

UTAH OSHA SAFETY LINE

NEWSLETTER



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A Message from the Editor in Chief

With the end of the year upon us, many business owners will be closing out books for 2012.

In doing so, let me give you a suggestion: Look at your insurance premium and out-of-pocket medical costs. How do they compare to 2011? To 2010? Analyzing financial metrics such as insurance premiums and medical costs can paint a pretty clear picture. The numbers tell you if your safety and health management system is working or not.

If your numbers have gone up in 2012, pay closer attention; immediately take action. The Utah Labor Commission OSHA Consultation Program is a state program dedicated to assist small businesses with their safety and health; our business is to work with you to improve the safety of your business and a safer business is also a better business. By requesting a free on-site safety and health consultation from us, you will have access to one of our professionally trained consultants and you'll be starting 2013 on the right foot—keeping your people safe, your operating processes safe, and your profit line safe. Consultation works, plain and simple. Many of the employers we work with report how their safety and health management systems went from legally sufficient to one that is more effective overall. A local Utah company said... "We have been working with OSHA Consultation and they have been very thorough and helpful, but most of all very easy to work with. It has been advantageous to have someone looking at possible safety issues that we walk by every

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day. We have learned that OSHA Consultation is there to help and identify hazards, and that they want to be of help every step of the way. Other companies said... "The Utah OSHA staff was so helpful in assisting us through some needed training and establishing increased awareness of safety with our people". "It has always been a very positive and productive experience for me and my employees".

The Utah OSHA Consultation Program seems like a perfect opportunity for your company to give a good second look at your safety and utilize the expertise of the Utah OSHA consultants, who are provided to employers at zero cost." Exper-

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tise at zero cost? Sounds like a win-win to me. You can read more about other success stories from Utah businesses at <http://laborcommission.utah.gov/divisions/UOSH/testimonials.html> or you can always call us at (801) 530-6868 for questions or further assistance. Let us help make your workplace safer. A safer workplace is a more profitable workplace. You will notice a positive difference, whether that is fewer injuries and illnesses, reduced workers' compensation claims, fewer out-of-pocket medical expenses, higher productivity and employee morale.

To learn more about our services, how the consultation process works and to request a free and confidential safety and health consultation, visit our website <http://laborcommission.utah.gov/divisions/UOSH/PrivateSector.html> or call us at 801-530-6868. Remember, the Utah Labor Commission offers these services for small employers at no cost to you. Safer and at assistance at no cost to you..."That is a win-win situation...!

Utah OSHA Prevention 4—Residential Construction Emphasis

On April 30, 2012, Utah OSHA announced the Residential Construction Emphasis – Prevention - 4. Between May 1, 2012 and September 30, 2012, the Utah OSHA Consultation Program visited 276 residential construction sites across the state providing information and promoting injury prevention and hazard identification associated with the four major causes of injury in the construction industry. In addition to focusing on the four leading causes in accidents and injury, Utah OSHA Consultants provided information on the often unrecognized health hazards in residential construction. As a result of the 276 Utah OSHA Consultation visits to residential construction sites, Falls from Elevations were emphasized 252 times, Struck-By 176, Caught In/Between 157, Electrical Hazards 209 and Health Hazards 96 times. The Prevention – 4 Emphasis had the potential positive effect on 7114 employees working in the state of Utah.

Utah employers and their employees were invited to attend an OSHA 10 Hour Construction Course at no cost during the emphasis period.

The State of Utah Labor Commission – OSHA Consultation Program provides free on-site safety and health services with a no penalty approach. Our goal is simple: Prevent Work Related Injury and Illness through a Cooperative Effort with Employers. Please visit our website at: laborcommission.utah.gov. Utah OSHA Consultants enjoyed the opportunity to work with and meet so many residential construction employers and their employees during this emphasis. We hope that you will not hesitate to ask for assistance at any time in the future: 801.5306855 or UOSH_consultation-program@utah.gov.



Western Metals Recycling, LLC

Salt Lake City Facility Achieves SHARP Status

Western Metals Recycling LLC Salt Lake City Facility has received the Award of Merit by the Utah Safety Council for five of the last six years and on August 22, 2012 achieved Utah OSHA Safety and Health Recognition Program (SHARP) status. This is an award program earned by small business organizations and companies whose practices and achievement of a safe and healthy work environment are developed through quality program administration, exemplary leadership, voluntary em-



ployee participation and timely, relevant training. The facilities safety and health program assessment exceeds that of similar organizations and their incidence rates are well below the national average in equivalent industry.

The facilities 54 employees are actively involved in the company's 'Safety Continuous Improvement Process' through established function teams that meet weekly. Other commendable practices include, monthly safety instruction such as fall prevention and lock-out/tag-out, a web based tracking system for analysis of near misses/incidents, a core investigative team that includes salaried workers, peer inspections that result in a safety scorecard, annual reviews, a supervisory safety school program, quality safety staff, consistent policy and demonstrated management support.

