



► **MJS SAFETY TRAINING ANNOUNCEMENT**

MJS SAFETY LLC is proud to announce the addition of NCCER and O.Q.S.G. to our OQ Services. **MJS SAFETY LLC** is an "Authorized Assessment Center" for Proctoring Final Assessments and completing Performance Evaluations for O.Q.S.G. and NCCER – as well as other OQ disciplines such as MEA-EnergyU, Veriforce & EnergyWorldNet. [call to schedule](#) [read more...](#)

► **Schedule of classes Jan 2020:** • *TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543* • [read more...](#)

OSHA / CONSTRUCTION NEWS SUMMARY

► **Important Reporting Requirements**

Employers who electronically submit [OSHA Form 300A](#) must provide an [Employer Identification Number](#) as of **Jan. 2, 2020**. [read more...](#)

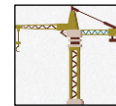


► **OSHA Enforcement and Compliance Increases in 2019 To Keep America's Workforce Safe**

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To avoid industry confusion and potential disruptions of construction crane projects, the U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** has issued an enforcement policy for crane operator certifications issued by **Crane Institute Certification (CIC)**. [read more...](#)



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TRANSPORTATION NEWS SUMMARY

► **Time has Come to Implement the Clearinghouse Rule...**

Steps Owner-Operators Must Take to Comply

Starting **Jan. 6**, the federal government will institute new protocol for how fleets must perform background checks on prospective employee drivers and owner-operators. [read more...](#)

Wishing you a Happy, Healthy & Safe 2020!

▶ **FMCSA Doubles Random Drug-Testing Percentage for 2020**

FMCSA estimates it will cost the trucking industry \$50 million to \$70 million to conduct the additional random drug tests.

The **Federal Motor Carrier Safety Administration** is doubling the minimum annual percentage rate for random **controlled substance testing** for **commercial motor** vehicle drivers, from **25%** to **50%**, **effective Jan. 1**, in response to **rising positive** drug-testing rates. [read more...](#)



Some food for thought...

▶ **Can Millennials Solve the Truck Driver Shortage?**

Source: Ted Lee - Head of Business Development and Innovation for Magellan GPS, tlee@magellangps.com.

Although the shortage could initially have the greatest impact on the long-haul segment, short-haul municipal and independent fleets will not be immune. [read more...](#)



▶ **Perspective: LET YOUR VOICE BRING ABOUT CHANGE**

Source: Donald G. Oren | Chairman, Dart Transit Co.

When your company has been in business for 85 years people often ask for advice on how to make a difference. [read more...](#)

MSHA NEWS SUMMARY

▶ **MSHA Offers Insights into Highwall Hazards**



Nearly vertical discontinuities dipping into the highwall can produce toppling failures. [read more...](#)



▶ **December 3, 2019 Fatality Alert**

METAL/NONMETAL MINE FATALITY – A contract maintenance mechanic was performing elevator maintenance when the car descended, crushing the mechanic against an elevator platform. [read more...](#)

MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ **WINTER WEATHER**

Plan. Equip. Train.

To prevent injuries, illnesses, and fatalities during winter storms, employers should provide cold stress training to workers. [read more...](#)



▶ **Get Help Now**



If you're having trouble coping with work-related stress, talk with someone who can help. [read more...](#)

MJS SAFETY TRAINING ANNOUNCEMENT

MJS SAFETY LLC is proud to announce the addition of NCCER and O.Q.S.G. to our OQ Services.

MJS SAFETY LLC is an "Authorized Assessment Center" for Proctoring and Testing for ENERGY worldnet, Inc., as well as OQ Performance Evaluation Services.

MJS SAFETY LLC continues to offer Proctor and Testing Services, as well as Operator Qualification [OQ] Performance Evaluations under the "EnergyU" system – a service of Midwest ENERGY Association – as well as Veriforce.

MJS SAFETY LLC has "Authorized" Performance Evaluators on staff that can perform this service for specific "Covered Tasks."

MJS SAFETY LLC is also available to assist with the Knowledge Based Training for these tasks. Knowledge-based training is designed to help personnel successfully pass the OQ Knowledge Based Testing as well as the Performance Evaluation process.

The Operator Qualification Rule – commonly referred to as the "OQ Rule" addressed in Title 49 of the Code of Federal [US DOT] regulations, mandates that individuals who perform "Covered Tasks" on covered pipeline facilities be qualified through the Operator Qualification Process.

The intent of the OQ rule is to ensure protection of both pipeline personnel and the public at large. Providing individuals with the necessary knowledge and skills is an essential element of any Operator and Contractor OQ plan.

Acceptable requirements for qualification are determined by the operator. The quality and validity of data related to OQ training, testing, and performance is critical to meet these requirements.

If we can be of assistance with these types of services for your company, please [call to schedule](#).

