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# Table of Contents

## OSHA Compliance

Most Frequently Cited OSHA Standards (NAICS 31-33) .....	3
Preparing for an OSHA Visit .....	4-5

## Policies, Programs and Manuals

Manufacturing Employee Safety Manual.....	6-8
Lockout/Tagout Program .....	9-10
Drug-free Workplace Policy .....	11
Return to Work Policy .....	12

## Employer Resources

Alternate Ideas for Return to Work Duties: Manufacturing .....	13
OSHA Safety Quarterly Newsletter.....	14-15
Conducting a Workplace Accident Investigation .....	16
Manufacturing P&C Pro-File Monthly Newsletter .....	17
Report of Injury or Illness Form .....	18
Manufacturing Risk Insights: Managing Your Total Cost of Risk.....	19

## Employee Safety Resources

Manufacturing Target on Safety: Lockout/Tagout Overview.....	20
Manufacturing Playing it Safe: Keeping Your Hands, Wrists and Fingers Safe.....	21
Manufacturing Safety Matters: Practicing Slip and Fall Prevention .....	22
Quiz: Welding Safety .....	23

201X

# OSHA's

Most Frequently Cited Standards

## Manufacturing (NAICS 31-33)

The Occupational Safety and Health Administration (OSHA) keeps records not only of the most frequently cited standards overall, but also within particular industries. The most recent statistics from OSHA reveal the top standards cited in the fiscal year 201X for the manufacturing industry. This top 10 list comprises establishments engaged in the mechanical, physical or chemical transformation of materials, substances or components into new products.

DESCRIPTION OF VIOLATION	CITED STANDARD NUMBER	ACV*
<b>1. Lockout/Tagout</b> - Following minimum performance requirements for controlling energy from the unexpected start-up of machines or equipment.	<a href="#">29 CFR 1910.147</a>	<b>\$2,886</b>
<b>2. Hazard Communication</b> - Properly transmitting information on chemical hazards through a comprehensive program, container labeling, SDS and training.	<a href="#">29 CFR 1910.1200</a>	<b>\$660</b>
<b>3. General Requirements for All Machines</b> - Providing proper machine guarding to protect the operator and other employees from hazards.	<a href="#">29 CFR 1910.212</a>	<b>\$3,834</b>
<b>4. Wiring Methods, Components and Equipment for General Use</b> - Using proper wiring techniques and equipment to ensure safe electrical continuity.	<a href="#">29 CFR 1910.305</a>	<b>\$1,588</b>
<b>5. Powered Industrial Trucks</b> - Ensuring safety of employees on powered industrial trucks through fire protection, design, maintenance and proper use.	<a href="#">29 CFR 1910.178</a>	<b>\$1,456</b>
<b>6. Mechanical Power-transmission Apparatus</b> - Following the general requirements on the use of power-transmission belts and the maintenance of the equipment.	<a href="#">29 CFR 1910.219</a>	<b>\$1,961</b>
<b>7. Process Safety Management of Highly Hazardous Chemicals</b> - Preventing or minimizing the consequences of catastrophic releases of toxic, reactive, flammable or explosive chemicals that may result in toxic, fire or explosion hazards.	<a href="#">29 CFR 1910.119</a>	<b>\$4,874</b>
<b>8. General Electrical Requirements</b> - Ensuring electric equipment is free from recognized hazards likely to cause death or serious physical harm to employees.	<a href="#">29 CFR 1910.303</a>	<b>\$1,971</b>
<b>9. Guarding Floor and Wall Openings and Holes</b> - Ensuring every stairway floor opening has proper railings and other protection.	<a href="#">29 CFR 1910.23</a>	<b>\$2,205</b>
<b>10. Respiratory Protection</b> - Properly administering a respiratory protection program, selecting correct respirators, completing medical evaluations to determine which employees are required to use respirators and providing tight-fitting equipment.	<a href="#">29 CFR 1910.134</a>	<b>\$543</b>

\*ACV (Average Cost per Violation) - The dollar amount represents the **average cost per violation** that employers in this industry paid in 2014. To understand the full capacity and scope of each standard, click on the standard number to visit [www.osha.gov](http://www.osha.gov) and view the language in its entirety. Source: OSHA.gov

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# Preparing for an OSHA Visit

Use the guidelines below to help prepare for an OSHA inspection.

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## What triggers an OSHA inspection?

