

Safety Cornerstones

Provided By: Garrett-Stotz Company
A Newsletter of Practical Compliance & Safety Tips

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OSHA-Wide NEP

Get the scoop on the new crackdown on injury and illness reporting and what you can do to comply.



The 411 on OSHA 10-Hour Safety

Construction workers and employers in Nevada are the next to be affected by this rule beginning Jan. 1, 2010.



Spotlight On...

This issue's spotlight focuses on how to avoid cold weather injuries while on the job. Winter is here, so learn what to do to stay healthy when the temperature drops.



Winter 2010



What's New: OSHA's National Emphasis Program – Injury and Illness Reporting

OSHA continually seeks ways to increase compliance and reduce the number of on-the-job hazards. The Occupational Injury and Illness Recording and Reporting Requirements National Emphasis Program (NEP) is the next component in OSHA's overall effort to make workplaces safer.

The NEP, which went into effect Sept. 30, 2009, will identify and correct under-recorded and incorrectly recorded incidents. Specifically, **it will target low-rate establishments in industries with high DART ratings.** According to OSHA, its targets are:

1. Animal slaughtering (except poultry)
2. Passenger air transportation
3. Steel foundries (except investment)
4. Other nonferrous foundries (except die-casting)
5. Concrete pipe manufacturing
6. Soft drink manufacturing
7. Couriers
8. Mobile home manufacturing
9. Rolling mill machinery and equipment manufacturing
10. Iron foundries
11. Nursing care facilities
12. Fluid milk manufacturing
13. Seafood canning

14. Marine cargo handling
15. Copper foundries (except die-casting)
16. Bottled water manufacturing
17. Refrigerated warehousing and storage
18. Motor vehicle seating/trim manufacturing
19. Pet and pet supplies stores

Though the construction industry, partnerships, VPP and SHARP establishments are outside the scope of this NEP, OSHA will develop other enforcement programs to address similar recordkeeping issues in these establishments.

Note that the official notice for this NEP indicates that states with their own OSHA programs will choose whether they want to initiate an emphasis program and if so, whether it will be identical to or different from the federal program. Check your state OSHA Web site for applicability.

According to OSHA, this NEP exists because of inconsistencies in the 300, 301 and 300A form recordkeeping. Recent reports indicate that many industries, specifically the ones listed here, have incomplete records. Often, these establishments do not include injuries or illnesses incurred by cleaning, sanitation or other temporary/contracted workers in contact with the environment but not directly employed by the plants.

What should you expect if OSHA targets you with a visit for this NEP? The OSHA Compliance Safety and Health Officer (CSHO) holds an opening conference. He or she will give you an explanatory letter, two copies of a Medical Access Order and a letter addressing the medical records review process. The CSHO will then verify what actions your company takes when there is an incident – **be prepared to walk him or her through the process you go through when an employee becomes ill or gets injured.**

After the normal walkthrough process ends, the CSHO will review your records from calendar years 2007 and 2008.

Be prepared to produce the following items:

- Medical records
- Workers' compensation records
- Insurance records
- Payroll/absentee records
- Company safety incident reports (*if available*)
- Company first aid logs (*if available*)
- Alternate duty rosters (*if available*)
- Disciplinary records pertaining to injuries and illnesses (*if available*)

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OSHA NEP – Injury and Illness Reporting

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The CSHO will then review your OSHA Form 300 in detail for 2007 and 2008. He or she will choose a sampling of employees and review their safety records. The size of the sample will depend on the size of your establishment. Those with fewer than 100 employees in 2007 will have all employees' records reviewed, employers with 101-250 employees will have 50 percent reviewed and those with more than 250 employees will have 33 percent reviewed.

Employee records and the OSHA Form 300 should match up, and the CSHO will check for continuity between them. The CSHO will also conduct various interviews with employees, first aid providers and health care professionals to evaluate compliance.

At the closing conference, the CSHO will issue citations. Recordkeeping violations will be classified as "other-than-serious" under normal circumstances, but may also be considered "willful," "repeat" or "failure to abate." In its official notice for this NEP, OSHA explicitly states that under-reporting cases is the main focus, and employers will not be cited for over-reporting; however, the CSHO will take note of employers that over-report – repeat over-reporting violations will result in fines. Note that the CSHO also has the authority to cite for other violations not related to the NEP during this visit. They will be cited under a "limited scope inspection" classification.