MJS SAFETY — your "GO TO" Safety Resource in 2020

"SAFETY STARTS WITH YOU"

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

Just Some of the Courses Offered Include:

- ~PEC SafelandUSA Basic Orientation
~OSHA 10 Hour General Industry
~OSHA 30 Hour General Industry
~NUCA Confined Space
~Hydrogen Sulfide [H2S] - Awareness
~Respirator: Medical Evaluation & Fit Testing
~Hazard Communication - GHS Training
~Teens & Trucks Safety
~1st Aid/CPR Course- Medic 1st Aid
~HAZWOPER 8, 24 & 40 Hour
~PEC'S Intro to Pipeline
~Confined Space Rescuer Training
~PEC Core Compliance
~OSHA 10 Hour Construction
~OSHA 30 Hour Construction
~NUCA Competent Person for Excavation & Trenching
~Hands-on Fire Extinguisher training
~DOT Hazmat Training
~MSHA Sand & Gravel Training [Part 46 only]
~Fall Protection for the Competent Person
~Defensive Driving Safety for large and small vehicles
~Instructor Development for Medic 1st Aid/CPR
~Bloodborne Pathogens Compliance Training
~Respiratory Protection Training

MJS SAFETY offers these courses as well as custom classes to fit the needs of your company

Schedule of classes Jan 2020: TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- PEC Safeland Basic Orientation: January 3, 16, 28; 8 - 4:30
• First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): January 9, 27; 8 - noon
• TEEK H2S Operator Training - Awareness (ANSI Z390-2017 Course): January 9, 27; 12:30 - 4:30
• DOT Hazardous Materials Training: January 21

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

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

GO TO mjssafety.com FOR UP-TO-DATE CLASS LISTINGS

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 or Mike at 303-881-2409

FEATURED TRAINING PROGRAMS

- Safeland Basic Orientation • Hydrogen Sulfide Awareness • First Aid/CPR
• OSHA 10 Hour for General Industry or Construction • Confined Space for Construction

ALSO OFFERING

- PEC Basic 10 - 2 days that cover both Safeland and OSHA 10 for General Industry in 1 class

Unable to attend a class?

MJS SAFETY offers multiple "ONLINE TRAINING COURSES" including
OSHA Construction, General Industry, Environmental, Hazardous Waste
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training in today's industry

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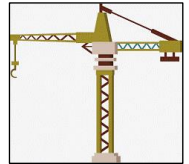
Important Reporting Requirements

Employers who electronically submit **OSHA Form 300A** must provide an **Employer Identification Number** as of **Jan. 2, 2020**.



OSHA / CONSTRUCTION

U.S. Department of Labor Issues Temporary Enforcement Policy for Certifications from Crane Institute Certification



To avoid industry confusion and potential disruptions of construction crane projects, the U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** has issued an enforcement policy for crane operator certifications issued by **Crane Institute Certification (CIC)**. **OSHA** requires crane operators engaged in construction activity to be certified by an entity accredited by a nationally recognized accrediting agency. **CIC no longer holds such accreditation.**

The **policy** explains that, although **CIC**-issued certifications are not compliant with **OSHA's** operator certification requirement, **OSHA** does not intend to cite employers for operating equipment that violates that requirement if their operators, in good faith, obtained **CIC**-issued certifications **prior to December 2, 2019**, with the belief the certifications met the standard's requirements.

Until further notice, **OSHA will not accept CIC** certifications – including re-certifications – issued **on or after December 2, 2019**.

OSHA Enforcement and Compliance Increases in 2019 To Keep America's Workforce Safe

The U.S. Department of Labor's **Occupational Safety and Health Administration's (OSHA)** fiscal year (FY) 2019 final statistics show a significant increase in the number of inspections and a record amount of compliance assistance to further the mission of ensuring that employers provide workplaces free of hazards.

OSHA's enforcement activities reflect the Department's continued focus on **worker safety**. Federal **OSHA** conducted **33,401 inspections**—more inspections than the **previous three years**—addressing violations related to **trenching, falls, chemical exposure, silica and other hazards**.

In FY19, **OSHA** provided a **record 1,392,611 workers** with training on safety and health requirements through the Agency's various education programs, including the **OSHA Training Institute Education Centers, Outreach Training Program and Susan Harwood Training Grant Program**. **OSHA's** compliance assistance programs have helped small businesses address safety and health hazards in their workplaces. In FY19, **OSHA's** no-cost **On-Site Consultation Program** identified **137,885 workplace hazards**, and protected **3.2 million workers** from potential harm.

"**OSHA's** efforts – **rulemaking, enforcement, compliance assistance and training** – are **tools to accomplish** our mission of **safety and health for every worker**," said Principal Deputy Assistant Secretary of Labor for **Occupational Safety and Health Loren Sweatt**. "I am **proud** of the **diligent, hard work** of all **OSHA** personnel who contributed to a memorable year of protecting our nation's workers."

Under the **Occupational Safety and Health Act of 1970**, employers are responsible for providing safe and healthful workplaces for their employees. **OSHA's** role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.

The mission of the Department of Labor is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

Important Safety Notice Users of the Below Crosby Product:

1019542 7/8" 6.50t S-2130 Shackle
1019533 7/8" 6.50t G-2130 Shackle
1018151 7/8" 6.50t G-213 Shackle
1018160 7/8" 6.50t S-213 Shackle
1018516 7/8" 6.50t G-209 Shackle
1018525 7/8" 6.50t S-209 Shackle
1262031 7/8" 6.50t G-2130OC Shackle



With Production Identification Codes (PIC) 5VJ as located on the shackle above

PLEASE CAREFULLY REVIEW AND ACT UPON THE FOLLOWING INSTRUCTIONS.

