

MJS Legacy Safety Consulting Services LLC

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

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

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

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

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



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

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



Safety for Everyone

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

- ▶ **DOL's OSHA Civil Penalties for 2024** [read more...](#)
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Not enough according to one worker's father... [read more...](#)
- ▶ **How to Keep Mandatory Refresher Training Interesting . . . MJS Legacy Safety can help** [read more...](#)



▶ **Requiring Employers to Keep Employees Informed**

A new topic every month.....

First Aid Posters for your business **Why do we need first aid posters?**

First Aid Kits **So what exactly should your first workplace first aid kit include?** [read more...](#)

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

Your Right to Know

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

TRANSPORTATION NEWS SUMMARY

▶ **DOT 2024 Regs Violation Penalty Increases** [read more...](#)

▶ **CDL Drivers Clearinghouse in "prohibited" status will lose their commercial driving privileges.** [read more...](#)

▶ **Proposed Marijuana Reclassification Raises More Questions than it Answers** [read more...](#)



TRANSPORTATION NEWS SUMMARY cont'd

- ▶ **SaferCar** BY NHTSA Get Vital, Current Recall Info in 3 Easy Steps [read more...](#)
 - ▶ Roadcheck finds U.S. Vehicle Violations Slightly Higher than North American Average [read more...](#)
 - ▶ MJS Legacy Safety is now offering the **Safe Driver** course by Veriforce [read more...](#)
 - ▶ Bill to Streamline TWIC, Hazmat Certification Set for Markup [read more...](#)
 - ▶ **Truck History Reports** — Look up reported accidents, inspection violations, insurance claim, owner history and more. [read more...](#)
 - ▶ **Clean-Up of the Database Coming**
Not only should FMCSA registration protocol changes stem the flow of bad actors registering anew... [read more...](#)
 - ▶ **Legislation Aims to Help Vets Obtain CDLs, Eliminate Redundant Background Check**
The U.S. House passed the [Veteran Improvement Commercial Driver License Act](#) [read more...](#)
 - ▶ **FMCSA Grants Fleet's Pulsating Brake Light Exemption Request** [read more...](#)
- ▶ Winter Weather Essentials to Pack in Your Car [read more](#)
- ▶ **Colo. Law: Move Over for Me** "*Slow Down, Move Over*" protections to **ALL disabled vehicles.** [read more...](#)

MSHA NEWS SUMMARY

- ▶ The Mine Safety and Health Administration is now on **FACEBOOK!** [read more...](#)
- ▶ MSHA completed impact inspections at 16 mines in 10 states in July 2024
Result in 70 significant and substantial violations, 11 unwarrantable failure findings [read more...](#)
- ▶ **Health tool for miners...** provides quick access to health services tailored to miners' needs. [read more...](#)
- ▶ Mine operators are required to [Report Accidents & Hazardous Conditions](#) immediately [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

- ▶ **Fall Safety Tips for Workers**
Personal safety is always a theme you should be communicating with your workers. [read more...](#)

COVID/RSV/FLU INFORMATION/RESOURCES SUMMARY

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



“Training Spotlight”

(a different course will be featured monthly)

> PEC CORE COMPLIANCE COURSE(3 Day) & PEC CORE REFRESHER COURSE (1 day)

This course is an expanded course that goes more in-depth on many different topics that the Safeland Basic Orientation does not cover in depth. This course is required by some operators in the Oil & Gas industry, and is ideal for supervisors, foremen, safety personnel, and others who need an expanded knowledge of the basic requirements as well as compliance and mitigation strategies. The annual refresher is a 1 day course.

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

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

- *PEC Safeland Basic Orientation: NEW 2021 SAFELAND: Oct 7, Oct 23 (All Virtual); Oct 29; 8 – 4:30;
- *First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): Oct 21; 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]: Oct 21; 12:30 – 4:30;
This class available via Instructor Led video conference
- *Fall Protection Training [4 hour Awareness and 8 hour Competent Person available]: Oct 14;
- *Confined Space Entry Training Attendant, Supervisor, Competent Person & Entrant [NUCA Course]: Oct 15;
- *Confined Space Rescuer [2 day course]: Oct 16;
Students must complete the Confined Space course to be eligible for the 2nd day Rescue Course

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
■ ISNetworld
■ PEC/Veriforce
■ NCMS
■ Avetta/BROWZ
■ TPS ALERT
CALL US!!!

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

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

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
- FMCSA
- ISHN
- US DOL
- NUCA
- EHS
- Safety Evolution
- NFPA
- The Trucker
- DOL Women's Bureau
- MSHA
- NHTSA
- Overdrive
- Frontline Data Solutions
- CCJ
- CVSA



► 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!**

OSHA Workplace Mental Health Bulletin

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

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

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

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

US Department of Labor Launches Severe Injury Report Dashboard, Providing Interactive View of Injuries Across States

The U.S. Department of Labor's **Occupational Safety and Health Administration** recently unveiled an [online tool](#) giving users the ability to search its severe injury report database and view trends related to workplace injuries occurring in states covered by federal OSHA.

The **Severe Injury Report dashboard** allows users to search and download data by year, industry, state, establishment name, and **Occupational Injury and Illness Classification System**

codes. The dashboard includes information on all severe injuries reported by employers covered under federal OSHA since 2015.

OSHA encourages workers and employers to use the dashboard to learn how severe injuries happen in their industries and use the agency's available resources to help prevent workplace injuries. A [brief instructional video](#) is available to demonstrate how to use the dashboard.



REPORT A FATALITY OR SEVERE INJURY

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

To Make a Report



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

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

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

Fire Prevention Week™ (FPW™) — October 6-12, 2024

This year's [FPW campaign](#), "Smoke alarms: Make them work for you!™" strives to educate everyone about the importance of having working smoke alarms in the home. [Learn more about the history of FPW.](#)



Webinar — Smoke Alarms: MAKE THEM WORK FOR YOU!

This year's campaign strives to educate everyone about the importance of having working smoke alarms in the home. In this webinar you will learn the **WHY** behind the campaign's key calls to action: **INSTALL**, **TEST**, and **REPLACE**. Subject matter experts will share new smoke alarm technology updates, best practices, and how to plan and implement a successful FPW campaign using NFPA resources.