An OSHA inspection can be triggered by any of the following:

- Planned inspection
  - Complaint
  - National/local emphasis program (lead, amputations, etc.)
  - Site specific targeting program (high incident rate sites)
  - Follow-up on a previous inspection
  - Imminent danger
  - Fatality
- 

## What comprises an OSHA inspection?

### Recordkeeping

- OSHA log accuracy (from the last 5 years)
- 101/301 or first report of injury for every log entry
- Medical surveillance (hearing tests, respiratory, etc.)
- MSDS books/sheets

### Documentation review

- Written safety compliance programs (HazComm, lockout/tagout, emergency procedures, etc.)
  - Development of the written program
  - Execution of the programs
- Employee training (orientation, refresher, attendance records, subject matter, etc.)

### Site inspection

- Identify physical hazards
- Observe employee unsafe behavior
- Evaluate level of non-compliance with OSHA standards

### Employee interviews

- Labor representative
  - Rank and file
  - Management
- 

## What should I do if OSHA wants to inspect my worksite?

- Provide a room with privacy for the inspector.
- Examine the inspector's credentials.
- Ask for the purpose of the inspection (complaint, etc.).
- Determine how you will handle the inspection.

- Buy time: Require the inspector to leave and obtain a warrant, or ask the inspector to come back the next day because you are busy (depending on how much time you need).
- Let the inspector in to proceed with the inspection, accompanied by appropriate personnel.
- Inform appropriate production personnel (managers, supervisors) of the imminent inspection; advise them to quickly tour their areas and make "last minute" improvements (e.g. housekeeping, PPE, etc.).
- Someone who is familiar with your written programs, as well as the facility, should accompany the inspector at all times to ensure questions can be answered appropriately.
- If the inspector identifies any "quick fix" items, have them taken care of immediately, or at least by the time the inspector returns again.
- Take "before" and "after" photographs of every improvement made.
- If the inspector takes photographs or video, consider doing the same concurrently.
- If the inspector conducts noise or air monitoring, consider doing the same concurrently.
- Take good notes during the post-inspection conference; the inspector's comments are likely to be items that might show up in citations.

### **What are OSHA's violation classifications?**

- Willful violation (maximum \$70,000)
- Repeat violation (maximum \$70,000)
- Serious violation (maximum \$7,000)
- Other than serious violation (maximum \$7,000, can be \$0.00)

### **Why might OSHA write a citation and assign a \$0.00 penalty?**

OSHA often assigns a \$0.00 penalty in order to write a large number of citations without it being unrealistically expensive for you. However, this is typically only done one time; if OSHA finds the same violations in the future, it may cite you for a "willful" or "repeat" violation and assign a penalty up to \$70,000.

Be sure to start with a clean slate. All violations from previous inspections should be cleared, or you may be assigned large penalties.

### **What should I do if I receive citations following an OSHA inspection?**

- Pay the citations.
- OSHA may offer a reduction in the penalty if it feels the inspection otherwise went well; it will ask you to agree to pay the penalty early in order to pay the discounted penalty.
- If you strongly disagree with one or more citations, send OSHA a letter of "notice to contest" within 15 days of the inspection; prepare to go to court.
- Use the "informal conference":
  - This is one of the most common responses.
  - Meet with the OSHA area director within 15 days of receiving the citations.
  - It enables you to challenge the citations and penalties without going to court.
  - Regardless of the outcome, you give up your right to officially contest your citations.
  - You can make your case to eliminate the citation altogether, reduce the severity of the citation classification, reduce the penalty amount, or revise something about the abatement (time or content).



# **Manufacturing Employee Safety Manual ABC COMPANY**

## **An Employee Guide to Safety Policies & Procedures to Support a Safety-Conscious Work Environment**

Provided by: Tooher Ferraris Insurance Group

### Legal disclaimer to users of this form employee handbook:

The materials presented herein are for general reference only. Federal, state and/or local laws, or individual circumstances, may require the addition of policies, amendment of individual policies, and/or the entire Handbook to meet specific situations. These materials are intended to be used only as guides and should not be used, adopted, or modified without the advice of legal counsel. These materials are presented, therefore, with the understanding that the Company is not engaged in rendering legal, accounting, or other professional service. If legal advice or other expert assistance is required, the services of a competent professional should be sought. © 2008, 2012 Zywave, Inc. All rights reserved.

## Commitment to Safety

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ABC COMPANY recognizes that employees drive our business. As our most critical resource, employees will be safeguarded through training and procedures that foster protection of health and safety. All work conducted by ABC COMPANY's employees will take into account the intent of this policy. No duty, no matter what its perceived result, will be deemed more important than employee health and safety.

