



WCFSA            Feb 19, 2016  
OSHA Update    presenter Joan Spencer

Meeting opened by Luke Vaughn. Our mission statement was reviewed. A recap of the January Meeting which was the Safety Now Workplace revealed a disappointing attendance, likely due to the inclement weather and the event being held on a Friday prior to a holiday weekend. Next year the event will move to Wednesday with the hours kept from 9am to 3pm, the focus will continue to be on behavioral safety.

Our March meeting will again be held at the Regal car dealership in Lakeland. Notice of the meeting is on our website. The speaker will be Brad Davis from Deb USA who will speak on Occupational skin programs. Luke has contacted Amazon for a tour for the April meeting – that remains to be confirmed. The May meeting will be Safety Products' Safety Round-Up. Flyers will be sent and some members have already received an email this morning. Kevin Yarbrough will be the keynote speaker.

There was an introduction by attendees – a listing appears at the end of these notes.

Joan Spencer opened her presentation referring to interview w/Duke Energy CEO in Safety & Health magazine. The article can be accessed here:

<http://www.safetyandhealthmagazine.com/articles/13515-ceos-who-get-it-nschome>

OSHA's mission is to ensure a safe and healthy workplace. The mission is difficult to meet as there are not enough resources. The legislature doesn't necessarily like enforcement activity. Accordingly, OSHA periodically gets reined in.

The preliminary numbers for 2014 fatalities are 4, 679. There will probably end up being 150 to 200 more when the numbers are finalized. That represents a slight increase. Historically, there was a large drop in the 2008/2009 year due to economic conditions; there were less people working. Note: 2001 doesn't include 9/11 event. A pie chart showed transportation incidents as the leading cause of workplace deaths. The second, third, and fourth causes come in ranked at all about the same percentage. The definition for workplace violence has changed. A bar chart ranking fatalities by industry continues to show the construction industry at the top, but remember the number of workers affects actual rating.

The solution is prevention that is accomplished via emphasis programs, rulemaking, reporting requirements, and grants for vulnerable workers. Emphasis programs exist for trenching, lead exposure, combustible dust, amputation, ship breaking, health care.

Inspection priorities for OSHA are imminent danger situations, fatalities/rapid response incidents, employee complaints, programmed high hazards (targeting before hazard), and follow up inspections (severe enforcement violators).

Imminent – trench, fall > 6', vicinity of overhead power lines.

Rapid Response Incidents (RRI) – OSHA wants an investigation and info on the event. If the submitted information is acceptable to OSHA, there will likely no visit. Your employee may be stupid and that be a large part of the reason an event has occurred, but typically there is some other issue contributing to the decision that the employee has chosen to put themselves at risk.

Frequently Cited Violations for Manufacturing 10/1/14 thru 15 – LO/TO, HazCom, Machine Guarding, respiratory protection, Powered industrial trucks, electrical wiring methods, electrical – gen requirements, machine guarding – power transmission, PPE general, and noise.

Question: What happens if there is an item on the OSHA 300 log that was an RRI but was not reported?  
– Joan will check if statute of limitations applies.

Frequently Cited Violations for Construction – LO/TO, HazCom, machine guarding general, ladders, fall protection training, eye & face, head PPE, general safety & health provisions, aerial lifts, and fall protection systems criteria & practices.

These lists are ranked by the number of citations.

Incentive programs – can't reward a lack of incidents/injuries – reward compliance with standards, participation in safety activity, reporting of hazards, etc.

## New Standard Rule Making

### Pre-Rule Stage

In the Pre-Rule Stage are tree care, combustible dust, 1-BP, LO/TO, forklifts (broaden definition of types of units), back over injury/fatality, mechanical power presses update, revocation of obsolete PELs, communication towers., emergency response & preparedness, process safety management, chemical accidents, BBP, chemical standards, shipyard fall protection.

### Proposed Rule Stage

In the proposed rule stage is Beryllium that was published 8/7/15.

### Final rules

In the final rule stage is tracking injury/illnesses, silica, OSHA access to medical records, walking/working fall protection systems, eye/face PPE based on national consensus standards and. 1910.140 added to as regards fall prevention systems – personal fall prevention( PFP) systems.

In construction confined spaces – a competent person must assess the worksite to determine if confined or permit required confined entry is occurring. There should be a frequent assessment as the worksite changes. Appendices have assessment guides. You can now control the hazard rather than eliminate it totally. There can also now be a suspension of permits but the suspension can't be related to hazard in space ex: machine guarding – equip LO, lights go out, you pull out from the confined space, but you need not cancel the permit – just re-enter the space when lights back on. There must be continuous monitoring of atmosphere and engulfing issues. If you plan to use EMS for response, they must be able to contact you to advise if not able to respond. In reality, you likely will need your own team.

There are new guidelines for Safety & health Mgmt. systems – get off internet now, may be deleted. Guidelines are in the format of 7 core elements with 3 to 6 action items to help you plan your activity. It includes an appendix relationship to existing standards.

[https://www.osha.gov/shpmguidelines/SHPM\\_guidelines.pdf](https://www.osha.gov/shpmguidelines/SHPM_guidelines.pdf)

Natl safety stand down has a You Tube video – Google search 2016 fall stand down. Dates are May 2 – 6<sup>th</sup> Let OSHA know if you are planning activity.

New publication on hazard classification guidance for chemicals if you are a manufacturer, importer or distributor. Weight of Evidence guidance on data evaluation. Get now, as may disappear.

<https://www.osha.gov/Publications/OSHA3844.pdf>

If which you are concerned about Zika in FL, the FL Health Dept. website has a daily count on infections and other information.

There was a general discussion of the group regarding the proposed increase in OSHA penalties. There was an old piece of legislation expired that now permits OSHA to increase penalties and recoup costs not previously available. Figures mentioned were penalties going from \$7,000 to \$12,500, and \$70,000 to \$125,000 as standard fines for various categories of violations.

There was a general discussion of challenging findings regarding violations and inspections and presenting your case in your defense. You may not eliminate a charge, but you can successfully reduce one.

There is a new OSHA poster, but you can use the old one. The poster ideally should be the size of 14 x 17.

The meeting was concluded with Jodie Ciccarello of Safety Products providing details about the Safety Round-Up and passing out her magazine's current issue.

Attendees:

John Newton – Hillsborough County

Jose Ralat – Polk County

Russ Amend – Willis Towers Watson  
Lane Reinert – DelAir  
Bobby Hess – Orlando Priede  
Sany Biller-Melland – Watson Clinic  
Susan Spagnola – Certified Foundations  
Maureen Cheston – Polk County  
Tony Flavors – Fossil Hydro Operations  
Joan Spencer – OSHA  
Ron Griffin – Safety Products  
Neville Walters – Interfood of America  
Brandy Flavors – Carpenter Contractors  
Pam Cohen – Tech Data

Brand Mang – FRSA  
Jim Leonard – Carpenter Contractors  
Bill Devore – Hexion  
Chris Walsh – Watson Clinic  
Herbert Benecke – General Engines Company  
Janine Bain – Goodwill Industries  
Luke Vaughn – Lanier Upshaw  
Jodie Ciccarello – Safety Products  
Jim Ulseth – USF  
Bobbi Tenorro  
Charlie Murphy – Safety Products

If we have inadvertently omitted someone, please let us know.