

Summer 2023 started out wet and wild! Looks like we'll be heading into a warm Fall!
We'll see what September brings!

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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DOL Adjustments to OSHA Civil Penalties for 2023

The U.S. Department of Labor changes to **Occupational Safety and Health Administration** civil penalty amounts based on cost-of-living adjustments for 2023.

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. In 2023, January 15 fell on a Sunday and January 16 was a federal holiday. Therefore, new OSHA penalty amounts became effective Jan. 17, 2023.



OSHA's maximum penalties for serious and other-than-serious violations increased from \$14,502 per violation to \$15,625 per violation. The maximum penalty for willful or repeated violations increased from \$145,027 per violation to \$156,259 per violation.

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

▶ **DOL Adjustments to OSHA Civil Penalties for 2023**

The U.S. Department of Labor changes to **Occupational Safety and Health Administration** civil penalty amounts based on cost-of-living adjustments for 2023. [read more...](#)

▶ **Schedule of Classes – Sept 2023** [read more...](#)

▶ **Drug Testing**

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



▶ **Report a Fatality or Severe Injury**

All employers are required to notify **OSHA** when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye... [read more...](#)

▶ **DOL Announces Rule Expanding Submission Requirements for Injury, Illness Data Provided by Employers in High-Hazard Industries — *Final rule takes effect Jan. 1, 2024, for certain employers*** [read more...](#)

▶ **Upcoming Fee Changes for Student Course Completion Cards for Outreach Training Program**
Effective Oct. 1, 2023, **OSHA** will increase the fee for new course completion cards from \$8 to \$10 per card [read more...](#)

▶ **DOL Announces Proposed Rule to Clarify Personal Protective Equipment Standard...**
Action seeks to align construction, general industry, maritime standards [read more...](#)

▶ **The Ultimate Guide to OSHA Standards on FR Clothing**
What is FR Clothing? [read more...](#)

▶ **Is Your Organization Looking To Hire Veteran Talent?**
THE U.S. DEPARTMENT OF LABOR VETERANS' EMPLOYMENT AND TRAINING SERVICE CAN HELP. [read more...](#)

▶ **What Training and Resources are Essential for Ensuring Electrical Safety?**
Electrical safety is one of the most critical industrial health-and-safety categories today. [read more...](#)

▶ *The Heat is still ON !! **Don't Wait...HYDRATE!*** [read more...](#)

TRANSPORTATION NEWS SUMMARY

▶ **Reminder - Revised Federal Drug Testing Custody and Control Form Mandatory...** [read more...](#)

▶ **DOT Implements Annual Regs Violation Penalty Increases** [read more...](#)

▶ **Meal and Rest Break Rules**

FMCSA recently **announced** that it would consider petitions for waivers from the agency's 2018 determination that California meal and rest break rules were preempted with respect to commercial drivers [read more...](#)



▶ **OIDA Applauds Bipartisan Bill to Allow Truckers Access to Restroom Facilities**

OIDA recently announced its **strong support** for bipartisan legislation introduced by U.S. Representatives Troy Nehls (R-TX) and Chrissy Houlahan (D-PA) to **ensure that truckers** have access to **restroom facilities** when they are picking up or **delivering cargo.** [read more...](#)

▶ **FMCSA Making a Run at Revamp to Carrier Safety Rating System**

Past **FMCSA** efforts to **revamp the safety rating system** proposed to **lean heavily** on carrier **SMS data**, derived largely from roadside inspections and associated violations. [read more...](#)

▶ **FMCSA finalizes lower UCR fees for 2024**

UCR fees for 2024 registration year about 9% reduced [read more...](#)

▶ **New Colo. Law: Move Over for Me — Colorado joining the ranks of just nine other states in offering robust "Slow Down, Move Over" protections to ALL disabled vehicles.** [read more...](#)

TRANSPORTATION NEWS SUMMARY cont'd

▶ Safety Groups Decry Attempts to Block Speed Limiters, OOIDA Fires Back

A number of highway safety groups joined forces to voice their opposition to legislation in both the U.S. House and Senate that, if passed, would block the FMCSA from mandating speed limiters on heavy-duty trucks. [read more...](#)

▶ More than 7,500 Vehicles Transporting Hazardous Materials/Dangerous Goods were Inspected During CVSA's Unannounced Five-Day Inspection and Enforcement Initiative

Canada and the U.S. inspected 7,572 CMV's transporting hazardous materials/dangerous goods... [read more...](#)

▶ FMCSA Should Pick Up the Pace on Broker Transparency: OOIDA

...trade association leading the charge is growing impatient. [read more...](#)

MSHA NEWS SUMMARY

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

▶ Protect Your Life: Stay Out, Stay Alive

...it is never safe to explore an abandoned mine. [read more...](#)

▶ DOL Announces Proposed Rule to Reduce Silica Dust Exposure, Better Protect Miners' Health

The proposed rule change will ensure miners have at least the same level of protections as workers in other industries. [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ The True Cost of Not Providing Employee Training

The cost of not investing in the growth and development of your employees far outweighs the cost of providing training opportunities. [read more...](#)

COVID INFORMATION/RESOURCES SUMMARY

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



“Training Spotlight”

(a different course will be featured monthly)

> FALL PROTECTION TRAINING COURSES

This class is designed to address the recognition of fall hazards in the workplace, protective measures available, and proper selection, use & care of Fall Protection Equipment in accordance with OSHA's Fall Protection standard as well as the ANSI Z359.1 requirements. Hands on practice with fall protection equipment use, selection and inspection and evaluation, and rescue planning is also covered in this course. The course can be conducted in a 4 hour Awareness of an 8 hour Competent Person session.

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

Schedule of classes September 2023: • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- *PEC Safeland Basic Orientation: **NEW 2021 SAFELAND:** Sept 1, 14, 27; 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): Sept 15, 29; 8 – noon;
In Person Classes. This class is also available for blended learning (online) with remote or in-person skills assessment
- *Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: Sept 15, 29; 12:30 – 4:30;
This class available via Instructor Led video conference

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

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

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

— FEATURED TRAINING PROGRAMS —

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

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

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

Need Help With
■ ISNetworkd
■ 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 until at least June 2023. 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
 - nsc
 - Michael Leboeuf
 - Right Mgmt
 - MSHA
 - NFPA
 - CVSA
 - US DOT
 - ATA
 - OIDA
 - Overdrive
 - PwC
 - SHIFT
 - gb advisors
 - careerone stop
 - apprenticeship.gov
 - skillbridge.osd,mil
 - hirevets.gov
 - colorado.gov

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

Drug Testing

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



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

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

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

Report a Fatality or Severe Injury

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

To Make a Report

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

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

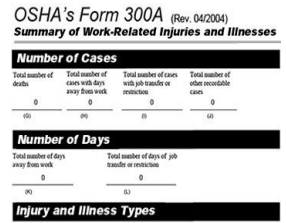




Collecting data on workplace injuries and illnesses is an important element of the **Occupational Safety and Health Administration's** mission to improve workplace safety and health.

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.

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.



If your establishment is required to submit this data, you must use [OSHA's Injury Tracking Application](#), or ITA.

The DOL recently updated the ITA as part of the Department of Labor's information technology modernization and security enhancement efforts.

What's different? 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.

Why must employers create a Login.gov account to submit workplace injury and illness data to OSHA?