Watch Now!

Key smoke alarm safety tips and guidelines

Install: Install smoke alarms in every bedroom, outside each separate sleeping area (like a hallway), and on each level (including the basement) of the home.

Test: Test smoke alarms at least once a month by pushing the test button.

Replace: Replace all smoke alarms when they are 10 years old or stop responding when tested.

More Safety Tips

Make sure [smoke alarms](#) meet the needs of all family members, including those with [sensory or physical disabilities](#).

[Additional Information and Resources](#)

National Disability Employment Awareness Month

October is National Disability Employment Awareness Month. We celebrate the value and talent workers with disabilities add to America's workplaces and economy.

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

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

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

Investing in **America's workers** means building an **economy** from the **bottom up and middle out** by investing in a **workforce that includes** people with **disabilities and connects** them with jobs that **do not just** let them get by, but **help them get ahead**. These **investments** are creating **job opportunities** across the country. **Workers** with disabilities are **ready to fill** these vacancies. **People with disabilities** are **experiencing record** employment rates. In

2023, the **employment rate** for **working-age people** with disabilities was the **highest on record** at **37.2%**. Disabled people also **work in a wide variety** of occupations and **industries including** construction, **advanced manufacturing** and clean **energy sectors**. Federal **investments** in good jobs can **create opportunities** for greater **inclusion of people** with disabilities in the **workforce** and in these **industries**.

How to Use This Toolkit

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

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

[Defining Disability](#)

[Planning to Include Disabled Workers](#)

[Recruiting and Hiring Disabled Workers](#)

[Retaining and Supporting Disabled Workers](#)

[Advancing Disabled Workers](#)

[Resources](#)

[Glossary](#)

FILING A WORKPLACE COMPLAINT CHOOSING THE RIGHT ONE

Workers have the right to report injuries, safety issues, and actions taken against them for speaking up including being fired, demoted, or disciplined.

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

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

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

Complaints

Proposed Heat Rule Now Open for Comments

The Occupational Safety and Health Administration has proposed a [new standard](#) that would protect approximately 36 million workers from heat hazards.

Did You Know?

OSHA's [proposed rule to protect workers from both outdoor and indoor heat hazards](#) was published in the [Federal Register Aug 30th](#). The public is invited to [watch our overview of the rule](#) and [submit comments by the December 30 deadline](#).

¿Sabías?

La [norma propuesta por OSHA para proteger a los trabajadores de los riesgos relacionados con el calor](#) tanto en espacios exteriores como interiores [se publicó hoy en el Registro Federal](#). Invitamos al público a [ver nuestro resumen de la norma](#) y a [enviar sus comentarios antes de la fecha límite del 30 de diciembre](#).

Hydration is
always trendy

OSHA
Occupational Safety and Health Administration

Heat Illness
Prevention



Top 10 Most Dangerous Jobs in the United States in 2024

Lessons to be learned from the most lethal occupations

It's obvious to every environmental safety and health professional that an injury can happen to anyone — despite the common workplace belief that “*it won't happen to me.*”

In 2022, U.S. employers reported 2.8 million nonfatal on-the-job injuries and illnesses, according to the Bureau of Labor Statistics (BLS). Most — 2.3 million — are injuries. Globally, an estimated 374 million workers suffer nonfatal injuries each year, according to the UN Global Compact. About two-thirds (65 percent) occur in Asia, followed by Africa (11.8 percent), Europe (11.7 percent), the Americas (10.9 percent) and Oceania (0.6 percent). Job-related deaths are four to five times higher in Africa and Asia than in Europe.

As ISHN has reported annually, some jobs, when measured by number of fatalities, are more dangerous. In the U.S., most of this work occurs outdoors, sometimes in harsh weather conditions, often working alone or in isolated areas, working with job-specific heavy equipment, many times involving transportation, and often with little or no formal safety training. And the reward for many of these high-risk jobs, in terms of income, carries no substantial bonus. Salaries range from \$34,790 (agricultural workers) to \$189,620 (aircraft pilots and engineers). In 2024, the average annual salary for blue-collar workers is \$47,514. Three of the top 10 most dangerous jobs have annual average incomes at or below the national figure. Only two have salaries above \$60,000.

The top 10 in 2024

2023
2020
2019

The top 10 most dangerous jobs in the U.S. in 2024, in terms of fatalities per 100,000 full-time workers, are based on 2022 BLS data: **1) logging; 2) roofing; 3) fishing and hunting; 4) construction trade helpers; 5) aircraft piloting and flight engineering; 6) trucking; 7) refuse and recycling collection; 8) iron and steel construction, demolition and rehabilitation; 9) mining; and 10) agricultural work.**

Using 2021 BLS data of non-fatal injuries, these are the three jobs from the top 10 with the most injuries per 100 full-time workers: **airline and helicopter piloting (5.4), fishing and hunting (4.2) and iron and steel work (3.7).** The national average was 2.7 cases per 100 full-timers in 2022, according to the BLS. **Forestry and logging, mining, construction, and local trucking deliveries** had 2022 incident rates lower than that average, according to the BLS. **Agricultural work** ranged from 5.0 to 2.7 cases.