ABC COMPANY is firmly committed to the safety of our employees. We are committed to providing a safe working environment and will do everything possible to prevent workplace accidents.

We value our employees not only as employees but also as human beings critical to the success of their families and the local community.

Employees are encouraged to report any unsafe work practices or safety hazards encountered on the job. All accidents/incidents (no matter how slight) are to be immediately reported to the supervisor on duty.

A key factor in implementing this policy will be the strict compliance to all applicable federal, state and local policies and procedures. Failure to comply with these policies may result in disciplinary actions.

Respecting this, ABC COMPANY will make every reasonable effort to provide a safe and healthful workplace that is free from any recognized or known potential hazards. Additionally, ABC COMPANY subscribes to these principles:

1. All accidents are preventable through implementation of effective safety and health control policies and programs.
2. Safety and health controls are a major part of our work every day.
3. Accident prevention is good business. It minimizes human suffering, promotes better working conditions for everyone, holds ABC COMPANY in higher regard with customers and increases productivity. This is why ABC COMPANY will comply with all safety and health regulations which apply to the course and scope of operations.
4. Management is responsible for providing the safest possible workplace for employees. Consequently, management of ABC COMPANY is committed to allocating and providing all of the resources needed to promote and effectively implement this safety policy.
5. Employees are responsible for following safe work practices and company rules, and for preventing accidents and injuries. Management will establish lines of communication to solicit and receive comments, information, suggestions and assistance from employees where safety and health are concerned.
6. Management and supervisors of ABC COMPANY will set an exemplary example with good attitudes and strong commitment to safety and health in the workplace. Toward this end, management must monitor company safety and health performance along with working conditions to ensure that program objectives are achieved.
7. Our safety program applies to all employees and persons affected or associated in any way with ABC COMPANY operations. Everyone's goal must be to constantly improve safety awareness and to prevent accidents and injuries.

Everyone at ABC COMPANY must be involved and committed to safety. This must be a team effort. Together, we can prevent accidents and injuries. Together, we can keep each other safe and healthy in the workplace.

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President

12/31/21

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Risk Manager

12/31/21

## Table of Contents

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<u>COMMITMENT TO SAFETY</u> .....	2
<u>TABLE OF CONTENTS</u> .....	3
<u>EMPLOYEE SAFETY RESPONSIBILITIES</u> .....	4
<u>SAFETY ORIENTATION TRAINING</u> .....	5
<u>RETURN TO WORK PROGRAM</u> .....	6
<u>EMERGENCY ACTION PLAN</u> .....	7-8
<u>EMERGENCY CONTACT INFORMATION</u> .....	9
<u>SEXUAL HARASSMENT POLICY</u> .....	10
<u>WORKPLACE VIOLENCE</u> .....	11
<u>ACCESS TO EMPLOYEE EXPOSURE &amp; MEDICAL RECORDS</u> .....	12
<u>VEHICLE USE POLICY</u> .....	13
<u>MOTOR VEHICLE RECORD (MVR) GRADING CRITERIA</u> .....	14
<u>OSHA COMPLIANCE PROGRAMS</u> .....	15-16
<u>FIRE PREVENTION &amp; ELECTRICAL SAFETY</u> .....	17
<u>GENERAL SAFETY PRECAUTIONS</u> .....	18-19
<u>JOB-SPECIFIC SAFETY PRECAUTIONS</u> .....	20-25
<u>EMPLOYEE ACKNOWLEDGEMENT FORM</u> .....	26

ABC COMPANY

# Lockout/Tagout Program

Effective Date: 12/31/21

Revision #:



## Reference Standard

Occupational Safety and Health Administration: The Control of Hazardous Energy (Lockout/Tagout) Subpart J, 29 CFR 1910.147

## Purpose

This procedure establishes minimum standards for Lockout/Tagout in our facility. The goal is the prevention of accidents caused by the accidental energization of equipment or release of stored energy.

## Scope

This procedure applies to all of our company employees, all contractors and vendors performing work on company property, and all other individuals who are visiting or have business with our company. This procedure covers the servicing and maintenance of machines and equipment in which the energization or start up of the machines or equipment, or release of stored energy, could harm employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

## Responsibilities

- Management is responsible for developing and periodically reviewing this program.
- Management is also responsible for appropriate employee training.
- Management and supervisors are responsible for enforcement of this program.
- Employees shall comply with all procedures outlined in this policy.
- Contractors and vendors shall comply with all procedures outlined in this policy.