Login.gov is a secure sign-in service that allows the public to access government applications using one account and password. Since October 2022, the **OSHA Injury Tracking Application** requires you to create an ITA account and then a Login.gov account to report your establishment's injury and illness data. This [video](#) explains how to create an account or log in to an existing account using [Login.gov](#).

You can find answers to other [FAQs](#) as well as detailed instructions for entering injury and illness information in the ITA.

Need more assistance? Use the [help request form](#) at the end of the FAQs.

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

DOL Announces Rule Expanding Submission Requirements for Injury, Illness Data Provided by Employers in High-Hazard Industries



Final rule takes effect Jan. 1, 2024, for certain employers

The U.S. Department of Labor recently announced a final rule that will require certain employers in designated high-hazard industries to electronically submit injury and illness information – that they are already required to keep – to the department's **Occupational Safety and Health Administration**.

The [final rule takes effect on Jan. 1, 2024](#), and now includes the following submission requirements:

- Establishments with 100 or more employees in certain high-hazard industries must electronically submit information from their Form 300-Log of Work-Related Injuries and Illnesses, and Form 301-Injury and Illness Incident Report to OSHA once a year. These submissions are in addition to submission of Form 300A-Summary of Work-Related Injuries and Illnesses.
- To improve data quality, establishments are required to include their legal company name when making electronic submissions to OSHA from their injury and illness records.

OSHA will publish some of the data collected on its website to allow employers, employees, potential employees, employee representatives, current and potential customers, researchers and the general public to use information about a company's workplace safety and health record to make informed decisions. OSHA believes that providing public access to the data will ultimately reduce occupational injuries and illnesses.

"Congress intended for the Occupational Safety and Health Act to include reporting procedures that would provide the agency and the public with an understanding of the safety and health problems workers face, and this rule is a big step in finally realizing that objective," explained Assistant Secretary for Occupational Safety and Health Doug Parker. "OSHA will use these data to intervene through strategic outreach and enforcement to reduce worker injuries and illnesses in high-hazard industries. The safety and health community will benefit from the insights this information will provide at the industry level, while workers and employers will be able to make more informed decisions about their workplace's safety and health."

The final rule retains the current requirements for electronic submission of information from Form 300A from establishments with 20-249 employees in certain high-hazard industries and from establishments with 250 or more employees in industries that must routinely keep **OSHA** injury and illness records.

The announcement follows proposed amendments announced in March 2022 to regulations for requiring specific establishments in certain high-hazard industries to electronically submit information from their Log of Work-Related Injuries and Illnesses, and Injury and Illness Incident Report.

Learn more about [OSHA's injury and illness recordkeeping and reporting requirements](#).

Upcoming Fee Changes for Student Course Completion Cards for Outreach Training Program

Effective Oct. 1, 2023, OSHA will increase the fee for new course completion cards from \$8 to \$10 per card to address significant cost changes associated with producing and distributing the cards. The new fee reflects the first cost increase since 2017.

OSHA also announced the agency will adjust the fee every two years if needed based on the Consumer Price Index.

Fees for replacement cards, established by the Authorizing Training Organizations, may also be affected by this cost increase. Workers who already have outreach cards **do not** need to request replacements.

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!

DOL Announces Proposed Rule to Clarify Personal Protective Equipment Standard, Ensure Safety of Construction Industry Workers



Action seeks to align construction, general industry, maritime standards

The U.S. Department of Labor recently announced a [notice of proposed rulemaking to clarify the personal protective equipment standard](#) for the construction industry.

The current standard does not state clearly that PPE must fit each affected employee properly, which the Occupational Safety and Health Administration's general industry and maritime standards do. The proposed change would clarify that PPE must fit each employee properly to protect them from occupational hazards.

The failure of standard-sized PPE to protect physically smaller construction workers properly, as well as problems with access to properly fitting PPE, have long been safety and health concerns in the construction industry, especially for some women. The proposed rule clarifies the existing requirement, and OSHA does not expect the change will increase employers' costs or compliance burdens. The proposed revision would align the language in OSHA's PPE standard for construction with standards for general industry and maritime.

"If personal protective equipment does not fit properly, an employee may be unprotected or dangerously exposed to hazards and face tragic consequences," explained Assistant Secretary for Occupational Safety and Health Doug Parker. "We look forward to hearing from stakeholders on this important issue as we work together to ensure that construction workers of all genders and sizes are fitted properly with safety gear."

Submit comments and hearing requests online using the [Federal eRulemaking Portal](#) and reference Docket No. OSHA-2019-0003. Read the [Federal Register notice](#) for details. Comments and hearing requests must be submitted by Sept. 18, 2023.

PPE must fit properly to provide adequate protection to employees. Improperly fitting PPE may fail to provide any protection to an employee, present additional hazards, or discourage employees from using such equipment in the workplace.

The Ultimate Guide to OSHA Standards on FR Clothing

OSHA is a federal agency whose purpose is to protect workers from hazards in the workplace. **OSHA** inspects workplaces to ensure they are



following federal guidelines. They are responsible for regulating the measures employers must take to keep their employees safe on the job including, for example, providing eye protection and offering training on how to prevent fall hazards. In terms of flame-resistant

(FR) clothing, **OSHA's Personal Protective Equipment (PPE) standard** requires employees utilize FR clothing when they are likely to be exposed to a fire hazard—among other requirements. Here is a handy guide to **OSHA standards** on FR clothing.

What is FR Clothing?

Often used as a shorthand for either flame-resistant or fire-resistant—FR clothing is an outer layer of clothing that protects against exposure to sparks, flames, and radiant heat—which can burn you if exposed to it for too long.

These specialized pieces of clothing can come in many forms. There are FR jeans and t-shirts as well as flame-resistant hoodies for those who work in colder environments. The material that these items are made from can withstand the heat and won't melt, allowing valuable time for the person to either escape danger or receive assistance. These seemingly basic clothing items can be life-saving in a workplace emergency.

Who Needs FR Clothing?

Employees working in an environment where fire hazards exist are encouraged to wear FR clothing at all times. **OSHA** states that, "employers must provide adequate protective clothing, including footwear, to all employees exposed or potentially exposed to hazards from combustible liquids or vapors." It is imperative that you are provided these essential items before any work begins.

Some of the industries that require FR clothing include:

- **Paper Production:** Paper is manufactured from wood, a classic fire-starting material. There is a heightened risk of a flash fire. Other risks include scalding and electrocution on the jobsite for these workers.
- **Electric Power:** On top of the possible exposure to mold, lead, and asbestos—these individuals are at risk of fire related injuries as their working environment reaches extreme temperatures.
- **Oil & Gas:** Manufacturing facilities that produce propane gas may require their workers to wear FR garments when around this material. This could include manufacturing plants that produce equipment used in refrigeration units.
- **Chemical manufacturers:** These employers often require workers dealing with chemicals—such as acetone and nitric acid—wear FR gear so they don't get burned by accident while working on any part of the production lines, including loading and unloading trucks.

Mandatory Standards

To enforce the **Federal Occupational Safety and Health Act**—requiring employers provide safe and healthy working conditions for their employees—**OSHA** developed **Mandatory Standards**. These standards are required by law, not just recommended or encouraged.

Violations of this **Act** carry strong penalties and include fines of up to \$129,000. These standards cover general, construction, maritime, agriculture, and forestry industries. Beyond enforcement, **OSHA** provides training, education, and assistance.