To read more about NEP – Injury and Illness Reporting, click [here](#) to see the official notice.



Work-Related Cases of H1N1 are Recordable

OSHA recently announced that 2009 work-related cases of the H1N1 virus are recordable. In the past, the common cold and flu were exceptions to the rule of recording communicable diseases. However, in light of the recent outbreak, OSHA amends this until further notice. In addition, OSHA requires all employers to have a written pandemic flu plan.

Note that an H1N1 illness is recordable only if it is a confirmed case of the virus, is work-related as defined by 1904.5 and involves medical treatment and days away from work.

More States Mandate 10-Hour Safety Course

Nevada joins 6 other states on Jan. 1

As of Jan. 1, 2010, seven states require construction workers to complete the OSHA 10-hour construction safety training course before they can begin working on any site. However, there are nuances and differences between the requirements each state has set. States that require the 10-hour training are:

- Massachusetts
- Connecticut
- New Hampshire
- Rhode Island
- New York
- Missouri
- Nevada

The 10-hour construction training course began as a voluntary safety instruction program to teach construction employees about site safety, but these seven states have made it mandatory. Only authorized OSHA officials may administer this training and issue certificates or cards proving compliance.

Nevada takes the program one step further by also requiring employees and supervisors to provide proof of compliance with the rule. Within 15 days of hire, employees must be able to present employers with either a 10-hour or 30-hour completion card, which is issued by Nevada's OSHA program. The cards must be renewed every five years.

Employers who do not suspend or terminate employees without the required completion card may be fined as follows:

- First violation → **\$500**
- Second violation → **\$1,000**
- Third violation (automatically considered "willful") → **\$5,000 - \$70,000**

Some companies have their own authorized OSHA trainer on staff, but the classes are also available for employees to take on the computer. Information on the Internet-based OSHA 10-hour construction training is available at www.osha10hourtraining.com.

If you need further information about the 10-hour training regulation going into effect on Jan. 1, 2010 in Nevada, please click [here](#) to read the language of the rule, known as Assembly Bill 148.

Zero Exposure

Prevent winter workplace injury and illness by being prepared and knowing how to react

Cold temperatures are especially dangerous for workers because exposure can lead to permanent injury or death. Cold weather injuries can come from low temperatures, brisk winds or even wet clothing.

Temperatures between 30 and 10 degrees Fahrenheit can freeze exposed flesh within one hour and anything colder than 10 degrees with a fair amount of wind presents immediate danger, as exposed flesh may freeze within one minute. Watch for signs of the following cold-weather injuries or illnesses:

Hypothermia

Signs of hypothermia include shivering, numbness, difficulty speaking, blue or puffy skin, poor muscle coordination, inability to walk, confusion and incoherent or irrational behavior.

Hypothermia is a serious condition. You should call for emergency help immediately, and in the meantime, move the person to a warm, dry area. Remove wet clothing and give him or her warm, sweet drinks – be sure to avoid caffeinated or alcoholic beverages and tobacco products, as they increase heat loss, risk of frostbite and dehydration. You want to generate heat, so do this by encouraging the person to move his arms and legs. If the victim cannot move, you may use warm bottles or hot

packs to warm the arm pit, groin, neck and head areas; however, **do not rub the body or place any body parts in warm water**, as this may stop the heart.

If cold water temperatures induce hypothermia, get the victim out of the water and do not remove any clothing. If climbing out is not feasible, instruct him or her not to swim unless it is to get to shore or a floating object. Swimming uses body heat and will reduce survival time by 50 percent.

Frostbite

This condition is most likely to affect the fingers, hands, toes, feet, ears and nose. The skin will turn pale, waxy, hard and numb. In the event of frostbite, remove all wet, tight clothing and place the affected areas in a warm water bath to slowly warm the tissue.

However, **if there is a chance the affected area may get cold again, do not attempt to warm the skin** or the worker will have severe tissue damage.

These conditions are extreme, but they are a very real threat to workers in the winter. The most important thing for you, the employer, is to prevent cold weather conditions from occurring in the first place. In addition to training employees on cold weather precautions, always provide proper clothing, allow short warm-up breaks, provide warm, sweet, decaffeinated beverages on the job and never allow employees to work alone when the temperature drops.

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