## Definitions

**Affected Employee:** An employee whose job requires him or her to:

- operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout; or
- work in an area in which such servicing or maintenance is being performed.

**Authorized Employee:** A person who locks out or tags out machines or equipment in order to perform servicing or maintenance on that machine or equipment. An affected employee becomes an authorized employee when that employee's duties include performing servicing or maintenance covered under this section.

**Contractor:** A non-company employee being paid to perform work in our facility.

**Energy Sources:** Mechanical, electrical, hydraulic, pneumatic, chemical, thermal, stored or other energy source.

**Lockout:** The placement of a lockout device on an energy isolating device, in accordance with an established procedure, ensuring that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.

**Stored Energy Source:** A hidden energy source that is capable of releasing energy suddenly. These energy sources can cause injury or death. Examples include: springs, capacitors, heavy objects held against gravity, and hydraulic or pneumatic cylinders.

**Tagout:** Placing a device on an energy isolating device, in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed.

**Tagout Device:** A prominent warning device, such as a tag and a means of attachment, which can be securely fastened to an energy isolating device in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed.

## Program Application

Our facility will always use Locks to achieve control of hazardous energy rather than tags except when an energy control device is not capable of being locked out.

## Procedure

### Energy Control Procedures

Our facility will maintain written energy control procedures for all equipment, unless the following elements exist:

- The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees;
- The machine or equipment has a single energy source which can be readily identified and isolated;
- The isolation and locking out of that energy source will completely de-energize and deactivate the machine or equipment;
- The machine or equipment is isolated from that energy source and locked out during servicing or maintenance;
- A single lockout device will achieve a locked-out condition;
- The lockout device is under the exclusive control of the authorized employee performing the servicing or maintenance;
- The servicing or maintenance does not create hazards for other employees; and
- The employer, in utilizing this exception, has had no accidents involving the unexpected activation or re-energization of the machine or equipment during servicing or maintenance.

Written energy control procedures are available from the program administrator. These procedures are always available to authorized employees. (See Appendix A for the Machine Specific Energy Control Procedure)

### Energy Control Hardware

**Locks** - Each authorized employee will be assigned a sufficient number of locks to lock out the maximum number of energy control devices found on any equipment that he or she services or maintains. All locks used within our facility will have similar design and appearance. Each set of locks assigned to an authorized employee may be keyed alike, but only one key will be assigned for each lock;

# Drug-free Workplace

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ABC COMPANY

## Purpose

ABC COMPANY recognizes that employees are our most valuable asset, and the most important contributors to our continued growth and success. We are firmly committed to the safety of our employees. ABC COMPANY will do everything possible to prevent workplace accidents and is committed to providing a safe working environment for all employees.

To further this goal, ABC COMPANY has developed a Drug-free Workplace Policy effective 12/31/21. The program will consist of three components: Post-Offer Drug/Alcohol Screen, Reasonable Cause Drug/Alcohol Screen and Post-Incident Drug/Alcohol Screen. This policy applies to all candidates for employment as well as all current employees. This policy also serves to reinforce the ABC COMPANY's intolerance for illegal drug use and working under the influence of alcohol.

## Post-Offer Testing

ABC COMPANY believes accident prevention and a safe work environment begin with hiring. As such, all applicants offered employment will be required to undergo a Drug/Alcohol Screening. Employment is conditional on the results of the Drug/Alcohol Screen.

## Procedure

Any applicant the Company hires will be directed to the proper clinic, at Company expense, to undergo a Post-Offer Drug/Alcohol Screen. The clinic will release the results to the Human Resources Manager, who in turn will notify the candidate of the results.

The test will consist of a breath alcohol test along with a urine analysis test for any non-prescribed illegal substances listed in Exhibit 'A' below.

## Consequence

In the event the drug test comes back positive, the Medical Review Officer (MRO) will review the report and contact the applicant to determine if any extenuating circumstances, relevant at the time of the test, could have resulted in a false positive. The MRO will determine if the applicant will be re-tested. If any applicant tests positive with a blood alcohol level exceeding .02 or any non-prescribed illegal substance listed in Exhibit 'A', ABC COMPANY will withdraw their offer of employment. If any applicant refuses to submit to the tests, the offer will be withdrawn.

## Reasonable Cause

ABC COMPANY reserves the right under all applicable laws to test any employee for alcohol and illegal drugs if the employee shows cause. Management, supervisors and lead personnel have been trained to identify symptoms of being under the influence of illegal drugs or alcohol.