November 18, 2019

Dear Valued User of Crosby Products:

THE CROSBY GROUP has determined the above listed shackles may have a condition that can reduce the ultimate load capacity from the published catalog values. The shackle bow may have a previously undetected defect, and continued use may result in loss of load, property damage, severe injury, or death.

By use of the Production Identification Code (PIC) symbols appearing on the product, we have determined the 7/8" 6.5t shackles with PIC 5VJ shown on the bow may have this condition. See below image showing the position of the PIC on the bow. No other sizes or PICs are part of this Important Safety Notice.

We are requesting you identify all such 7/8" 6.5t shackles with PIC 5VJ, remove from service, and arrange for return and replacement. To return these products, please contact your Crosby Distributor.

For more information concerning this Important Safety Notice, contact Technical Support at 1-800-772-1500.

Please inform your customer(s) of this Important Safety Notice, or if you know of other users of the 7/8" 6.5t shackles, please pass this notice on to that user, company, or firm.

We regret the inconvenience this may cause you and your organization, and thank you for your cooperation. We are committed to providing you with the absolute best in Crosby quality.

Sincerely,
THE CROSBY GROUP

[Recall Safety Notice pdf](#)

Statement from OSHA Regarding Occupational Fatalities in 2018

The Bureau of Labor Statistics' (BLS) Census of Fatal Occupational Injuries Report, released recently, shows the rate of fatal work injuries remained unchanged in 2018.

Tragically, unintentional overdoses at work increased by 12 percent—the sixth consecutive annual increase and a reflection of the broader opioid crisis that our nation is facing. To combat this problem, President Trump has declared the opioid epidemic a National Health Emergency. OSHA also teamed with the National Safety Council on the release of a toolkit to help employers address opioid abuse in their workplaces and support workers in recovery.

Suicide at work, which increased by 11 percent in 2018, is also a tragic public health problem that can have lasting harmful effects on families, workplaces, and communities. OSHA created a [new webpage](#) with free and confidential resources to help identify the warning signs of suicide and to help users know who and how to call for help.

The report also showed a 14 percent decline in work-related fatal falls from heights, the lowest total since 2013. Enforcement efforts helped abate more than 7,000 fall-related hazards in the construction industry.

"OSHA will continue to use BLS data for enforcement targeting within its jurisdiction to help prevent tragedies," said Principal Deputy Assistant Secretary of Occupational Safety and Health Loren Sweatt. "Inspections for OSHA were up, and we will work with state plans so employers and workers can find compliance assistance tools in many forms or call the agency to report unsafe working conditions. Any fatality is one too many."

Here are resources for employers who need assistance:

OSHA's no-cost and confidential [On-Site Consultation Program](#).

OSHA Training Institute Education [Centers](#) (OTIs).

[MJS Safety...On-site, Online and Classroom Training Programs.](#)

Trenching Experts Spell Out OSHA Confined Spaces Compliance, Warn Against 'Choosing Your Rules'



A truck is parked beside a manhole that a worker has just entered. It's a cold day so the truck is running, but no one's thinking about the hazardous fumes heading down the hole. Unfortunately, it's one of countless daily evidences that OSHA's confined spaces standards for the construction industry are widely misunderstood and frequently not applied.

OSHA's 2015 revisions to the 1994 [Confined Space Standard](#) 1920.146 were the subject of a workshop presented at United Rentals' Total Control and Innovation Conference recently in San Antonio, Texas, underscoring the rental giant's top messaging: *UR is serious about putting customer advocacy into action.*

Trenching safety experts Bruce Magee and Chad Lindsley, UR region product development managers, took attendees into the proverbial trenches of the 2015 Confined Spaces rule 1926AA.

The OSHA rollout four-plus years ago, said Magee, was about as smooth as tangled fishing line, namely because the original standard remained, leaving industrial businesses to figure out which standard to follow. "Industrial and construction firms, have erroneously continued to follow the original standard, which was intended to protect employees in general industry, not agriculture, construction or shipyard employment. While there are similarities between the old and revised standards, important differences have to be understood and applied for confined spaces safety compliance today.

Central to compliance: If you're in construction, the new rules apply.

Magee was quick to note that choosing which rules to follow is not an option, citing a statement from OSHA:

"...An employer does not have the option of bypassing the procedures that are unique to this final rule by complying instead with [the original] § 1910.146. Such a policy would severely undermine OSHA's effort to protect employees from the unique hazards present during confined-space operations in construction."

What you need to know right now

Following are a few highlights of the revised OSHA standard as outlined by Magee and Lindsley:

- (1) The new definition of confined space boils down to three components, and all three conditions must exist: limited means of entry/exit, large enough to enter, and not designed for continuous occupancy. Examples of OSHA-defined confined spaces include manholes, tunnels, wells, tanks, pipes, grease pits, cold storage, subcellars, culverts and silos.
- (2) Always test and continue to test throughout a project that involves **Permit-Required Confined Spaces (PRCSs)** in case hazardous conditions occur while the work is being performed.
- (3) A "Qualified Person" is no longer adequate as the responsible individual during entry of confined space; 1926AA calls for a **Competent Person**, and, says Lindsley, it's a mistake to blanket categorize everyone on the team with this designation.