OSHA requires employees to wear flame-resistant clothing when they're exposed to any of the following four hazards:

- *Electrical*
- *Arc flash*
- *Sparks/hot work operations (such as grinding, welding, and cutting)*
- *Chemicals that emit flammable vapors, also known as RID (reactive industrial dust)*

Clothing that claims to be FR has to be tested by a third party with an independent laboratory, and the results must be submitted to **OSHA** for review.

The 269 Standard

Also called the **269 Standard (1910.269(l)(6))**, the **Enforcement of Apparel** standard provides guidance for apparel requirements regarding flame-resistant clothing. This includes acceptable types of clothing workers can use on the job. The **269 Standard** also outlines how employers should assess workplace hazards and how to keep everyone safe on the job site.

Essentially, **any clothing** made from **100 percent wool** or cotton **could be acceptable** if they are **appropriate** for the **conditions** and potential **hazards of the job**. As heat **levels rise**, these materials must **not melt**. It is ok for the **material to catch fire** or even **burn continuously**; however, **it cannot melt**. The amount of **heat required** to ignite the **material is dependent** upon a number of **factors**, including the **color of the material**.

Tip

The **National Fire Protection Association (NFPA)**—which **provides documentation** on fire related hazards—developed the **NFPA 70E standard** that **describes how to test FR clothing**. While it is a **voluntary standard**—meaning **manufacturers may** choose not to use it when **producing their products**—it is **highly recommended** you check all your **FR garments** for this rating **before buying** them.

HRC Levels

HRC—**Hazard Risk Categories**—measure the **fabric's resistance** to burning. The **higher the HRC**, the better the **garment's flame-resistant** properties. If the **FR clothing** you're looking to **purchase doesn't have** the previously **described NFPA 70E labeling**, you should look for the **HRC level** on the **care tag**.

Are You in Compliance With OSHA Standards for FR Clothing?

By **OSHA standards**, it is the **responsibility of the employer** to conduct a **Hazard Risk Assessment** to determine what **level of protection** is required for the **tasks performed** on the job. If any of **these hazards** are present, **FR clothing is required for your workers**. Without it, you are in **direct violation** and can be **held accountable** for any injuries.

To conduct a **Hazard Risk Assessment**, **Federal Regulations** require employers to assess the **workplace to determine** if **hazards** that require the **use of personal protective equipment** are **present or are likely** to be present. These **include impacts**, combustible dust, **fire/heat**, and **chemical hazards**, among others.

Protect yourself and your **employees** by following **OSHA's mandatory standards** and providing your **employees FR clothing** where necessary.

For **more information** on **FR clothing**, **mandatory standards**, and other **fire related OSHA requirements**, give **Carrie (720-203-4948)** or **Jeremy (720-203-6325)** a call!

When it **comes to protecting** your **employees' safety** on the job, we can **help you be confident** that you and your **employees are adequately protected**.

5 TIPS TO FIND VETERAN TALENT

Is Your Organization Looking To Hire Veteran Talent?

THE U.S. DEPARTMENT OF LABOR VETERANS' EMPLOYMENT AND TRAINING SERVICE CAN HELP.

Here are five quick tips to help attract veterans to your organization.

#1: Connect with a Regional Veteran Employment Coordinator.

We have six **Regional Veteran Employment Coordinators** that work with employers across the country to facilitate veteran hiring. They meet with employers to identify their needs, help them develop an action plan, and connect them with federal, state and local resources. Whether you have a small local business or are part of a national conglomerate, our coordinators can share veteran hiring best practices so you can find the talent you need to help your business succeed.

#2: Reach out to the VETS State Director.

We have **staff members** in every state. The state staff promotes relationships within the local community and can provide information on job fairs, hiring events, the **Uniformed Services Employment and Reemployment Rights Act** and more.

#3: Speak with your Local Veterans' Employment Representative.

The **Department of Labor** has **more than 2,400 American Job Centers** across the nation and many of them have staff that specializes in veterans' employment. Local **Veterans' Employment Representatives** can help you match the skills that you're looking for with veterans' resumes, post jobs, and even personally refer qualified veterans to you.

#4: Start an apprenticeship program for transitioning service members, veterans and military spouses.

Employers who want to recruit veterans can use a **Registered Apprenticeship Program** as a talent development model to attract, train and diversify their workforce. These programs help recruit a diverse and skilled workforce, reduce turnover and improve productivity. **Registered Apprenticeship** programs can be linked to **DoD's SkillBridge program** which enables employers to connect with separating service members, all at no cost.

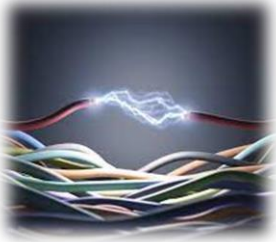
#5: Apply for the HIRE Vets Medallion Award.

Each year the **Secretary of Labor** recognizes employers for their investments in recruiting, employing and retaining veterans through the **HIRE Vets Medallion Award**. It's the only federal-level veterans' employment award. Receiving the award demonstrates that your organization is committed to veteran hiring, retention and professional development. Visit **HIREVets.gov** to learn more.

Find more ways to connect with veterans in the **VETS Employer Guide to Hiring Veterans**.



What Training and Resources are Essential for Ensuring Electrical Safety?



Electrical safety is one of the most critical industrial health-and-safety categories today. Electrification is rising across many industries, making these hazards more common and severe, so employers must emphasize caution. Mitigation steps and personal protective equipment (PPE) are important in this endeavor, but electrical safety training is essential.

Many — if not most — workplace safety incidents stem from human error. Consequently, providing the proper training and resources is central in preventing injuries. Here's what that training should include for employees working near electrical hazards.

General hazard recognition

The most foundational part of electrical safety training is learning to recognize these hazards. All employees must be able to spot threats like frayed wires or improper use of extension cords. Even workers who don't work directly with electrical systems but face comparable risk of injury from these hazards must receive this training under [OSHA guidelines](#).

Offering on-the-job training during onboarding is an effective way to cover this education. Managers should go over specific risks employees may encounter in their work, even if the workplace has never experienced an incident involving them before.

In this training, be sure to emphasize why these hazards pose a risk. Explaining what exposed live wires and similar threats can do to someone solidifies their urgency, which promotes adherence to safety policies.

Electrical theory

Employees who regularly work with electrical systems should also receive training in electrical theory. Knowing how electricity works is an integral part of journeyman electrician classes because it gives context to hazards they may encounter. It also helps recognize unusual risks their initial training may not cover and makes it easier to know how to manage each threat.

Electrical theory includes concepts like how electrical currents work, Ohm's Law, Faraday's Law and magnetism. Workers don't necessarily need collegiate-level classes on these topics, but they should have a working knowledge of them and their real-world applications.

The more employees understand how electricity works, the better they'll be able to manage electrical hazards. That's particularly important for workers who may service equipment in the field where resources are scarce and they're working alone.

Hazard communication protocols

Communication standards are another crucial part of electrical safety training. Failure to communicate workplace hazards effectively is the second most common [OSHA](#) violation, partly because they're easy to overlook. However, a clear communication standard is crucial for staying safe.

These standards include steps for telling others in the workplace about an emergency and flagging procedures for non-time-sensitive hazards. If a business doesn't operate in an industry with specific requirements or widely accepted standards under this umbrella, it should develop its own.

Color-coded labels for different hazards, written warnings about voltages and time requirements for alerting other employees are all critical factors to consider. All workers with a reasonable risk of injury from electrical equipment should receive training on these protocols, not just qualified electricians.