What makes the most dangerous jobs more lethal? The national rate of fatalities was 3.7 per 100,000 workers in 2022. The rates for the top 10 most dangerous jobs, based on 2022 BLS data:

1. **Logging – 100.7 per 100,000 workers**
2. **Roofing – 57.5**
3. **Fishing and hunting – 50.9**
4. **Construction trade helpers – 38.5**
5. **Air transportation – 35.9**
6. **Delivery trucking and commercial trucking – 30.4**
7. **Refuse and recycling – 22.6**
8. **Iron and steel – 21.3**
9. **Mining – 20.1**
10. **Agricultural workers – 20.0**

Contributing factors

Let's look at some of the causes of fatalities that characterize the most dangerous jobs:

1. Logging Workers

- Massive workload harvesting thousands of acres of forests annually
- Frequent isolated work
- Frequent poor weather conditions
- Operating specialized logging machinery
- Common practice of on-the-job safety training



2. Roofers

- Work is often done at great heights
- Frequent poor weather conditions
- Frequent neglect of fall protection equipment
- Safety skills learned on the job if not through apprenticeships

3. Fishing and Hunting Workers

- Trapping and hunting on boats, in forests and other isolated areas
- Use of specialized equipment including traps, nets, guns and more
- On-the job safety learning is common
- Routine travel to remote locations makes transportation-related incidents the leading cause of injuries and fatalities

4. Construction Trade Helpers

- Frequent use of heavy equipment
- Work at heights very common
- Wind, heat, cold, sudden storms are frequent work conditions
- Safety training is on the job if not through apprenticeships
- Falls, caught in or between objects, struck by objects and electrocutions are commonly referred to as the “fatal four”

5. Aircraft Pilots and Flight Engineers

- Greatest risk comes when traveling in private planes and helicopters rather than commercial aircrafts

6. Delivery and Truck Drivers

- Most work hours are spent on the road, making the risk of vehicle crashes far greater than normal

7. Refuse and Recyclable Material Collectors

- Most work hours are spent on the road, making the risk of vehicle crashes again far greater than normal
- On-the-job informal safety training is common

8. Structural Iron and Steel Workers

- Work often performed at great heights
- Frequent poor weather conditions

9. Underground Mining Machine Operators

- Work hours are spent using large machines often in poor conditions, resulting in injury or death from contact with equipment

10. Agricultural workers

- Heat exposure
- Work with heavy machinery
- Exposure to chemicals in fertilizers and pesticides
- Work at times with large animals
- Frequent absence of formal safety training

EHS professionals in every industry can study the **most dangerous jobs** and **calculate the risks** their employees face from **risk factors** such as **working at heights**, exposure to **weather conditions**, hours spent in **transit**, **hours spent** in insolated work, **exposure to chemicals** and other **toxins**, **contact** with machinery, and the **effectiveness of safety training**. **Preventing serious injuries** and fatalities (*SIF*) now **more than ever** is the **subject of books**, articles, **conferences**, **workshops**, webinars, podcasts and **more**. There are **lessons to learn** from **analyzing the top most dangerous jobs**.

**What is
safe leave?**

Gender-Based Violence and Harassment in the World of Work

Everyone has a right to a world of work free from gender-based violence and harassment.

Women in the workforce are vital to the nation's economic security. The Women's Bureau raises awareness about policies and standards that safeguard the interests of working women;

advocates for the equality and economic security of women and their families; and promotes quality work environments.

No one should lose pay or their job while recovering from gender-based violence.

[New Women's Bureau issue briefs detail safe leave best practices and policies.](#)

[Fact sheet](#) (pdf)

Kick Winter Hazards to the Curb

Tips include assessing safety issues and proper PPE

When winter arrives, so does an increased risk of slips, trips, and falls. But it doesn't take a holiday miracle to keep employees safe. Simple steps such as assessing floor safety hazards, implementing a thoughtful footwear policy, and judiciously using heaters go a long way toward maintaining a safer workplace.

For three tips to help kick winter safety hazards to the curb, read on...

Tip #1: Assess floors for potential hazards

Icy parking lots. Snow sloughing off work boots and tracked across on facility floors. Warped entry mats. Winter weather tends to deliver unintended, if addressable, hazards to the floor of even the most well-monitored worksites.

To prevent — and address — potential winter safety hazards as quickly as possible, it's helpful to start with a checklist to assess risk. Review concerns like whether the facility...

- Has mats that lie flat at each point of entry.
- Maintains sufficient snow removal equipment.
- Keeps staircases, hallways, and corridors clean and clear.
- Has slip-resistant floors.

Then, return to this checklist at regular intervals to ensure your environment remains safe.

Important as they are to address, hazards in your facility are only one part of the equation that leads to better workplace safety. Once you've reviewed your checklist, the next step is to turn your attention toward human factors.

Next, let's look at how employee policies can help keep everyone on site safe.

Tip #2: Implement and enforce a footwear policy

Anyone who has worn tennis shoes in a snowstorm knows they would have had a more comfortable experience in boots. And even if they didn't end up injured, they'd have been safer, too. The fact of the matter is, in the workplace, clean, dry, slip-resistant floors can only do so much if employees fail to select appropriate footwear.

The details of an appropriate footwear policy depend on each individual workplace, but may include requirements for specific outsoles and treads, outer materials, or safety-toe reinforcements. In any case, don't just develop the policy. Take steps to ensure implementation and adherence such as...

- Recording the policy in the company handbook.
- Communicating the policy directly to each individual employee.
- Posting the policy in communal spaces, like breakrooms, throughout the workplace.

Ensuring employees document that they have received and understand the policy.

Keep in mind that employers are exempt from any requirement to purchase non-specialty, safety-toe protective footwear (i.e., ordinary safety-toe shoes or boots without additional safety attributes) for employees. Assisting employees with the cost of footwear, however, will go a long way to ensuring the footwear policy is followed.

Once the footwear plan has been communicated and all employees have signed off, conduct regular inspections to make sure employees have compliant footwear.

You may also consider providing supplemental equipment, such as over-the-shoe snow spikes, which help employees work safely in the snow. (Note, however, such equipment must be removed as soon as employees are indoors in order to prevent slippage.)

Tip #3: Sufficiently heat the facility

Our third tip for reducing the hazards of winter weather conditions has the added benefit of promoting a more comfortable environment overall. Simply turn on the heat.

This helps prevent icy conditions from forming in entryways and hallways. What's more, maintaining a consistent temperature prevents condensation from forming on windows and doors, which can result in slippery patches below the impacted areas.

The more heaters are used, however, the greater the potential for heater-related risks. So once you turn on the heat, be sure to...

- Ensure you have working smoke and carbon monoxide detectors.
- Monitor any use of space heaters to make sure they don't cause potential fire hazards.
- Maintain monthly fire extinguisher inspections.

As with footwear policies and clearing the worksite floor of potential hazards, it's important to routinely monitor and continually review potential hazards to maintain a safe worksite.