Here's how Lindsley and Magee explained the difference:

Competent Person: "One capable of identifying existing and predictable hazards in the surroundings or working conditions that are unsanitary, hazardous, or dangerous to employees, and who has authority to take prompt corrective measures to eliminate them."

Qualified Person: "One who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated their ability to solve or resolve problems relating to the subject matter, the work, or the project."

(4) Four individuals are required to perform specific roles at a PRCS:

- **Authorized Entrant** – An employee is authorized by the entry supervisor to enter a PRCS and must know the confined space hazards, physical symptoms and consequences, as well as understand the proper use of all equipment to be used in the PRCS. There will be constant communication with the attendant, and the entrant will exit promptly when necessary or advised by the attendant.
- **Attendant** – This individual is stationed outside one or more PRCSs to ensure that employees can safely enter and work within the space. The attendant remains outside the PRCS, monitoring both the entrant and surrounding area (remember the truck fumes where we started?), and ready to summon rescue if needed.
- **Entry Supervisor** – The qualified person (employer, foreman, crew chief) who is responsible for determining if acceptable entry conditions are present at a PRCS.
- **Emergency Rescue Personnel** – Employers must select a rescue team or emergency service that has the capability to reach the victim(s) in a timely manner, is equipped for and proficient in performing rescue services, and agrees to notify the employer immediately if the rescue service becomes unavailable.

(5) Training is big. OSHA's 1926AA requires that employers provide training to all affected employees in a language and vocabulary that the worker understands. Further, Magee explained, the training must be:

- At no cost to employee
- Before the first PRCS entry assignment
- Before duties change
- Whenever hazards change

For more information, click [here](#).

Time has Come to Implement the Clearinghouse Rule...

Steps Owner-Operators Must Take to Comply

Starting **Jan. 6**, the federal government will institute new protocol for how fleets must perform background checks on prospective employee drivers and owner-operators.

The [Drug and Alcohol Clearinghouse](#) will establish a database of drivers who've failed or refused a drug test. Fleets of all sizes will be required to query the database for all new driver hires and yearly for existing drivers.

Also included will be information on drivers who've been cited for violating alcohol laws specific to trucking. There also will be information on whether a driver has completed the return-to-duty process after a positive drug test or alcohol violation.

Fleets currently are required by law to call prospective drivers' prior fleets to perform background checks regarding failed drug tests, but that system has gaping holes. For one, fleets can skip making that call and likely not be found out. Likewise, a prior employer might not provide accurate information regarding the driver. Lastly, a driver applicant rejected after testing positive for drug use can abstain from drugs long enough to pass a test and be hired.

Here's what owner-operators and small fleets will have to do to remain compliant.

One-truck independent operators

Independent owner-operators already are required to participate in a drug testing consortium or other third-party administrator program.

Under the clearinghouse, independent single-truck operators will need to first register as a company. Then they'll need to designate a consortium or TPA to handle the annual queries required for all CDL holders. The drug tester also will be responsible for uploading any positive drug tests to the clearinghouse, says Lucas Kibby of drug screening provider Clean Fleet.

Single-truck independents also will need to notify their consortium or TPA they've been tapped as the trucker's designee and amend any contracts to spell that out, says Kathy Close, editor of transportation safety for J.J. Keller. "You can designate them, but they need to be contracted to do so," she says.

Lastly, independents will need to purchase queries to allow their consortium or TPA to ping the database annually. Queries cost \$1.25 each and can be purchased in bundles.

Leased owner-operators

Leased owner-operators simply will need to create a clearinghouse account, though it's not explicitly required. However, any truck driver will need an account to switch fleets because the new fleet will need to query that record, says Joe DeLorenzo, **FMCSA** head of enforcement. Having an account also allows the driver to ensure there's no inaccurate information in their account.

When switching carriers, drivers will need to authorize fleets to run a query on their CDL within the database. Likewise, they can provide consent for the fleet's future annual checks, though that also can be done in writing for drivers who do not have a user account and were at the fleet prior to Jan. 6.

"Basically, a leased owner-operator is treated the same as a company driver," as far as the clearinghouse is concerned, Close says.

Small-fleet operators

For fleets of any size, even a small-fleet owner who doesn't have operating authority, full compliance with clearinghouse regulations is mandatory. This means even a two-truck fleet must perform a full query on every new driver hire and at least a limited query for every current driver yearly.

Small fleets will need to register as an employer in the clearinghouse. They'll also need to purchase the \$1.25 queries. Small carriers can handle the administrative processes in-house or outsource drug screening to a consortium or TPA. If outsourced, that provider will need to be designated in the clearinghouse and be contracted as the designee.

By Jan. 6, fleet policies must state that any verified positive drug tests, drug test refusals and alcohol violations will be submitted to the clearinghouse. The policy must be explained to drivers by Jan. 6, Close says.

Until January 2023, fleets still must call driver applicants' prior employers to ask whether they failed or refused a drug test. After that, the requirement ends.