Equipment-specific knowledge

Employees should also undergo training on the specific equipment they'll use or encounter in their daily work. Different jobs require varying tools and infrastructure, each with unique hazards and best practices. These vary too widely for every worker to know every equipment-specific risk, so this training should emphasize what's most relevant to their situation.

Transformer repair workers must replace insulating fluid when working with fluid-filled transformers, so they must learn how to handle these substances safely. By contrast, a worker on a factory floor doesn't need this knowledge but should know where the emergency shutoff switch on an industrial robot is.

Classes for journeyman electricians should include equipment-specific risks for standard systems they may encounter, like pad mount transformers and smart thermostats. Workers in a single workplace can get by with on-the-job training about site-specific tools and their threats.

PPE guidelines and best practices

PPE is another essential component of electrical safety. Most workplaces should already recognize the need for insulating PPE, but training on how to use it effectively is easier to overlook.

It's not enough to simply equip employees with protective equipment. They must also know how to inspect it for defects, wear it properly, when to equip it and when it's safe to remove it. These steps may seem straightforward, but they're easy to forget and can dramatically impact workplace safety.

High temperatures, humidity and UV light can deteriorate rubber products, so employees should know how and why to store insulating gloves and similar PPE properly. They should also know how to report cracks, holes and other issues in line with hazard communication standards. These steps will ensure workers experience their PPE's full benefits.

Emergency response

Incident prevention is the most important focus of electrical safety training. However, businesses must recognize that even with extreme caution, accidents can still happen. Consequently, employees must know how to respond to electrical accidents.

Companies should outline specific protocols for various electrical systems-related incidents. These should include steps like shutting off a system's power, treating any resulting injuries and reporting the incident. After developing these procedures, businesses should train all employees in them.

Teams should rehearse emergency scenarios if electrical hazards are prevalent enough in a workspace. Regularly practicing these events will ensure employees don't forget response protocols.

Ongoing training

It's similarly essential to recognize that best practices in electrical safety change over time. Electrical systems are evolving and taking on new roles quickly, so professionals working with them will have to adapt.

Transformers are becoming increasingly popular cybercrime targets, so electrical workers in critical industries should receive cybersecurity training. Integrators and other employees working with building electrical systems should learn about Internet of Things devices and their unique considerations.

Businesses must regularly review changes like this in their industries to see if their training could adapt. As new technologies and best practices emerge, employees working with them should undergo updating training programs to keep up with these shifts.

Electrical safety training is crucial

Electrical hazards are common and can be highly dangerous. As electrical devices play an ever-growing role in business and everyday life, understanding how to use them safely becomes increasingly critical.

Electrical safety training must cover these seven categories. Not every employee needs extensive education, but all workers should know how to effectively recognize, manage and communicate the hazards they'll face.

The Heat is still ON !!

Remember....



Get a pdf copy of these stickers in [English](#) and in [Spanish](#) for your workplace.



Reminder - Revised 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 Implements Annual Regs Violation Penalty Increases

The Department of Transportation published a final rule in the *Federal Register*, Monday, March 21, 2022 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.](#)

Meal and Rest Break Rules

On Aug 11th the **Federal Motor Carrier Safety Administration** [announced](#) that it would consider petitions for waivers from the agency's 2018 determination that California meal and rest break rules were preempted with respect to commercial drivers subject to federal hours-of-service regulations, and from its similar determination in 2020 regarding Washington State's break rules.

In response, American Trucking Associations President & CEO Chris Spear issued this statement opposing FMCSA's action:

- "Ensuring a singular, national standard of work rules for professional drivers is crucial to both safety and the supply chain. Congress first addressed this issue decades ago by passing F4A, and the USDOT's authority to preempt state rules was unanimously reaffirmed in a 2021 ruling by the U.S. Court of Appeals for the Ninth Circuit."
- "Federal law already mandates rest breaks for drivers. Unnecessary and duplicative state laws are not grounded in safety and have been primarily enforced via private lawsuits designed to extort the trucking industry. Opening the door to this spurious litigation once again would impair the safe and efficient movement of interstate goods."
- "ATA is fully prepared to oppose this effort that would result in a confusing patchwork of regulations. We will leverage all of our Federation's resources to stop this in its tracks."

OOIDA Applauds Bipartisan Bill to Allow Truckers Access to Restroom Facilities

The **Owner-Operator Independent Drivers Association** recently announced its **strong support** for bipartisan legislation introduced by U.S. Representatives Troy Nehls (R-TX) and Chrissy Houlahan (D-PA) to **ensure that truckers** have access to **restroom facilities** when they are picking up or **delivering cargo**.

"Over 70% of America's freight is exclusively carried by trucks, yet every single day men and women truck drivers aren't allowed access to the restroom when picking up or delivering freight," said Todd Spencer, **President and CEO** of **OOIDA**. "OOIDA and our 150,000 members thank the Representatives for showing tremendous leadership on this issue and we look forward to working with them and our coalition partners to get this commonsense, bipartisan legislation signed into law."

Congressman Nehls stated, "Due to the COVID-19 pandemic, facilities across the country have shut down their bathrooms which have caused essential employees, like our truckers, not to have access to restrooms at work. Truckers are this nation's backbone, and we owe them for the tireless contributions they continue to make to keep our country moving while transporting goods on the road."

"Our economy depends on truck drivers, but we face perpetual challenges with recruitment and retention. One unique and unnecessary challenge these drivers face is lack of restroom access at delivery points while on the road. This is especially difficult for female drivers, which are a growing demographic of truckers who helped power our economic recovery from the pandemic," said Rep. Houlahan. "There's no reason truckers shouldn't have the same rights that other employees experience in their own workplaces."

"As more women enter the trucking industry, the need for restroom access increases while access to facilities has decreased. We applaud Rep. Nehls' support to require shippers and receivers to offer our drivers this very basic need," said Ellen Voie, **Founder** of the **Women In Trucking Association**.

The legislation would:

- Require retailers, warehouses, and other businesses to give truckers access to bathroom facilities when they are picking up cargo or making deliveries.
- Not require businesses to construct new restrooms. It only requires that if a business has a restroom available to their customers or employees, truckers should have the same access.
- Require the operators of ports and terminals to provide bathroom access to drayage drivers.

FMCSA Making a Run at Revamp to Carrier Safety Rating System

Past **FMCSA** efforts to revamp the safety rating system proposed to lean heavily on carrier SMS data, derived largely from roadside inspections and associated violations. With a new advance proposal, the agency is signaling at least the possibility of reviving that approach with a series of questions for carriers and the public.

The **Federal Motor Carrier Safety Administration** will soon seek public comments on how it can develop a new methodology to determine when a motor carrier is not fit to operate in or affect interstate commerce, according to a [new notice published](#) to the **FMCSA** website. To some extent, the move was expected since the agency flagged an intention to examine the safety rating system early in the year.

The **Advance Notice of Proposed Rulemaking (ANPRM)**, which has not yet been published in the *Federal Register*, will open for public comments when it does publish in the coming weeks. Assuming there are no changes in the *Federal Register* version from the version published on **FMCSA's** site, the notice says the agency will request public comment on:

- The need for a rulemaking to revise the regulations prescribing the safety rating process
- The available science or technical information to analyze regulatory alternatives for determining motor carrier safety fitness
- Feedback on the agency's current safety rating regulations, including the process and impacts
- The available data and costs for regulatory alternatives reasonably likely to be considered
- Responses to specific questions in the ANPRM

This is **FMCSA's** second attempt in fairly recent years to revamp its safety rating methodology. The agency in 2016 proposed ratings based on the carrier's on-road safety data; an investigation or a combination of on-road safety data and investigation information. **FMCSA** withdrew that rulemaking when the Trump administration arrived in 2017.