When it comes to maintaining safe workplaces, consistency is key. If sufficient resources are available, it's helpful to assign an employee to be in charge of regularly assessing the facility to ensure safety measures are up to date. If resources are limited, consider assigning these duties on a rotating basis, or adding them to managerial duties.

In any case, safety isn't a "set-it-and-forget-it" initiative. So continually review the worksite for potential hazards and regularly audit the policies that help prevent them.



What's Being Done To Help Protect Workers From Trench Collapses

Millions of federal dollars are pouring into infrastructure projects nationwide. That means thousands more construction workers will install sewer lines, pipes or cables, and trenches dug deep into the ground. Experts say, though, that there have been at least 250 preventable deaths over the last decade from trenches collapsing on top of those workers.

A forty-one-year-old plumber was working in a trench, installing a sewer line behind a Houston shopping center when it collapsed, burying him alive. He had repeatedly asked his employer to get trench boxes - metal boxes that could keep the trench walls stable, and prevent soil from falling on top of workers if a trench caved in.

Two days prior before it happened, he told his Dad – “you know, I've already asked them a couple of times, and they told me, no, they're too expensive.” His dad says having a trench box could have saved his son.

After this worker's death, the Occupational Safety and Health Administration (OSHA) cited and fined his employer for not having a protective system.

Working in a trench can be hazardous, so much so that OSHA requires companies to have a protective system - such as a trench box - for any trench deeper than five feet. The agency also requires employers to have an experienced supervisor on site with authority to stop work in a trench if they consider it unsafe. That system is the strongest system for entering and exiting a trench.

A health and safety organizer in Austin, who has trained workers in OSHA safety courses, stated that “because of the different ways that soil types, weather and other issues can affect the stability of a trench, they can collapse without warning, and that leaves little time for workers to escape.”



“About one cubic yard - it weighs as much as a ton, like, as much as a car. And falling down on you that fast, one of the things that happens is you get hit by it, you can get crushed.”

In another incident, a 22 yr old worker was killed in a trench collapse in Lockhart, Texas in 2016. This worker's Dad said his son, who rarely questioned authority, asked his employer about the lack of a trench box just days before his death. He had told the foreman that, “hey, it's unsafe. We need a trench box. The soil's kind of shady.” His Dad stated after the accident, “You know, sure enough, when it got him, the fire department showed up, and it took them, golly, a long time to get him out because, you know, they didn't have anything to keep all the dirt and stuff away.”

“Companies who violate worker safety laws need to be punished more severely. Companies should be responsible and fearful, like, OK, this is what we have to do to make it safe. We want to be safe.”

Of the more than 250 workers who died in trench collapses in the U.S. in the last decade, only 11 employers were charged criminally. None were in Texas. David Michaels is a professor at George Washington University's Milken Institute of Public Health in Washington, D.C. He's also a former OSHA assistant secretary. He says that the agency could turn to criminal prosecutions more when trench deaths happen.

If employers see that an employer is sent to jail because a worker was killed in a trench, that will have a much bigger impact on them than fear of an OSHA fine.

The federal laws on the books that created safety guidelines for trench workers are strong, Michaels says. What's needed is stiffer enforcement of those laws. And until OSHA does a better job, workers will continue to suffer from deadly, but preventable trench collapses.

MJS Legacy Safety offers trench safety training! Give us a call!!

How to Keep Mandatory Refresher Training Interesting

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

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

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

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

NEED REFRESHER TRAINING?

— GIVE US A CALL —

Requiring Employers to Keep Employees Informed

Labor Law Posters

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

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

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

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

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

First Aid Posters for your business

Why do we need first aid posters?

Accidents do happen, and while first aid posters can never be a replacement for training, they are very useful to serve as reminders and promote awareness – firstly of what to do, and secondly, that accidents can happen, and a person may be called upon to help.

Important poster topics include **first-aid** for choking, AED usage, **CPR**, and treatment of severe allergic reactions.

[Federal emergency first aid poster](#) (pdf)

[OSHA emergency first aid poster](#) (pdf)



First Aid Kits

So what exactly should your first workplace first aid kit include?

Your kit should include a minimum of ► [OSHA Standard 1910.266 App A](#) related to mandatory first-aid kits

MJS Legacy Safety offers a First Aid class every month. Give us a call!!

— First Aid/CPR/AED/BLOODBORNE PATHOGENS —

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

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

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

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

Reminder - Federal Drug Testing Custody and Control Form Mandatory

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



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



COLORADO
Department of Revenue

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

DOT 2024 Regs Violation Penalty Increases

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

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

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

reminder.....November 18th compliance date coming soon

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

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

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

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

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

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

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

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

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

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

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

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

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

Drug and Alcohol



Clearinghouse Update

Proposed Marijuana Reclassification Raises More Questions than it Answers



The Drug Enforcement Administration has proposed shifting marijuana from **Schedule I** (*substances with a high risk of abuse/addiction*) to **Schedule III** (*drugs with a low to moderate risk of physical and psychological dependence*).

When the Drug Enforcement Administration (DEA) announced a proposal to reclassify marijuana from a **Schedule I** to a **Schedule III** substance earlier this year, it sent puffs of concern throughout the trucking and other transportation industries.

The Truckload Carriers Association issued a statement on **May 29**, noting that the DEA's proposal "is silent on what impact, if any, the reclassification of marijuana as a Schedule III drug will have on federally mandated drug testing for transportation workers." Federally certified laboratories offering drug tests to transportation employees, such as truck drivers, are not authorized to test for **Schedule III** controlled substances.

The **Controlled Substances Act of 1971** created **five Schedules** that dictate how a drug is regulated under federal law. **Schedule I** drugs are subject to the most restrictive controls, while those down the scale are subject to more relaxed rules. **To Be Clear**, rescheduling marijuana from I to III **Would Not** decriminalize the substance or make it legal for recreational use on the federal level.

The DEA's public comment period for this rule change ended on **July 22**, and a final ruling will be issued after an administrative judge reviews the matter. As of this writing in **mid-August**, that review had not been scheduled.