Queries to the database

The [CDL Drug and Alcohol Clearinghouse](#) will begin to be populated Jan. 6 with uploads of positive drug tests, test refusals and alcohol violations.

If a driver successfully completes a return-to-duty process after a drug or alcohol violation, that information also will be available, including the final verified negative test. Should a driver fail a drug test and complete the return-to-duty process, that information will remain in the database for three years. If a driver has a positive drug test and does not complete the return-to-duty process, the information will remain in the database permanently.

Carriers can perform two types of queries to the clearinghouse. A full query is required of all new hires. Full queries provide all details of any information within the database correlated with a driver's CDL number.

Limited queries, required of all drivers annually, show only if there's information about a driver in the database. If there is, a carrier then can ask for a full query. A driver's annual query must be done within a year on their hire date, or another 12-month period determined by the employer.

Drivers will be notified via email or postal mail if information is added or revised in their account. The rule allows for drivers to petition to correct any records.

FMCSA says the clearinghouse and its procedures meet federal standards for data privacy protections.

FMCSA Doubles Random Drug-Testing Percentage for 2020

FMCSA estimates it will cost the trucking industry \$50 million to \$70 million to conduct the additional random drug tests.

The **Federal Motor Carrier Safety Administration** is **doubling** the minimum **annual percentage** rate for random **controlled substance testing** for **commercial motor vehicle drivers**, from **25%** to **50%**, **effective Jan. 1**, in response to **rising positive drug-testing rates**.

In a [Dec. 27 Federal Register Notice](#), the **agency explained** that the **2018 FMCSA Drug and Alcohol Testing Survey** showed the **positive rate** for controlled **substances random testing** increased to **1%**. **DOT regulations require FMCSA** to increase the **random-testing rate** when the **data** for any **calendar year** shows a reported **positive** of **1% or more**.

For **2016** and **2017**, the **positive rate** was estimated to be **0.7%** and **0.8%**, respectively.

The minimum **drug-testing** rate was **50%** from the **start** of the **DOT testing program** in **1995** until **2015**. **FMCSA** reduced it to **25%** starting **Jan. 1, 2016**, based on **two consecutive years** of testing data (**2013-2014**) that **showed a positive rate** of less than **1%**.

The **minimum annual percentage** rate for random **alcohol testing** will remain at **10%**.

Industry Impact of Drug-Testing Change

FMCSA estimates there are **3.2 million CDL holders** operating in **interstate commerce** and **1 million CDL holders** operating in **intrastate commerce**. That **means** that the **minimum number** of random **drug tests** performed will increase from **1.05 million** at the **previous 25% rate** to **approximately 2.1 million** in **calendar year 2020**. The agency estimates it **will cost** the trucking industry an **estimated \$50 million to \$70 million** to **conduct the additional tests**.

Calling the move **"a financial hit to the industry that no one was expecting,"** Dave Osiecki, president and **CEO** of Scopelitis Transportation Consulting, told **HDT** that although this **drug testing data** was **collected** in the **first quarter** of **2019**, "until now, there **has been no** indication from **FMCSA** about the **increase in positive tests** that has led to **random testing rate change**."



He **noted** that this **random testing rate increase** is likely to have a **small productivity** impact as well, **because** the **process** of taking the **driver off** the road and **directing him/her** to a **testing site** takes up time that would **otherwise** be **productive working** time.

More **importantly**, "it's **disappointing** to learn that **more drivers** are **testing positive** for **drugs**," Osiecki added. "This is a **clear safety** concern. Perhaps this is a **result** of **greater marijuana** use due to **changing state laws**?"

Is Drug Use Higher in Trucking Than Data Indicates?

In **fact**, some in the **trucking industry** are **concerned** that the **actual number** of drivers using prohibited **substances** is higher than the **official drug-testing** program indicates. Last **summer**, the **Alliance for Driver Safety & Security**, commonly known as the **Trucking Alliance**, released the **results** of a **study** comparing hair-testing **results** to the **FMCSA's** mandated **urine-testing results**, which is said **showed** "compelling **evidence** that thousands of **habitual drug users** are skirting a **system designed** to prohibit **drug use** in **transportation**." That study, the **Alliance** said, **found** that **urinalysis missed** 9 out of **10 illicit drug users** in **pre-employment testing**.

When asked for the **association's response** to this **latest news**, Lane Kidd, **managing director** of the **Alliance**, called it "**clear evidence** that a **higher percentage** of employed truck **drivers** are masking their **drug use** on the **front end** when applying for a **job**."

"**Public policy** makers can **do much more** to keep **drug users** out of **commercial trucks**," Kidd told **HDT**. "For **instance**, we know that **hair testing** is **more effective** at identifying **illicit drug use**, before they get a **truck driving job**."

Another **problem**, Kidd said, is that **no clear statistics** are **available** to know **how many** drug-impaired **truck drivers** are **involved** in **serious accidents**, "because post-accident **drug testing protocols** are not **effectively enforced**."

Some food for thought...

Can Millennials Solve the Truck Driver Shortage?

Source: Ted Lee - Head of Business Development and Innovation for Magellan GPS, tee@magellangps.com.