Currently, **FMCSA** uses an analysis of existing motor carrier data and data collected during a compliance review, either on-site or remotely through a review of records. The agency calculates a vehicle out-of-service rate, reviews crash involvement, and conducts an in-depth examination of a motor carrier's compliance with the acute and critical regulations and hazmat regulations.

If any factor is assessed one point, that factor is rated as "conditional." If any factor is assessed two points, that factor is rated as "unsatisfactory." Two or more individual factors rated as "unsatisfactory" result in an overall **Unsatisfactory** rating. One individual factor rated as "unsatisfactory" and more than two individual factors rated as "conditional" will also result in an **Unsat** overall rating.



This current process is "resource-intensive and reaches only a small percentage of carriers,"

FMCSA said. In 2019, for example, **FMCSA** and state partners conducted 11,671 compliance reviews out of a population of more than 567,000 interstate carriers. **FMCSA's** **Safety Measurement System (SMS)** -- which the agency called a prioritization system to identify carriers for investigation -- is not currently used in any way in computing safety ratings.

The **SMS** is yet another system **FMCSA** is in the process of potentially updating. The agency published a notice in February that, if finalized, would reorganize the current **Behavior Analysis and Safety Improvement Categories (BASICS)**, simplify violation severity weights, alter intervention thresholds, and more.

The safety-rating-related ANPRM will ask for input on potential new methods of rating. "The intended effect," **FMCSA** said, "is to more effectively use **FMCSA** data and resources to identify unfit motor carriers and to remove them from the nation's roadways." Successful rating methodologies, then, would "target metrics that are most directly connected to safety outcomes; provide for accurate identification of unsafe motor carriers; and incentivize the adoption of safety-improving practices."

FMCSA then asks 12 specific questions related to safety fitness determinations to help guide a potential proposed rulemaking down the road. The full list of questions can be [found](#) at the end of the notice. The questions include whether the current three-tiered rating system should be retained, whether **SMS** data should be used to issue ratings, how driver behavior should be incorporated into ratings, whether the use of safety technologies should be considered in carriers' ratings, and more.

New Colo. Law: Move Over for Me

THE NEW PROTECTIONS TOOK EFFECT IN AUGUST 2023.

Colorado joined the ranks of just nine other states in [offering robust](#)

["Slow Down, Move Over"](#) protections to **ALL** disabled vehicles.

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

FMCSA finalizes lower UCR fees for 2024

UCR fees for 2024 registration year about 9% reduced

FMCSA announced in a *Federal Register* notice that published Thursday, June 22nd, that it is reducing the fees for registration in the Unified Carrier Registration (UCR) Plan and Agreement for the 2024 registration year.

The fees for the 2024 registration year are approximately 9% less than fees for 2023, with varying reductions between \$4 (for the smallest carriers) and \$3,453, depending on the applicable fee bracket. The changes reduce the fees paid by motor carriers, brokers, freight forwarders, and leasing companies to the UCR Plan and the participating states.

The UCR Plan Board provides fee adjustment recommendations to the Secretary when revenue collections result in a shortfall or surplus from the amount authorized by statute. If there are excess funds after payments to the States and for administrative costs, they are retained in the UCR Plan's depository, and fees in subsequent fee years must be reduced.

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



The new fees for the 2024 registration year:

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

Safety Groups Decry Attempts to Block Speed Limiters, OOIDA Fires Back

A number of highway safety groups joined forces to voice their opposition to legislation in both the U.S. House and Senate that, if passed, would block the **Federal Motor Carrier Safety Administration** from mandating speed limiters on heavy-duty trucks.

The Truck Safety Coalition, Advocates for Highway and Auto Safety, the Trucking Alliance group of large carriers, Road Safe America, and the National Safety Council said they are "steadfastly opposed" to the *Deregulating Restrictions on Interstate Vehicles and Eighteen-Wheelers (DRIVE) Act*. Some of the same groups penned a letter to Congress in May after the House version of the DRIVE Act was introduced.

The groups cited a 71% increase in truck-involved crash deaths since 2009, claiming that "speeding continues to be a leading contributing factor in the tragic rise in truck crash deaths and injuries."

They add that speed limiters "are a proven solution to curbing traffic deaths."

"About 98% of the 62,000 trucks operated by Trucking Alliance carriers already use speed limiters, because it's safe for our drivers," said Steve Williams, CEO of Maverick USA and president of The Trucking Alliance. "The science is clear. It takes an 80,000-pound tractor-trailer rig much farther to stop when going 80 miles per hour than it does at 65 or 70 miles per hour. Everybody needs to slow down, and allowing FMCSA to pursue its rulemaking is the right thing to do."

The groups also noted that speed-limiting technology is "already standard equipment on large trucks," contending that most fleets already use them. "A speed limiter requirement will save lives and prevent needless suffering. FMCSA must be allowed to continue this critical rulemaking."

The Owner-Operator Independent Drivers Association responded to the groups' support for a speed limiter mandate, with OOIDA President Todd Spencer noting data shows speed limiters "are not the silver bullet" for safety. "The Trucking Alliance is wrapping their opposition to the DRIVE Act in some sort of perverse argument about safety. The number of speeding tickets and crashes by their member carriers clearly show that speed limiters are not the silver bullet. If they were truly concerned, they would pay their drivers by the hour and reduce the pressure to speed in locations where it's clearly unsafe."

OOIDA's director of federal affairs, Jay Grimes added that the American Trucking Associations and others advocating for speed limiters "believe they're better suited to determine safe speeds for all highway users, rather than state DOTs. Congress delegated this authority to the states nearly 30 years ago, and they have been moving away from the dangerous split speeds the mandate would create ever since."

The ATA has been opposed to Congressional efforts to block speed limiters, while OOIDA, the National Association of Small Trucking Companies, and CDL Drivers Unlimited groups have signaled support for the legislation to block the technology.

More than 7,500 Vehicles Transporting Hazardous Materials/Dangerous Goods were Inspected During CVSA's Unannounced Five-Day Inspection and Enforcement Initiative



Trained professional inspectors in Canada and the U.S. inspected 7,572 commercial motor vehicles transporting hazardous materials/dangerous goods (HM/DG) during the Commercial Vehicle Safety Alliance's (CVSA) annual five-day unannounced HM/DG inspection and enforcement initiative .

Thirty-seven jurisdictions participated in this year's HM/DG Road Blitz, which was June 12-16. A total of 8,395 packages were inspected, and inspectors discovered 2,578 HM/DG violations, of which 701 were HM/DG out-of-service (OOS) violations.

Vehicles that had out-of-service HM/DG violations were removed from roadways until those violations could be corrected. Vehicles that passed a [North American Standard Level I Inspection](#) without any critical inspection violations or specification cargo tank vehicle violations were eligible to receive a [CVSA decal](#) and permitted to continue to their destination.

The transportation of HM/DG demands rigorous training and heightened compliance requirements. For motor carriers and drivers, safely transporting HM/DG is imperative to the safety of the driver, the public and the environment. For inspectors, inspecting vehicles transporting HM/DG is a complex and detailed process that involves safely looking for any leaking materials or unsecured HM/DG cargo, and checking shipping papers, placarding, marking, labeling, packaging and loading compliance.