Several trucking industry groups have spoken out against the reclassification, as has the **National Transportation Safety Board (NTSB)**, saying they fear reclassifying marijuana would negatively impact highway safety.

During a **late June** hearing, **U.S. Transportation Secretary Pete Buttigieg**, seeking to calm fears surrounding the issue, said he anticipates that — if the drug is rescheduled — the **Department of Transportation (DOT)** will maintain the authority to conduct testing of marijuana use by commercial motor vehicle drivers and other safety-sensitive transportation workers.

In July, **NTSB officials** urged the **DEA** to ensure that any final rule to reschedule marijuana "does not compromise marijuana testing under **DOT** and **Health and Human Services (HHS)** procedures applicable to safety-sensitive transportation employees." Such employees include airline pilots, airline maintenance workers, bus and truck drivers, locomotive engineers, subway train operators, ship captains, pipeline operators, personnel transporting hazardous materials, air traffic controllers and others.

According to the **NTSB**, a safety "blind spot" would be created if the **DEA** reclassifies marijuana without taking steps to ensure that testing remains within the scope of pre-employment, random, reasonable suspicion, and post-accident drug testing.

"Removal of marijuana testing from **DOT** and **HHS** drug testing panels for safety-sensitive transportation employees would remove a layer of safety oversight that employers have been managing for decades, and it would prevent **DOT** and **HHS** drug testing from acting as a deterrent to marijuana use by those employees," the **NTSB** said. "Additionally, the **NTSB** would no longer have **DOT** and federal workplace marijuana test results as evidence in our investigations."

During a **House Committee on Transportation and Infrastructure** meeting in **early July**, **Chris Spear**, president and CEO of the **American Trucking Associations (ATA)**, spoke out, saying that, if the trucking industry's ability to conduct drug testing for marijuana use is restricted, a heightened risk of impaired drivers will threaten the nation's roadways. "**DOT** and **ATA** share the goals of achieving zero highway fatalities and ensuring the commercial driving workforce is qualified to safely operate, which is why we are committed to partnering with **DOT** to mitigate harmful impacts caused by the potential reclassification of marijuana," Spear said.

Marijuana and alcohol remain the most-often-detected drugs in impaired driving crashes that result in serious or fatal injuries. Between 2000 and 2018, crash deaths involving marijuana more than doubled, from **9% to 21.5%**. Immediately following **Canada's 2018** legalization of marijuana, that country's emergency medical facilities saw a **94% increase** in the rate of marijuana-involved traffic injuries.

During the same hearing, Rep. Rick Crawford (*R-Arkansas*), noted that he also has concerns about highway safety. "Mr. Secretary, I think it's safe to assume that the number of all impaired drivers on our roadways would increase," Crawford said to Buttigieg. "Can you speak to what your department is doing to ensure that transportation workers in safety-reliant positions can continue to be tested for marijuana use if this proposal goes forward, and how your department plans to address transportation safety in light of the Department of Justice's ruling?"

Buttigieg replied that his agency's understanding of the reclassification proposal is that "it would not alter DOT's marijuana testing requirements with respect to the regulated community. For private individuals who are performing safety-sensitive functions, subject to drug testing, marijuana is identified by name, not by reference to one of those classes," he continued. "So even if it was in its classification, we do not believe that that would have a direct impact on that authority."

Industry stakeholders and officials say they hope Buttigieg's assessment is correct.

According to TCA's statement on the reclassification issue, the proposed decision appears to be spurred by laws enacted by several states that "prohibit employers from taking adverse action against employees for off-duty use, even for safety-sensitive workers."

In other words, workers in these states who lose their jobs for using marijuana while off duty can sue their former employers for wrongful termination and recover damages.

"Courts have not decided whether the DOT Drug and Alcohol Regulations preempt these types of state laws, especially considering the regulations allow carriers to send drivers to a substance abuse professional program instead of terminating the driver's employment," TCA's statement noted. "Reclassifying marijuana as a Schedule III drug could create further uncertainty."

In other words, there are currently more questions than answers.

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Cars. Trucks. Vans. Motorcycles. Car Seats. Whatever you're driving, or whatever equipment you're using, nothing is more important than safety – yours and everyone else's. At NHTSA, ensuring safety is our most important mission.

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Millions of vehicle recalls go unrepaired or unaddressed every year, and that's a safety risk. If one of your vehicles has a recall, you're going to want to know exactly what it is and what to do next. Keeping consumers aware of the latest information about recalls – information that could directly impact their lives – is a top priority for NHTSA. With SaferCar you get crucial information as soon as it's available.

When SaferCar discovers a recall for the vehicle or equipment you entered, it will send you an alert on your mobile device.

Once you download the SaferCar app, set up your virtual garage. Add as many vehicles as you like. You can even enter related equipment like tires, trailers and car seats.

SaferCar remembers all the vehicles and equipment you enter, notifying you of all related recalls, and even pointing you to local dealerships handling vehicle repairs, so you can quickly make an appointment and get it fixed for free.

At NHTSA, our mission is focused on your safety, but we're also determined to protect your privacy. We're not trying to sell you anything, and we're not selling your information to anyone, either. In fact, our app downloads all the relevant, recall-related info you'll need, but none of your user data is stored at NHTSA. Your personal info stays inside your device.

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Roadcheck finds U.S. Vehicle Violations Slightly Higher than North American Average



Commercial motor vehicle enforcement personnel in Canada, Mexico and the U.S. conducted 48,761 inspections during this year's **International Roadcheck** in May, finding 13,567 vehicle, 2,714 driver and 163 hazardous materials/dangerous goods (HM/DG) out of service (OOS) violations, and placing 9,345 commercial motor vehicle combinations and 2,290 drivers out of service.

The overall vehicle OOS rate was 23%, and the driver OOS rate was 4.8%. The 2023 OOS rate for vehicles was 19% and 5.5% for drivers. As of August 30, the national average for vehicle OOS violations was 22.26% and 6.67% for driver OOS violations.