Although the shortage could initially have the greatest impact on the long-haul segment, short-haul municipal and independent fleets will not be immune.



The times are a changing... Baby Boomer truck drivers are retiring in droves, with up to 25% of today's drivers cashing in their routes over the next five years. The average age of a trucker is 49 years and more than half of the truck industry workforce is over the age of 45. Worse still, the American Trucking Associations (ATA) predicts a [truck driver shortage](#) could reach as high as 175,000 by the year 2024.

According to Bob Costello, chief economist for the ATA, it's not just the lack of drivers, it's also a "lack of qualified" drivers, which makes a bad situation much worse. To retain current drivers and attract new ones, long-haul carriers may be forced to increase pay and offer better benefits. And if they do, short-haul fleets could find themselves competing for the same shrinking pool of drivers but at a pay scale disadvantage.

So, where is the next generation of truck drivers?

Make Way for Millennials

Millennials, the generation born between 1981 and 1996, now make up the largest demographic in the U.S. labor force, according to Pew Research. By 2020, it's estimated that 86 million millennials will be in the workplace, representing 40% of the total number of workers; by 2025, millennials could make up roughly 75% of workers in the U.S.

In an industry facing a shortage of workers, it is mission critical that you attract and recruit the best available talent. And that means recruiting millennials. But before you cast your line out there, it helps to understand what might lure a typical millennial to your business. Several studies have reached the same general conclusions about hiring millennials. Chief among their job expectation is the opportunity to work from anywhere, even if only part-time. Working remotely is a good fit for businesses where employees do heads-down work over a computer.

That's not how a fleet business operates, as we know. Your employees won't be able to drive a snow plow from the comfort of their own living room. Your drivers physically have to be on the road—in all kinds of weather, at any hour.

Attracting Millennials

Granted, millennials won't be able to work from home or devise their own schedule. But they could consider working as a fleet truck driver for at least two compelling reasons. First, millennials prefer to work for a purpose-filled company, one that gives back to the community and makes a difference. Whether you're in the waste management removal or snow and ice removal end of the industry, you are delivering a useful public service. Your efforts save time, money and lives.

Second, millennials prefer to put their knowledge of and comfort with technology to good use. This is, after all, the "Connected" generation, a group of children that came of age with Wi-Fi, the Internet, GPS, laptops, and smartphones. According to Gallup, 91% of millennials own a smartphone, and 71% of millennials rely on the Internet as their main source for information.

Meet Your New Driver

Yesterday's truck driver relied on old school tactics, from scraps of paper to paper maps to personal knowledge of streets and routes. The next generation of drivers expects to be digitally connected to streets and routes. For them, using the latest technology is an assumption, not a gimmick.

So, as an employer looking to attract the next generation of truck drivers, what can you do?

- Make sure your business is technologically appropriate for the times. At a minimum, you'll want to replace your paper maps with digitized routes.
- Ensure your back office and drivers are connected in real-time through a backend portal (for the manager) and a dashboard mounted GPS-device (for the driver).
- Use software that visually represents turn-by-turn directions, clearly identifies unexpected street obstacles and road hazards, as well as best detours, and enables OTA communication.
- Use technology to ensure greater safety for your drivers and faster training.
- All of these digital connections, of course, should be backed up with a powerful GPS capability that works even in urban canyons. Millennials want to be connected at all times.

Expectations are changing. Digital is not just in, it's deeply embedded. If you want to attract younger drivers and set up your company or organization for the "long-haul," make sure you empower your drivers and dispatchers with a proven route planning, management, execution and service verification solution.

This is not your father's fleet industry.

Perspective: LET YOUR VOICE BRING ABOUT CHANGE

Source: Donald G. Oren | Chairman, Dart Transit Co.

When your **company** has been in **business** for **85 years** — and when you've **been involved** in the **day-to-day operations** of the **company** for **66 of those years** — people often **ask** for **advice** on how to **make** a difference. One **lesson** we've learned **here** at Dart **during our 8½ decades** in **trucking** is that when the laws **governing** the **business** inevitably **change**, those who **show up** and **speak up** can help bring **change** for the **better**.

Lawmakers want to **hear** from you. They **want** to know **your story**, and the **stories** of your **employees**. They **want** to know what's working in the **real world** and **what isn't**.

Get to know your **congressional** representatives. **Reach out** to your **local lawmakers**. Invite them to **your facilities**. **Introduce** them to your **drivers**, **owner-operators** and **technicians**. When **lawmakers** interact **face to face** with you and your **team members**, you **develop** positive **working relationships**, and you **show** lawmakers how the **work** they do **directly impacts** people and **businesses** every day. **Voice** your **concerns**, and **more importantly**, voice your **proposed solutions**.

Your **state trucking** association, **American Trucking Associations**, **Truckload Carriers Association** and other **industry groups** have a **variety** of opportunities for you to **get involved** in **positively** impacting policy and **furthering** the **image** of the **industry**. Dedicate **time** and **energy** to **thinking** about ways **rules** can be **improved** — not just for **your own company's purposes**, but for the **benefit** of all **stakeholders**.