The annual unannounced HM/DG Road Blitz aims to:

- Spotlight the importance of the programs, processes and regulations associated with the safe transportation of HM/DG.
- Recognize safety-compliant HM/DG drivers, motor carriers, manufacturers, shippers, etc.
- Highlight the specially trained inspectors who prioritize transportation safety by inspecting vehicles transporting HM/DG and enforcing strict compliance regulations.
- Identify all shipping paper, placarding, marking, labeling, packaging and loading compliance violations.
- Remove vehicles with HM/DG out-of-service violations from roadways.

There are nine recognized classes of HM/DG. These classes designate HM/DG into categories, based on the materials' specific chemical and physical properties, and describe the different types of risks associated with those materials.

Number of HM/DG Classes Inspected				
Class	Description	Canada	U.S.	Total
Class 1	Explosives, such as ammunition, fireworks, flares, etc.	40	137	177
Class 2	Gases, Flammable, non-flammable oxygen and inhalation hazards	348	1,392	1,740
Class 3	Flammable and combustible liquids, such as fuel oil, acetone, adhesives, paints, gasoline, ethanol, methanol, some pesticides, etc.	628	3,326	3,954
Class 4	Flammable solids, substances liable to spontaneously combust and substances that, on contact with water, emit flammable gases, such as white phosphorus and sodium.	48	155	203
Class 5	Oxidizing agents and organic peroxides, such as hydrogen peroxide, potassium permanganate, sodium nitrite, ammonium nitrate fertilizers and oxygen generators.	58	173	231
Class 6	Toxic and infectious substances; any material, other than a gas, that is so toxic to humans that it presents a health hazard during transportation, such as cyanide, biological samples, clinical wastes and some pesticides.	40	121	161
Class 7	Radioactive materials, such as cobalt-60 and cesium-137.	5	41	46
Class 8	Liquid or solid corrosive substances, such as sulfuric acid and sodium hydroxide, that cause full thickness destruction of human skin at the site of contact within a specified time.	266	989	1,255
Class 9	Miscellaneous HM/DG, such as acetaldehyde ammonia, asbestos, elevated temperature materials and benzaldehyde.	98	468	566
Total		1,531	6,802	8,333

U.S. Results

According to the [U.S. Environmental Protection Agency](#), a hazardous material has properties that make it dangerous or capable of having a harmful effect on human health or the environment. Commercial motor vehicles transported the largest volume of hazardous materials through the U.S. transportation system, moving 1.2 out of 2.2 billion tons of hazardous materials. To minimize the risks associated with transporting hazardous materials, anyone involved in HM transportation is required to comply with the federal [Hazardous Materials Regulations](#) (HMRs). The HMRs govern the transportation of hazardous materials in interstate, intrastate and foreign commerce.

In the U.S., 6,123 vehicles and 6,722 HM packages were inspected during the five days of the HM/DG Road Blitz (2,658 non-bulk packages, 3,256 cargo tank packaging and 808 other bulk packaging). Inspectors identified 2,096 HM violations, of which 538 were out-of-service HM violations.

Inspectors also discovered eight undeclared packages. According to the Pipeline and Hazardous Materials Safety Administration, each year, approximately 1,500 transportation incidents occur when undeclared hazardous materials are shipped. Hazardous materials must always be properly classified, packaged, labeled, handled and stowed for transportation. This protects workers, emergency responders and the general public from the risks associated with HM transportation.

U.S. – HM OOS and Total Violations

Category of Violation	# of HM OOS Violations	Total # of HM Violations
Shipping Papers	106	462
Shipping Papers – Shipper Related	9	75
Non-Bulk Packaging	103	452
Non-Bulk Packaging – Shipper Related	21	100
Bulk Packaging	76	403
Bulk Packaging – Shipper Related	2	32
Non-Bulk Labeling	0	107
Non-Bulk Labeling – Shipper Related	0	10
Bulk Packaging Placarding	41	149
Bulk Packaging Placarding – Shipper Related	2	17
Other Safety Marks (as per NAS OOSC Part III Item 4, 5)	16	103
Other Safety Marks (as per NAS OOSC Part III Item 4, 5) – Shipper Related	4	20
Loading and Securement	135	135
HM Package Integrity (Leaking)	23	23
Undeclared Packages	0	8
Total	538	2,096

Canadian Results

In Canada, a dangerous good is defined as any substance or material capable of posing an unreasonable risk to health, safety and property when transported in commerce. Shipments of dangerous goods number in the multi-millions annually. The federal, provincial and territorial governments enacted legislation to regulate the transportation of dangerous goods via the [Transportation of Dangerous Goods \(TDG\) Regulations](#). Canada's TDG Regulations prescribe safety standards and shipping requirements for dangerous goods, and communicate the nature and level of hazard and risk associated with those dangerous goods.

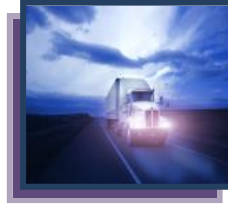
In Canada, 1,449 vehicles and 1,673 DG packages were inspected during the five days of the HM/DG Road Blitz (799 small means of containment, 690 highway tank packaging and 184 other large means of containment). Inspectors discovered 482 DG violations, of which 163 were out-of-service DG violations.

Canada – DG OOS and Total Violations

Category of Violation	# of DG OOS Violations	Total # of DG Violations
Shipping Papers	18	165
Emergency Response Assistance Plan Violations	1	1
Small Means of Containment Packaging	2	21
Large Means of Containment Packaging	28	36
Small Means of Containment Labeling	0	18
Large Means of Containment Placarding	30	78
Other Safety Marks (Anhydrous Ammonia, TIH)	4	11
Loading and Securement	15	37
DG Package Integrity (Leaking)	4	6
TDG Training Certificate (Endorsement)	54	96
Driver Not Trained for TDG	7	13
Total	163	482

The HM/DG Road Blitz is an annual unannounced HM/DG inspection and enforcement initiative with participation from CVSA member jurisdictions in North America. It is supported by the U.S. Pipeline and Hazardous Materials Safety Administration and Federal Motor Carrier Safety Administration and Transport Canada. The initiative was adopted by the [CVSA Hazardous Materials Committee](#), which provides technical HM/DG guidance and assistance to government and industry in an effort to reduce HM/DG incidents and encourage uniformity and consistency in the application of the regulations.

FMCSA Should Pick Up the Pace on Broker Transparency: OOIDA



While the **Federal Motor Carrier Safety Administration** signaled earlier this year that it will initiate a rulemaking that would alter its brokered freight transaction transparency regulations, the trade association leading the charge is growing impatient.

The **Owner-Operator Independent Drivers Association** first petitioned **FMCSA** to improve broker transparency in May 2020, requesting that brokers be required to provide transaction information automatically within 48 hours of the completion of contractual services and that brokers be prohibited from including any provision that requires a carrier to waive their rights to access the transaction records.

The Biden Administration's **Spring 2023 Unified Regulatory Agenda** projected that a notice of proposed rulemaking (NPRM) regarding **Transparency in Property Carrier Broker Transactions** would be published in June, but as of **Aug. 22**, no such notice has materialized.

"Unfortunately, our association has to report to its members that the NPRM is still pending even as broker concerns increasingly plague the industry," OOIDA said in an **Aug. 17 letter to FMCSA** Administrator Robin Hutcheson.