## Procedure

If a supervisor, manager or lead person identifies a problem, they will ask another supervisor/manager/lead person to confirm the reasonable cause. Both persons will then individually fill out a Reasonable Suspicion Report. After filling out the report and it is decided jointly that reasonable suspicion still exists, the employee will be escorted to a private area where the supervisor/manager/lead person will speak to the person confidentially. The employee will be given a chance to explain. If, after the explanation the supervisor/manager/lead person believes the employee is unfit to perform his or her duties and reasonable suspicion for use of illegal drugs or alcohol still exists, the employee will be asked to go for a test. They will then be transported by ABC COMPANY to our designated testing facility.

The clinic or hospital will perform a breath alcohol test along with a urine analysis for the non-prescribed illegal drugs listed in Exhibit 'A' below.

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Prepared by Tooher Ferraris Insurance Group

This drug-free workplace policy is a guideline to reduce substance abuse in the workplace. It may not prevent substance abuse from occurring. It does not address potential compliance issues with Federal, State or local OSHA or any other regulatory agency standards. Nor is it meant to be exhaustive or construed as legal advice. Consult your licensed commercial Property and Casualty representative at Tooher Ferraris Insurance Group or legal counsel to address possible compliance requirements. © Zywave, 2001, 2013-2014 Inc. All rights reserved.

This is a sample document provided by Tooher Ferraris Insurance Group

# Return to Work

Location:  
Effective Date: 12/31/21  
Revision Number: 1

ABC COMPANY

## PURPOSE

This policy is in place to ensure ABC COMPANY provides meaningful work activity for employees who are temporarily unable to perform all, or portions, of their regular work assignments or duties. This policy applies to employees suffering from either work or non-work related injury or illness. The goal is to allow valued company employees to return to productive, regular work as quickly as possible. By providing temporary transitional or modified work activity, injured employees remain an active and vital part of the company. Studies show that a well-constructed Return to Work Policy reduces lost time days, allows workers to recover more quickly and makes for a more positive work environment.

## SCOPE

All active employees who become temporarily unable to perform their regular job due to a compensable work related or non-work related injury or illness may be eligible for transitory work duties within the provisions of this program. Return to work tasks may be in the form of:

- Changed duties within the scope of the employee's current position
- Other available jobs for which the employee qualifies outside the scope of his or her current position
- An altered schedule of work hours

## DEFINITIONS

- **Transitional duty** is a therapeutic tool used to accelerate injured employees' return to work by addressing the physical, emotional, attitudinal and environmental factors that otherwise inhibit a prompt return to work. These assignments are meant to be temporary and may not last longer than 90 days, though ABC COMPANY permits multiple 90-day assignments back-to-back if it is medically warranted.
- **Alternate duty** is a part of ABC COMPANY's Return to Work Policy that is designed as a placement service for individuals who have reached maximum medical improvement and are still unable to perform the essential functions of their pre-injury job.

## APPLICABILITY

### Length of Duty

- If work is available that meets the limitations or restrictions set forth by the employee's attending practitioner, that employee may be assigned transitional or modified work for a period not to exceed 90 days. Transitional or light duty is a temporary program, and an employee's eligibility in these reduced assignments will be based strictly on medical documentation and recovery progress.

### Daily Application

- An employee's limitations and restrictions are effective 24 hours a day. Any employee who fails to follow his or her restrictions may cause a delay in healing or may further aggravate the condition. Employees who disregard their established restrictions, whether they are at work or not, may be subject to disciplinary action up to and including termination.

### Qualification

- Transitional or modified duty will be available to all employees on a fair and equitable basis with temporary assignments based on skill and abilities. Eligibility will be based upon completion of the Return to Work Evaluation Form by the

# Alternate Ideas for Return to Work Duties

## Manufacturing

Use this chart to find possible transitional job duties for recovering workers. The ideas presented here should be adapted to your own situation to help the returning employee be as productive as possible. Always evaluate the unique conditions of an employee's injury when assigning transitional duties.

