the **completion of an Infectious Diseases rulemaking for healthcare**.

[Read the termination of rulemaking.](#)



From all of us at  
**MJS Legacy Safety ...**

Be safe out there!!