"As freight rates have declined throughout 2023, we have heard small-business truckers voice their frustrations about broker fraud," the group added. *"We understand that not all low rates are the result of unscrupulous brokers, but it can be difficult for carriers to identify legitimate brokers with the ineffective transparency regulations currently in place."*

OOIDA reiterated a statement it made in a **September 2022 letter to FMCSA**, noting that though small-business truckers' concerns "may intensify during more challenging economic times," the frustration OOIDA hears from its members is constant.

OOIDA in its latest letter calls on **FMCSA** to publish the notice "and promote broker transparency as soon as possible."

"Updating these regulations will protect carriers from unlawful brokers and help protect the public by providing a marketplace in which each party behaves in a clear and transparent manner," OOIDA said.

"Since the agency's rulemaking announcement in March, instances of rampant broker abuse and fraud persist. Motor carriers are victimized through unpaid claims, unpaid loads, double brokered loads, or load phishing schemes on a daily basis."

The group added that improving regulations and enforcement around broker transparency would reduce disputes between brokers and carriers and improve the economic health of the trucking industry as a whole. OOIDA also believes it would improve highway safety and driver retention "as small-business motor carriers who rely upon brokers will be spared unnecessary financial loss."

As recently reported, the **Transportation Intermediaries Association** representing brokers has vowed to fight any proposal that would change broker transparency regulations, with TIA CEO Anne Reinke calling such a change "rate intrusion," adding that it would drive rates down. Earlier this year, **FMCSA** denied TIA's own 2020 petition to remove the [49 CFR 371.3\(c\)](#) transparency regulation entirely.



Connect with MSHA

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

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



An entrance to an abandoned mine in the side of a rock formation. The tunnel leads to an underground mine. The U.S. Army Corps of Engineers' Restoration of Abandoned Mine Sites (RAMS) works with federal and state agencies to identify, evaluate, and restore abandoned mine sites.

Protect Your Life: Stay Out, Stay Alive

Whether you are driving off-road vehicles, hiking, or walking in national forests or parks—it is never safe to explore an abandoned mine. Across the U.S. there are about 67,000 mine features that threaten your physical safety—and can cause injury or death. This includes open mine shafts and tunnels, trenches, waste rock piles, explosives and water-filled pits.

Every year, people who intentionally or unintentionally entered mines are injured or killed. In Connecticut in 2019, a father and son were killed when they slipped and fell off the ledge at an abandoned quarry. Another man was seriously injured after a 150-foot fall down an abandoned Vermont copper mine shaft.

Federal, state and environmental organizations are working together to identify and mitigate hazardous abandoned mines. Colorado, like other state mining offices, is working with the U.S. Forest Service to seal abandoned mines to prevent accidents.

Every abandoned mine is different. Sites may have single or multiple features that threaten your safety and that you may not see. Not all abandoned mines have posted “**warning, hazard or keep-out**” signs.

The most common dangers at abandoned mines are:

- **Unsafe structures.** *Wood, metal, and rock were used to support mine structures, especially at the entrance. Decades have passed without maintenance—rot, decay, and erosion increase the likelihood of a roof or wall collapse. The sudden crush of falling earth may cause you serious injury, death or may trap you underground.*
- **Water hazards.** *Water-filled quarries and pits have steep, slippery walls that make it difficult to escape the water. Old machinery and unknown hazards beneath the water can injure or trap you.*
- **Deadly gases and limited oxygen.** *Lethal gases like methane, carbon monoxide and toxic levels of carbon dioxide can accumulate in underground tunnels. When you inhale these gases there may be no smell or other warning sign. Low oxygen levels may cause you to become dizzy and then lose consciousness.*
- **Unstable explosives.** *Many sites contain explosives that were left behind after operations ended. Over time, the ingredients in explosives will deteriorate and can detonate when moved.*



You can keep yourself and your family and friends from being injured or killed in an abandoned mine when you:

Stay Out, Stay Alive!

MSHA REPORT EMERGENCY

Mine operators 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. [Report Accidents - Hazardous Conditions](#) or call **1-800-746-1553**

US Department of Labor Announces Proposed Rule to Reduce Silica Dust Exposure, Better Protect Miners' Health

Unhealthy levels of silica dust linked to serious workplace illnesses

The U.S. Department of Labor announced on June 30th a proposal by MSHA to [amend current federal standards](#) to better protect the nation's miners from health hazards related to exposure to respirable crystalline silica, or silica dust. The proposed rule change will ensure miners have at least the same level of protections as workers in other industries.



Unhealthy levels of silica, a carcinogen, and exposures over time cause severe illnesses, including silicosis; progressive massive fibrosis; non-malignant respiratory disease, such as emphysema; kidney disease; and lung cancer. Exposure to mixed coal mine dust that contains respirable crystalline silica can lead to the development of coal workers' pneumoconiosis, commonly known as black lung disease; multi-dust pneumoconiosis; and progressive massive fibrosis.

The proposed rule would require mine operators to maintain miners' *Permissible Exposure Limit* ([1910.1053\(c\)](#)) to respirable crystalline silica at or below 50 micrograms per cubic meter of air for a full shift exposure, calculated as an 8-hour time weighted average. If a miner's exposure exceeds the limit, the proposed rule would require operators to take immediate corrective actions to come into compliance.

"The purpose of this proposed rule is simple: prevent more miners from suffering from debilitating and deadly occupational illnesses by reducing their exposure to silica dust. Silica overexposures have a real-life impact on a miner's health," explained Assistant Secretary for Mine Safety and Health Chris Williamson. "Miners like a crusher operator at a California sand and gravel mine or a roof bolter in a West Virginia coal mine should never be forced to choose between preserving their health and providing for themselves and their families. This proposed rule furthers the *Mine Act's* clear instruction to prioritize miners' health."

In addition to reducing the existing exposure limit, the proposal also includes other requirements to protect miners' health — such as exposure sampling — and medical surveillance at no cost for metal and nonmetal miners. It would also replace existing outdated requirements for respiratory protection with a standard that reflects the latest advances in respiratory protection technologies and practices.

Following the proposed rule's publication in the *Federal Register*, MSHA will welcome public comments and announce dates for upcoming public hearings in Arlington, Virginia, and Denver, Colorado. The hearings will be open for in-person or online participation.



The True Cost of Not Providing Employee Training

Ignoring the **training and development** of your **employees** can lead to **decreased productivity**, **higher turnover rates**, and a **negative impact on morale**. Not only **does this result in increased hiring and training costs**, but it also limits the **potential growth** of your **employees** and the company as a **whole**. The cost of **not investing** in the growth and **development** of your **employees** far outweighs the **cost of providing training opportunities**.

It's **important for managers** to understand that **employees** are not **disposable** and that **investing** in their growth and **development is crucial** to the success of the **organization**. Providing **opportunities for professional development**, **training programs**, and regular **feedback** and **coaching** can help **employees become** more skilled and **confident** in their **roles**.

This not only **leads to increased productivity**, but it also **boosts employee satisfaction and engagement**, which can improve **employee retention** and reduce **turnover rates**. In the **long run**, investing in **employee development** will save companies **time, money, and resources**, and ultimately **contribute** to the overall **success and growth** of the **organization**.

So, **next time** you're faced with the **decision to "throw out the lamp"** or **invest** in the growth of an **existing employee**, remember that **fixing the bulb** is not only **more cost-effective** but also leads to a **brighter future** for both the **employee** and the **organization**.

Michael Leboeuf in his book "*The great principle of management*" warns of the **dangers of ignoring training**:

"If you believe that training is expensive, it is because you do not know what ignorance costs. Companies that have the loyalty of their employees invest heavily in permanent training programs and promotion systems."