Remember that **rulemaking** and **lawmaking** proceedings are processes, they are **not** singular **events**. Take the **time** to **educate** lawmakers. **Look** for common **ground**, and **become** a **trusted**

resource for honest **feedback** for them. When you have these **opportunities** with **lawmakers**, take the **time** to **educate** them about the **challenges** you are **facing**. Explain to **lawmakers** how **your ideas** benefit all **stakeholders** — **drivers**, **owner-operators**, **employees**, **technicians**, **shippers**, the **public** and **policymakers**.

Over time, **changes** do **happen**, and your **commitment** to being **involved** in the **process** will help make those **changes positive** for the **industry**.

Carriers across the **country** likely **share** many of the same **frustrations** about **inconsistent rule enforcement**, and rules that couldn't be **met because** of the **realities** of the **everyday world**.

Changes in **state** or **federal policies** could make business much **more efficient** for **shippers**, for carriers and for **drivers**, and you can **work together** to develop model **language** that **lawmakers** could use to **make life better** for all **stakeholders**.

Lawmakers **have very** difficult jobs. We **have to do our part** to make their **lives easier**, and having **model language** ready to go is a great way to **help**. Messages **resonate** with **policymakers** when **stakeholders** demonstrate that they are **advocates** for **practical, fair rules**. Getting **involved** by **investing the time** and making your **voice heard** on the **issues** of the day **does make a difference**.

Reflecting on **Dart's history**, I remember **going state to state** in the early **1980s** as **part** of a **coalition** explaining the **reasoning** and the **benefits** for extending **trailer length** beyond what was the **48-foot standard** at the **time**.

A **large part** of those **efforts** involved **talking** to **legislators**, **governors**, **shippers** and **safety advocates** to **legalize 53-foot trailers** on our **nation's** highways.

Those rules didn't **just happen**. They **happened** because the **carriers** that were a **part** of an industry **committee** made the **time**, took the proper **steps** and **spoke up**. We not **only sold** the **obvious advantages** of **increased capacity** for **light** and **bulky freight**, but also the **safety** and **green benefits** of fewer **trucks** on the **road**. And we **didn't come** to the **table** with just a **complaint**. We **came with** a solution. We had that **model legislation** ready to go.

To be a **voice** of **change** in our **industry**, you **have to** take the time to **speak up** and **take action**. If you only **complain** about **rules** in your **own conference room**, no **one hears** you, and **nothing changes**.

At the **end** of the **day**, trucking is a **people business**. Over the **past 85 years**, we have **grown** to **appreciate** the **important role** inspired people can **play** in an **industry** that is **continually changing**.

Whether it was **running** the **company** out of **our house** in the **early days** or seeing my **sons lead** our **engagement efforts** with **lawmakers** and key **stakeholders** on the **latest issues** of the day, I have **witnessed** through the **years** how **connecting with people** makes a **difference**. Our **industry** is at its best when **people answer** the call to **action**. It takes **time** and **repetition**, but **your voice** will be **heard**. Take that **lesson** from **85 years** of **experience** in the **industry**.

MSHA Offers Insights into Highwall Hazards



Source: Therese Dunphy – *Aggregates Manager Magazine*

Nearly vertical discontinuities dipping into the highwall can produce toppling failures.

When covering [highwall hazards](#) earlier this year, I asked the [Mine Safety and Health Administration](#) to weigh in with its perspective. Here are the responses provided by an [MSHA](#) spokesperson.



What are the most common highwall hazards?

Some common hazards include rockfalls from loose rock, failure of overhangs or ledges, and rock slides.

What signs should someone be watching for while performing a highwall inspection?

Some of the most important conditions to look for are:

- *rock overhangs or ledges on the highwall,*
- *loose material on the highwall face,*
- *accumulation of fallen rocks on the ground or highwall benches,*
- *cracks on top of the highwall,*
- *blast damage,*
- *geologic discontinuities with unfavorable orientations, such as bedding planes that dip steeply into the pit and near vertical joints close to the highwall face,*
- *unanticipated changes in the geology such as hill seams,*
- *changes in highwall performance, such as increased loose rock, and*
- *signs of movement, such as cracks on top of the highwall or open cracks in the highwall face.*

Loose material along the crest of a highwall can lead to rockfalls.



Should the inspection begin at the top or bottom of the highwall?

Viewing from the top, you may see signs of instability that are not readily visible from the bottom. Then you can specifically look from other locations for issues on the face associated with those features seen on top and better gauge their broader impact. However, it's more important to inspect the highwall from a variety of vantage points to gain a full appreciation of factors than to do it in a particular order.

How does an operator remediate the various types of hazards?

With active highwalls, it is best to: (1) eliminate the hazardous condition, (2) control it, (3) prevent exposure to it. However, mine operators always must comply with the obligations under the **Mine Act**.

Scaling is the most direct means to remove loose-material hazards from active highwalls. The operator should scale the highwall when they develop it and whenever they identify potentially loose rock. Using an excavator with a long arm and pick can be effective for individual rocks. Dragging a chain or track across the highwall may be effective for soft or weathered rock, but less so for highly fractured and hard rock. Some operators use contractors who are skilled at rappelling to hand scale the highwall. In any scaling operation, the operator must ensure that equipment and personnel are positioned so they are not struck by falling debris.