In the U.S., CVSA-certified inspectors performed 42,332 inspections during the three day enforcement blitz this year: 24,232 Level I Inspections, 9,955 Level II Inspections and 8,145 Level III Inspections. ([Inspection levels](#)) Inspectors identified 11,675 vehicle, 2,619 driver and 140 hazmat violations and placed 7,930 vehicle combinations and 2,151 drivers out of service. The vehicle OOS rate was 23.2% and the driver OOS rate was 5.1%. The top vehicle violation was for defective brakes (3,093). The top driver violation was hours of service (845). Loading was the top hazmat violation (60).

The focus of this year's campaign was tractor protection systems (TPS), including the tractor protection valve, trailer supply valve and anti-bleed-back valve. Inspectors identified 564 TPS-related violations on commercial motor vehicle combinations.

Vehicle Violations

Of the 40,458 Level I, II and V Inspections conducted across North America, 9,299 vehicles combinations were placed out of service, which means those vehicle combinations were restricted from further travel until all OOS vehicle violations were resolved. A vehicle is placed out of service when an inspector identifies critical vehicle inspection item violations, as detailed in the **Commercial Vehicle Safety Alliance's (CVSA) North American Standard Out-of-Service Criteria**. The top vehicle OOS violation in North America this year was, **AGAIN**, defective service brakes.

Driver Violations

Of the 47,743 Level I, II and III Inspections, inspectors restricted 2,290 commercial motor vehicle drivers from further travel due to driver OOS violations. Hours-of-service violations were the top reason drivers were placed out of service. Inspectors restricted 870 drivers from further travel due to hours-of-service violations.

The driver emphasis area for this year's blitz was alcohol and controlled-substance possession. Inspectors issued 78 drug and 26 alcohol possession/use OOS violations throughout North America during **International Roadcheck**. In the U.S., inspectors identified 63 drivers who were parked for operating vehicles even though they were listed in the **FMCSA's Drug and Alcohol Clearinghouse**.

Another driver violation that was captured during **International Roadcheck** was safety belt usage. A total of 535 safety belt violations were issued during this year's **International Roadcheck**. According to **FMCSA**, 14% of commercial motor vehicle drivers do not wear their safety belt. The agency [intends to conduct](#) an online survey of commercial motor vehicle drivers to understand their perceptions and behaviors regarding safety belt usage and road safety.

CVSA Decals

Commercial motor vehicles without critical inspection item violations on the vehicle after a Level I or V Inspection are eligible to receive a [CVSA decal](#). Inspectors affixed 17,395 decals to power units, trailers and motorcoaches/buses during **International Roadcheck**. The decals are valid for the month of issuance, plus two additional months. Vehicles displaying a valid CVSA decal typically are not subject to re-inspection during that time. However, nothing prevents re-inspection of a vehicle or combination of vehicles bearing valid CVSA decals.

[View International Roadcheck results from previous years.](#)

Top Five Vehicle Out-of-Service Violations in the U.S.			
	Vehicle Violation	# of Vehicle OOS Violations	% of Total Vehicle OOS Violations
1	Defective Service Brakes	3,093	26.5%
2	Tires	2,577	22.1%
3	Other Brake Violations	1,919	16.4%
4	Lights	1,406	12.0%
5	Cargo Securement	1,022	8.8%

Top Five Driver Out-of-Service Violations in the U.S.			
	Driver Violation	# of Driver OOS Violations	% of Total Driver OOS Violations
1	Hours of Service	845	32.3%
2	No CDL	679	25.9%
3	No Medical Card	304	11.6%
4	False Logs	283	10.8%
5	Suspended DL/CDL	138	5.3%

Safe Driver Course

There were 6 million police-reported vehicle incidents in 2021 alone. Too many workers die in road accidents. The shocking truth is most of these accidents are preventable with proper training.

To combat this alarming statistic and rise in vehicle-related safety incidents, **MJS Legacy Safety** is now offering the **Safe Driver** course by **Veriforce**, a training program specifically tailored to reduce **Serious Injury and Fatality (SIF)** crashes. **Safe Driver** is a comprehensive, training program accredited by **SafeLand™** that covers **defensive driving techniques**, fatigue management, and vehicle safety checks.

Safe Driver Course Highlights:

- **Introduction:** *Setting the stage with national and local statistics to underscore the importance of driving safety.*
- **Preparing to Drive:** *Practical advice on seat belt use, visibility, and vehicle ergonomics.*
- **The Big Five:** *In-depth exploration of the five major factors contributing to vehicle crashes and how to mitigate them.*
- **Dynamic Roadway:** *Strategies for maintaining safety in various driving conditions and scenarios.*
- **Safe Driving Tools and Policies:** *From vehicle inspection to telematics, a guide to implementing safety measures.*
- **Industry-Specific Challenges:** *Addressing the unique driving hazards present in your specific industry.*

Equip your workforce with the knowledge and tools to reduce **Serious Injury and Fatality (SIF)** crashes and foster a culture of safety among workers.

Increase Insurance Savings

The **Safe Driver** course is eligible for multiple insurance discount programs. Please contact your broker directly to inquire about available discounts.



Bill to Streamline TWIC, Hazmat Certification Set for Markup

American Trucking Associations recently joined more than 150 organizations representing trucking, rail, energy, organized labor, agriculture, third-party logistics providers and other key supply chain stakeholders in [penning a four-page letter](#) urging the House Homeland Security Committee to pass the [Transportation Security Screening Modernization Act](#).

The Homeland Security Committee was scheduled for Sept 25th to markup the bi-partisan bill, which would eliminate redundant fees and background checks for essential transportation workers. The bill was introduced by Representatives Garret Graves (R-Louisiana), Adam Smith (D-Washington), Mark Green (R-Tennessee), Michael Guest (R-Mississippi), Salud Carbajal (D-California) and Dina Titus (D-Nevada).

"There is no more effective way to thank truck drivers than by taking action to make their difficult jobs a little easier," said ATA President and CEO Chris Spear, who recently headed to Capitol Hill to meet one-on-one with the bill's original sponsors and the leaders of the Homeland Security Committee, Representatives Green and Bennie Thompson (D-Mississippi), to shore up support." It is fitting that immediately following National Truck Driver Appreciation Week, members of the House Homeland Security Committee will have the opportunity to pass legislation to respect truckers' time and money."