Utah OSHA congratulates Western Metals Recycling, LLC, for achieving this prestigious status as a Utah SHARP Company.





SIP - Standards Improvement Project request for comment.

Have you ever had that feeling that OSHA needs to update a particular standard, or make it more understandable? Now you have an opportunity to let OSHA know your concern. The Standard Improvement Project – Phase IV (SIP-IV) is asking for your input. The purpose of SIP-IV is to improve and streamline OSHA standards by removing or revising requirements that are confusing or outdated, or that duplicate or are inconsistent with other standards. The purpose of the regulatory review is to reduce regulatory burden while maintaining or enhancing employees' safety and health. SIP-IV will focus primarily on OSHA's construction standards. OSHA invites the public, including employers, employees and employee representatives involved in the construction industry to submit recommendations for revisions to existing construction standards, including the rationale for these recommendations. In 1995, in response to a Presidential memorandum to improve government regulation, OSHA began a series of rulemakings designed to revise or remove standards that were confusing, outdated, duplicative, or inconsistent. In the first rulemaking, known as Standards Improvement Project – I (SIP-I), OSHA focused on revising standards that were out of date, duplicative, or inconsistent. Revisions made by the SIP-I rulemaking included adjustments to the medical-surveillance and emergency-response provisions of the Coke Oven Emissions, Inorganic Arsenic, and Vinyl Chloride standards, and removal of unnecessary provisions from the Temporary Labor Camps standard and the textile industry standards. SIP Projects II and III continued this rulemaking process.

Other examples of prior SIP rulemaking include;

- removal of the duty of employers to transfer employee exposure and medical records to the National Institute for Occupational Safety and Health (NIOSH) when an employer ceased doing business and left no successor, when the required period for retaining the records expired, or when the employer terminated a worker's employment.
- Removal of the requirement to certify personal protective equipment training.
- Revised several sanitation standards to permit hand drying by high-velocity dryers.
- Modified OSHA's sling standards to require that employers use only appropriately marked or tagged slings for lifting capacities.
- Revised the title of 29 CFR 1910 Subpart E, from "Means of Egress" to "Exit Routes, and Emergency Planning" for greater clarity and ease of comprehension by affected employers and employees.

Current construction standards under review:

- Elimination of unnecessary paperwork among construction employers by eliminating the requirement for a written certification of employee training in the construction Fall Protection standard (29 CFR 1926 Subpart M).

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- Revising the definitions of “stable rock” in the Excavation standard (29 CFR 1926.650(b) and “layered system” in paragraph (b) of Appendix A of the Excavation Standard.
- Revising the construction Signals, Signs, and Barricades standard (29 CFR 1926 Subpart G), notably 1926.201 and 1926.202, to reference the most current version of the Manual on Uniform Traffic Control Devices (MUTCD-2009) from the Department of Transportation’s Federal Highway Administration. The current standard references the 1988 and 2000 versions of the MUTCD, which are no longer used in many jurisdictions.

For additional information please go to:

<http://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201110&RIN=1218-AC67>

Comments are due to the docket by February 4, 2013, they would encourage all interested parties and stakeholders to provide comments and recommendations before that date. The Standards Improvement Project has been a successful Federal initiative for OSHA and is an opportunity for input from stakeholders from all states.

Compliance Corner

Do I need to record a workplace injury that resulted from a fight at my workplace?

A question was posed to OSHA regarding such an act and the recordkeeping rule is explained in a letter of interpretation. The instance that raised the question arose from two supervisors that had completed their work for the day and had entered the change trailer to change clothes and proceed home. There was some bantering back and forth concerning how to beat the traffic at shift’s end. The discussion escalated into a physical confrontation where one supervisor allegedly pulled a knife and struck the other in the bicep, causing a laceration that required sutures to close the wound. OSHA’s response was: “Under 29 CFR Subpart C, an injury must be recorded if it is work-related, is a new case, and meets one or more of the general recording criteria. An injury is presumed to be work-related if it results from an event occurring in the work environment. We assume the supervisors were in the change trailer as part of their work or as a condition of their employment. If our assumption is correct, the injury resulted from an event occurring in the work environment and was thus work-related. When a work-related injury requires treatment beyond first aid, it is recordable unless it falls within one of the 1904(b)2) exceptions to the geographic presumption”.

Violence in the workplace does not generally qualify as an exception. The Recordkeeping rule contains no general exception, for purposes of determining work-relationship, for cases involving acts of violence in the work environment. However, some cases involving violent acts might be included within one of the exceptions listed in section 1904.5(b)(2).

For the complete letter of interpretation go to: http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9636