Properly designed benches promote stability by reducing the overall face slope and act as rockfall catchment areas. Operators should incorporate benches into the design of relatively high highwalls and when they cannot effectively scale the highwall with the equipment available. Benches can also provide access for scaling. Adding berms to create rockfall catchment areas along the toe of the highwall is common where scaling is not practical and there is sufficient room. Operators should evaluate the location and height of berms to determine their effectiveness.

Depending on the geologic conditions, the operator may use pre-splitting or other controlled blasting methods to minimize overbreak (or *back-break*). Minimizing overbreak reduces the amount of loose rock on the highwall face and can result in a more stable highwall face.

December 3, 2019 Fatality Alert

METAL/NONMETAL MINE FATALITY – A contract maintenance mechanic was performing elevator maintenance when the car descended, crushing the mechanic against an elevator platform. The person died at the scene on December 3, 2019.



Best Practices:

- 1. De-energize, lock out and tag out, and block** machinery or equipment that can injure miners – before entering the area.
- 2. Post warning signs or barricades** to keep miners out of areas where health or safety hazards exist.
- 3. Install an audible alarm** to warn of impending equipment movement.
- 4. Evaluate and correct possible hazards** promptly before working.
- 5. Train personnel** in safely using handrails and fall protection equipment during maintenance and construction activities. Ensure their use.

Additional Information:

This is the 22nd fatality reported in 2019, and the seventh fatality classified as "Machinery."

For mass instability issues that could result in slide hazards, the operator may change the highwall geometry by flattening the slope or changing the orientation of the highwall face to minimize the effects of unfavorable geology. For example, when an operator observes cracking behind the highwall crest, but the potential for failure is not apparent, it is prudent for the operator to monitor the movement. An increasing rate of movement may indicate an increasing likelihood of failure. If the rate of movement does not indicate an imminent failure, the operator may have time to unload or buttress the highwall to prevent failure.



Overhangs and highly fractured rock can fail suddenly and catastrophically.

What steps should be taken between when a potential hazard is identified and when it is remediated?

Once a potential hazard is identified, the operator should prevent access to any hazardous areas above or below the highwall, thoroughly evaluate the hazard, and then remove or control the hazard. Physical barriers such as barricades or piles of soil and rock can help prevent access. The operator should post signs describing the hazard and instructing employees in how to avoid it.

How does weather affect highwall stability?

Water from rain or snowmelt can contribute to loose rock or instability by eroding material or infiltrating the highwall, filling cracks and exerting hydraulic forces. Freezing and thawing also can cause highwall instability by causing cracks to expand and rocks to move. Seepage can lead to ice accumulation on a highwall, which itself can be a falling material hazard. The ice can also prevent groundwater drainage, resulting in hydraulic forces that lead to instability. Long-term weathering can cause near-surface weakening of the rock and highwall instability.



***Benching can help reduce the overall pit slope.
Berms on benches help capture falling rocks.***

What best practices do you advise for safe operation around highwalls?

- 1. Operators should have comprehensive mining plans that incorporate the results of a geologic investigation. Continual evaluation of geologic conditions and plan revision are essential to ensure the operation efficient and safe.*
- 2. Operators should examine the highwall before performing any work below or around it.*
- 3. Operators should train their miners on the ground control plan and on how to recognize highwall hazards.*
- 4. Operators should minimize exposure to the area near the highwall, and equipment operators should carefully choose their equipment positioning and orientation.*
- 5. Equipment operators should operate perpendicular to the highwall to the extent possible. For example, when an excavator needs to work near the base of a highwall, the operator should try to keep the excavator tracks perpendicular to the highwall face and should swing the excavator in the direction that keeps the cab away from the highwall.*
- 6. Everyone working near a highwall should be constantly vigilant, examining it for changing conditions, and respond immediately to address potential hazards.*

WINTER WEATHER

Plan. Equip. Train.

To prevent injuries, illnesses, and fatalities during winter storms, employers should provide cold stress training to workers.

Cold Stress



Get Help Now

If you're having trouble coping with work-related stress, talk with someone who can help.

Cold Stress Can be Prevented

It is important for employers to know the wind chill temperature so that they can gauge workers' exposure risk better and plan how to safely do the work. It is also important to monitor workers' physical condition during tasks, especially new workers who may not be used to working in the cold, or workers returning after spending some time away from work.

The **National Oceanic and Atmospheric Administration** ([NOAA Weather Radio](#)) is a nationwide network of radio stations broadcasting continuous weather information from the nearest NWS office. It will give information when wind chill conditions reach critical thresholds. A Wind Chill Warning is issued when wind chill temperatures are life threatening. A Wind Chill Advisory is issued when wind chill temperatures are potentially hazardous.

- [Who is affected by environmental cold?](#)
- [What is cold stress?](#)
- [How can cold stress be prevented?](#)
- [Types of cold stress](#)

Follow the links below for additional important information.

[Preparedness](#)

[Hazards/Precautions](#)

[OSHA Resources](#)

[Additional Resources](#)

MJS Safety would like to remind you to give us a call to schedule an on-site consultation for help finding and fixing hazards.

We want to make sure you're starting the New Year with Safety as your #1 Priority!