Transportation Security Screening Modernization Act reforms, Spear said, "the outdated, inefficient and costly bureaucratic system that forces essential workers to pay duplicative fees and undergo duplicative background checks to obtain the credentials they need to do their jobs," allowing workers to apply existing valid background checks to multiple TSA-managed credentialing programs, such as the Transportation Worker Identification Credential (TWIC) and Hazardous Materials Endorsement (HME) programs.

By eliminating duplicative screenings and harmonizing these programs, the bill would codify formal recommendations by the Government Accountability Office dating back to 2007. These recommendations were reaffirmed in 2020 in a comprehensive security assessment conducted by the Homeland Security Operational Analysis Center.

Truck History Reports

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

[Find Report](#)

And learn more about truck history reports.

Clean-Up of the Database Coming

Not only should **FMCSA** registration protocol changes stem the flow of bad actors registering anew, this screening process is coming to a DOT number near you in the near future.

Federal Motor Carrier Safety Administration Office of Registration Director Ken Riddle went on a podcast recently to give an update on the agency's fight against freight fraud, which has led 600% rise in cargo theft, countless millions lost to double brokering and load payment theft, and very little in the way of punishment for bad actors.

"We want to run all existing registrants through the process to make sure we don't have any bad actors already in our system," said Riddle, reiterating a point he made when he announced the coming changes at **MATS (Mid-American Trucking Show) in March**.

This total audit will include carriers, brokers, freight forwarders, **BOC-3s**, and everyone else who uses the system, he said.

"Problems will disappear left and right with just that," freight industry veteran Dale Prax felt about the **ID** and business verification two-step applied to every single registered entity.

It remains unclear exactly what registered motor carriers, including owners with authority, can expect from that process, likewise an exact timeline for it, yet Riddle has noted in the past he hoped the agency could get it done this year, prior to launching its new system.

The agency is hosting a stakeholder session **October 21** in part to solicit viewpoint from carriers, brokers and other registrants about what they want from a user-experience standpoint in a new registration system.



In that audit of all system users, it seems **FMCSA** might have the last word with the "WTFMCSA" crowd, a group of registered brokers and carriers who seemed to mock **FMCSA's** old lax system by registering hundreds of carriers at a single physical address and using the email address "WTFMCSA@aol.com."

Finally, Riddle reiterated **FMCSA's** plans to do away with **MC numbers**. Registered entities will only have a **USDOT number**, but that number will have a "suffix" that shows if it's registered to move passengers or freight -- or whatever other distinction. The suffix will not be a "marking requirement on the truck," said Riddle.

The modernization effort also "expands our safety jurisdiction over some carriers that we didn't have before," said Riddle, including private hazmat and exempt-for-hire carriers. "Right now, private hazmat and exempt-for-hire don't fall under our safety regulation. Under the new system, we will issue them a safety registration, which means we now have safety jurisdiction over them. They'll have to file insurance and BOC-3 process agents, whereas they didn't before."

Already, the agency has begun moving on invalid registrations and has hired a new five-person Registration Fraud team carriers can contact in the event of identity theft. Further efforts from the agency include a new partnership for identity verification that regulators will soon use to verify the real identity of new applicants for authority.

As for regulators' plans to use business verification tools to vet every existing motor carrier and broker entity already registered in its database, contracts with another third party service for that purpose are in the works.

Legislation Aims to Help Vets Obtain CDLs, Eliminate Redundant Background Check

Congress took action on two trucking-related bills recently, moving one to the president's desk for a signature, and moving another through the committee stage.

The U.S. House passed the [Veteran Improvement Commercial Driver License Act](#), which will ensure veterans can utilize their GI benefits at new branches of CDL schools whose primary institutions have already received regulatory approval.

Currently, if an approved trucking school opens a secondary facility in a new location, existing laws require the U.S. Department of Veterans Affairs (VA) and state regulators to deny the branch's ability to receive GI benefits for two years.

The bill, which was previously passed in the Senate and will now move to the president's desk to be signed into law, would remove that requirement as long as it uses the same curriculum as the primary institutions that have already been approved by the VA and state agencies.



when you're forced to take family photos



FMCSA Grants Fleet's Pulsating Brake Light Exemption Request



The **Federal Motor Carrier Safety Administration** approved a request from **Encore Building Products**, which operates a fleet of 24 trucks out of Springdale, Arkansas, to allow the fleet to operate trucks with the **Intellistop** brake light module installed.

The module is designed to pulse the required rear clearance, identification and brake lamps from a lower-level lighting intensity to a higher-level lighting intensity four times in two seconds when the brakes are applied and then return the lights to a steady-burning state while the brakes remain engaged.

The **Intellistop** module requires an exemption for use because current **Federal Motor Vehicle Safety Standard** regulations require that installed brake lamps, whether original or replacement equipment, be steady burning.

FMCSA previously denied an industry-wide exemption request from **Intellistop** and instead asked individual carriers looking to use the module to apply.

In its request, **Encore** stated that previous research demonstrated that the use of pulsating brake-activated lamps increases the visibility of vehicles and should lead to a significant decrease in rear-end crashes. In support of its application, **Encore** submitted several reports of research conducted by the **National Highway Traffic Safety Administration** on the issues of rear-end crashes, distracted driving, and braking signals. This same research was also referenced in **Intellistop's** industry-wide exemption application.

Relying on these studies, **Encore** said the addition of brake-activated pulsating lamps would not have an adverse impact on safety and would likely maintain a level of safety equivalent to or greater than the level of safety achieved without the exemption.

FMCSA granted the waiver and said it will monitor the performance of **Encore's** trucks with the modules installed to determine whether they were involved in a crash and whether they appear to be overrepresented in crashes compared to a control group. The waiver is effective through **Sept. 24, 2029**.

Winter Weather Essentials to Pack in Your Car



Car emergencies can happen to anyone, especially during the unpredictable winter months. Traveling to and from work and those family gatherings during the holidays can be treacherous and unpredictable. It's better to be prepared for the worst-case scenario rather than not being prepared at all. Make sure your car is packed with these emergency essentials.