The **issue is** that many **companies approach** employee training as a **cost instead of an investment**. This leads to a **lack of motivation** and proper utilization of **company resources**, which in **turn causes waste**. In the service industry, for **instance**, inadequate **training can result** in poor **customer interactions** and decreased **customer retention**. These factors can **negatively impact** employees, the **company**, and ultimately, **clients**.

Now is the time to reassess your strategies and adopt new approaches within your company. Keep reading to discover five reasons why neglecting employee training can have a negative impact on your bottom line and overall company performance.

1) Investing in Employee Happiness Pays Off

Investing in employee training and happiness is not just an act of kindness - it directly **contributes to a company's success**. Happy **employees** have been shown to be **more productive**, engaged, and **loyal**, leading to improved **business outcomes**.

Today's **workforce**, particularly the **younger generation**, places a **high value** on training and **career advancement** opportunities. **A survey by PwC** found that **training and development** opportunities ranked **highly among** characteristics that make an **organization appealing** to work for.

On the **other hand**, untrained and **dissatisfied employees** are more likely to **become frustrated** and **disengaged**, leading to **decreased performance** and a **higher risk of turnover**. However, it's a **common misconception** that investing in **employee training** will result in **employees leaving** for other **opportunities**. In reality, **training helps employees feel valued and fulfilled in their roles, and can even attract higher-quality candidates**.



In addition to **long-term benefits**, training also **offers short-term gains**.

Trained employees

are able to interact **more effectively** with customers, **answer questions** without the **need for manager assistance**, and **work more efficiently** due to a **deeper understanding** of their **roles and responsibilities**. This leads to **improved customer satisfaction** and a **smoother work environment**.

According to an IBM study, employees who feel they are unable to grow and reach their career goals within a company are 12 times more likely to leave.

Additionally, **investing in training** has immediate **benefits for employees'** interaction with **customers**. **Trained employees are equipped** with the knowledge and **skills to handle customer inquiries** and **resolve issues**, without having to rely on **management assistance**. This not only **improves customer satisfaction** but also **frees up management time to focus** on other **tasks**.

Moreover, **training leads** to a deeper **understanding** of the job and **responsibilities**, resulting in **more efficient work**. Employees are **better equipped** to work effectively and **efficiently**, and to **collaborate** and communicate with management. This **creates a positive work environment** and leads to **increased employee engagement and motivation**.

Overall, **investing in employee training is a win-win** for both the **employees** and the **company**. It leads to **happier** and more **productive employees**, improved **customer satisfaction**, and a stronger **bottom line**.

2) Training and Retaining Current Employees is More Cost-Effective Than Hiring New Ones

The **cost of hiring** a new **employee** can be quite **significant**, as it can **add up to 30%** of the employee's **salary**. For instance, if an **employee makes \$40,000** per year, the **cost of hiring** a new employee **could be around \$12,000**.

On the **other hand**, training an **existing employee** is **far less expensive** and time-consuming. By **investing in the training and development of current employees**, companies can avoid the **high costs associated** with hiring and **training new employees**. The cost of **recruitment and training for new hires** often **exceeds the cost of training existing employees**, which can be a **few hundred dollars**, and requires **far less time**.

Moreover, the **cost of turnover** can also **add up quickly**, especially for **companies with a high turnover rate**. Rehiring costs typically represent **12% of a company's expenses**, with up to **40% for businesses** that have a **high turnover rate**.

A study conducted by **Right Management** confirmed this, as **nearly 70%** of organizations reported that **staff turnover** has a **negative financial impact** due to the cost of **recruiting**, hiring, and **training a replacement** employee, as well as the **overtime work of current employees** that is required until the **organization** can fill the **vacant position**. In conclusion, **investing in training and retaining current employees** is more **cost-effective** and financially **beneficial** for organizations in the **long run**.

3) Trained Employees Drive Improved Performance

Your employees are the **driving force** behind your **business**, and investing in their **development** and training can **lead to improved** performance. When employees **struggle** with their **tasks**, it not only **affects their job** satisfaction but also **reflects negatively** on the business and **hurts its bottom line**.

Proper **training can help** employees feel **more confident** and **capable** in their roles, **reducing** the time they spend **searching for information** and **minimizing** the chances of **errors and mistakes**. By providing clear **expectations** and guidelines, **employees can work smarter** and more **efficiently**, ultimately reducing the time and **cost of correcting** mistakes.

In today's **technology-driven world**, offering online **training courses** is an **efficient** and **cost-effective way** to provide **employees** with the **skills** and knowledge they need to **excel in their** roles. These **flexible** and **self-paced programs** can be easily **integrated** into an **employee's schedule**, making it convenient for them to **continue learning** and developing.

Investing in employee development and training is not just a nice-to-have, it's a must-have. The cold, hard fact is that companies that prioritize employee development see significantly higher median revenue per employee. According to a recent study, companies that prioritize employee development make median revenue of \$169,100 per employee, compared to companies that don't make \$82,800 per employee - a difference of more than half.

More Numbers to Know

According to *HR Magazine*, companies that invest **\$1,500 on training per employee can see an average of 24% more profit than companies that invest less**.

Additionally, a study of 2500 businesses done by ATD, found that **companies that offer thorough training had more than twice the amount of income per employee over firms that offered less training**. They also create a **6% higher return for shareholders** when **training per employee is increased by \$680**.

4) Effective Training Equals Increased Productivity

Training is no longer about sending all managers away for a weekend conference or sending anyone to an 8-hour-long lecture in a hotel. Effective training needs to be tailored to employee and business needs and to be an ongoing venture.

Competition from **around the globe** and ever-changing **technology** mean that **skills need** to be regularly **updated to keep** your workforce **ready** and able to **support your company**. Your **Human Resources Department** should make it a **priority** to integrate **processes to encourage** and promote **employee education** and **skill development** while also **keeping the amount of time spent away from work to a minimum**.

MJS Legacy Safety is happy to schedule a class **On-Site at your Facility**, reducing the **time spent away from work**.

Effective training fosters employee loyalty and engagement, makes employees **feel valued** and **empowered**, leading to **increased productivity**.

A study by the **National Center on the Educational Quality of the Workforce (EQW)** found that a **10% increase in educational development resulted in an 8.6% gain in productivity**.

Before forgoing training, always consider how much more expensive it is NOT to train.

Consider **productivity loss**, the **cost of employee turnover**, and **lost customers** due to **mistakes made by improperly trained employees**. Your **employees' training** and happiness are just as much an **asset as the workers themselves**.

LET MJS Legacy Safety BE YOUR

OSHA-AUTHORIZED

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!

Navigating the landscape of COVID-19 has seemingly become less confusing. 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 re: [COVID-19 vaccine & boosters](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [OSHA Guidance](#)
- [DOL Resources](#)
- [Covid19.colorado.gov](#)

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

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

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

OSHA's Recordkeeping Requirements for Exposure to COVID-19

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

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

SUPPORTING WORKERS WITH LONG COVID

According to the [Centers for Disease Control and Prevention](#), some people who had COVID-19 experience a range of new or ongoing symptoms, known as post-COVID conditions or Long COVID.

These symptoms can last weeks, months, or years, and can worsen with physical or mental activity.

[Read more including examples of accommodations for common symptoms of Long COVID and its related conditions.](#)



From all of us at
**MJS Legacy
Safety...**
Be safe out there!!