▪ Jumper cables

Batteries can lose their charge in the cold, so jumper cables can help you get your car started if you need it.

▪ Flashlight with extra batteries

A flashlight can help you change a tire in the dark or signal for help. LED flashlights are a good option because they use very little power.

▪ First aid kit

Keep a first aid kit with essentials like gauze, band-aids, alcohol rubs, and spare medication.

▪ Phone charger

A fully charged phone is a must, especially if you're snowed in or your car breaks down. You can use a cellphone adapter to plug into your lighter or a USB portable battery pack.

▪ Blankets or a sleeping bag

Extra warmth can be helpful if you get stuck in heavy traffic or stranded in cold weather.

▪ Ice scraper, small broom, and snow shovel

These items can help you clear snow from your car.

▪ Something to give you traction

You might need something to help you get moving if you're stuck in the snow.

▪ Water and non-perishable snacks

It's a good idea to keep water and non-perishable snacks in your car.

....and don't forget — Get Your Car Serviced!

In addition to these essentials, it's crucial to keep your car well-maintained for winter. Check your antifreeze, wiper fluid, and have your wiper blades, brakes, tires, and battery inspected. Also, keep your gas tank at least half full to prevent fuel lines from freezing. Visit your mechanic for a tune-up and ask them to check for leaks, badly worn hoses, or other needed parts, repairs, and replacements.

Colo. Law: Move Over for Me

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

Connect with MSHA

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



MINE VIOLATIONS

MSHA completed impact inspections at 16 mines in 10 states in July 2024
Result in 70 significant and substantial violations, 11 unwarrantable failure findings

The U.S. Department of Labor announced recently that its [Mine Safety and Health Administration](#) completed impact inspections at 16 mines in 10 states in July 2024, issuing 239 violations and one safeguard.



The agency began conducting impact inspections after an April 2010 explosion in West Virginia at the Upper Big Branch Mine killed 29 miners.

MSHA's impact inspections since 2023 have identified 4,314 violations, including 1,189 significant and substantial and 82 unwarrantable failure findings. An S&S violation is one that could contribute in a significant and substantial way to the cause and effect of a safety or health hazard. Violations designated as unwarrantable failures occur when an inspector finds aggravated conduct that constitutes more than ordinary negligence.

The agency conducts impact inspections at mines that merit increased agency attention and enforcement due to poor compliance history; previous accidents, injuries, and illnesses; and other compliance concerns. [Of the 239 violations in July 2024](#), MSHA evaluated 70 as S&S and 11 had unwarrantable failure findings. The agency completed these inspections at mines in Idaho, Illinois, Indiana, Kentucky, Maine, New Mexico, Pennsylvania, Utah, West Virginia and Wyoming.

“July impact inspections resulted in a troubling number of unwarrantable failure findings, representing serious safety and health hazards that operators knew put miners at risk and should have corrected,” said Assistant Secretary for Mine Safety and Health Chris Williamson. “Impact inspections remain an important tool to hold operators accountable and eliminate hazards such as combustible materials near belts, hazards that history shows can unfortunately cause mine fires and lost lives.”



Health tool for miners

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

Report Emergency

[Report Accidents & Hazardous Conditions](#)
[1-800-746-1553](#)

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.



Fall Safety Tips for Workers

Personal safety is always a theme you should be communicating with your workers. There is only so much you can do to prepare them for a safe shift. With these tips, you can help employees prepare for changing weather conditions and remind them of site policies as well.

1. Always keep spare clothes on hand in case temperatures drop unexpectedly.
2. Layer clothing to ensure you don't overheat, even when it's cooler outside.
3. Keep your eyes on your path to avoid tripping over mats, slipping on ice, etc.
4. Ensure that you're wearing appropriate footwear for autumn ground conditions and temperatures.
5. Consider getting a flu shot during the fall season to protect yourself against seasonal illnesses.
6. Keep hand sanitizer at your workstation, bag, or elsewhere to avoid spreading germs to others.
7. Continue to stay hydrated, opting to bring warm beverages in addition to water as the weather cools.
8. Avoid wearing loose layers when working around rotating machinery such as conveyor belts.
9. Hang up or tuck away your coats and jackets to avoid creating trip hazards in work areas.

Autumn Safety Tips for Leadership

Fall is the perfect time to finish any ongoing maintenance projects around your facility. But you'll want to be proactive. If you live in an area with harsh winter conditions, it's important that you close out projects before the weather turns.

Use this time of year to restock and replace emergency equipment, audit building conditions, and invest in upgrades to your facilities. Here are some tips for making improvements in the fall.

10. Communicate with your employees what kinds of cold weather PPE are allowed onsite and which are not—things like space heaters, hand warmers, gloves/mittens, hats, etc.).
11. Keep sidewalk salt on hand in case of unexpected ice accumulations in pedestrian areas.
12. Check gutter systems at your facility to ensure they're properly diverting away from the foundation.
13. Ensure that all outdoor facility maintenance projects are completed or closed down before the weather turns for the season.
14. Fill any major potholes in your site's parking lot before they're covered by snow during the winter.
15. Keep the pedestrian areas free of fallen leaves to eliminate potential slip hazards.
16. Inspect your site's heating system to ensure its effectiveness before cold temperatures settle in.
17. Double check that outdoor emergency supply containers are well-stocked with blankets, hand warmers, first aid kits, and more.
18. Inspect reflective gear like trailer yard jackets and vests, replacing any that are too worn out.
19. Audit your emergency flashlights to ensure that all batteries are charged, and extras are on hand.
20. Make sure anyone using a ladder to decorate during the holidays has inspected it beforehand.
21. Secure and cover outdoor equipment and furniture to prevent damage from high winds and freezing temperatures.
22. Audit all your site's stop signs, walkways, and entrances for improvement opportunities.

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

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

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

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

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

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

OSHA's Recordkeeping Requirements for Exposure to COVID-19

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

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

SUPPORTING WORKERS WITH LONG COVID: A Guide for Employers

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

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



From all of us at
MJS Legacy Safety...

Be safe out there!!