Alternative Duty Options	Type of Injury		
	Back	Lower Extremity	Upper Extremity
Cardboard box or product packaging builder	Yes	Yes	Possible
Comparison shopper (are suppliers providing best product/prices, what prices/services are competitors offering)	Yes	Yes	Yes
Conduct customer opinion surveys (via telephone)	Yes	Yes	Yes
Designer assistant	Yes	Yes	Possible
Develop safety training schedule, identify and schedule topics/trainers	Yes	Yes	Yes
Foreign language translator (translate policies/practices/posters to other common language)	Yes	Yes	No
Label pipes/conduit/breaker boxes	Yes	Yes	Yes
Machine guard inspector/painter	Yes	Yes	Yes
Machine operator that includes light/no-material handling	Possible	Possible	Yes
MSDS book updater/organizer	Yes	Yes	Possible
Paint room attendant	Yes	Yes	Yes
Painter/stenciler (building support posts, curbs/barriers, machine guards, floor striping, small signs)	Possible	Yes	Yes
Pallet and high stack rack inspector	Yes	Yes	Yes
Power tool inspector/inventory taker/minor maintenance	Yes	Yes	Possible
Product packaging labeler	Yes	Yes	Yes
Parts runner	Possible	Possible	Yes
Power tool inspector/inventory taker/minor maintenance	Yes	Yes	Possible
Pre-shift prep (arrive prior to shift start, have all tools and equipment out and ready to go)	Possible	Possible	Possible
Production assistant	Yes	Yes	Yes
Quality control inspector	Yes	Yes	Yes
Small-parts deburring operator	Yes	Yes	Possible
Superintendent/manager assistant	Possible	Possible	Possible
Tool sharpener or tool and property engraver	Possible	Yes	No
Trade show booth person	Possible	Possible	Possible
Vehicle/equipment washer	Possible	Possible	Possible
Attend vendor-provided specialty or recurring training	Yes	Yes	Yes
Conduct ergonomic assessments	Yes	Yes	Yes
Cross trainer/mentor	Yes	Yes	Yes
Mail/fax delivery for small packages	Possible	Possible	Yes

Spring 201X

# OSHA Safety Cornerstones Newsletter

A newsletter of practical compliance and safety tips provided by Toohar Ferraris Insurance Group

## IN THIS ISSUE

Top 10 Most Frequently Cited OSHA Standards for 2014

New Whistleblower Rule Implemented

OSHA Proposes Revisions to Eye and Face Standards

Information on OSHA's 2015 Fall Safety Stand-Down

OSHA Clarifies Definition of "Amputation"

OSHA Reporting and Kinesiology Tape  
*million in back wages and damages.*

## Top 10 Most Frequently Cited OSHA Standards for Fiscal Year 2014

OSHA has released results from inspections conducted during the 2014 fiscal year (Oct. 1, 2013, through Sept. 30, 2014). The following list shows the most frequently cited OSHA standards during that time period:

1. [1926.501](#) - Fall Protection (construction standard)
2. [1910.1200](#) - Hazard Communication
3. [1926.451](#) - Scaffolding (construction standard)
4. [1910.134](#) - Respiratory Protection
5. [1910.178](#) - Powered Industrial Trucks
6. [1910.147](#) - Lockout/Tagout
7. [1926.1053](#) - Ladders (construction standard)
8. [1910.305](#) - Electrical, Wiring Methods
9. [1910.212](#) - Machine Guarding
10. [1910.303](#) - Electrical, General Requirements

### What are the practical applications of OSHA inspection data for employers?

In theory, every OSHA inspection is an independent event, with the results of one inspection having no bearing on an inspection at another location. In practice, however, this is not how inspections typically work. Similar to how you might have specific benchmarks or metrics that you focus your attention on at your workplace, OSHA inspectors often receive guidance on which standards they should give extra scrutiny to during inspections. Given a large enough sample size, these points of emphasis can be discerned based upon the frequency with which the standard is cited by inspectors.

Although the overall composite data for all employers is a useful starting point, to get an accurate picture of what inspectors are focusing on in your industry, we recommend that you conduct a search of frequently cited OSHA standards for your industry segment. The following link will allow you to view inspection results by NAICS code and number of employees: <https://www.osha.gov/pls/imis/citedstandard.html>.

## New Whistleblower Rule Implemented; DOL Emphasis on Retaliation Continues

Perhaps the single defining characteristic of the Obama-era Department of Labor has been its unprecedented emphasis on vigorously prosecuting whistleblower retaliation claims. In recent years, we've witnessed not only a record number of whistleblower-related lawsuits but a steep escalation in the size of the penalties associated with these lawsuits.

On March 5, 2015, OSHA published a final rule codifying the procedures for handling whistleblower retaliation claims under the Sarbanes-Oxley Act (SOX). SOX prohibits publicly traded companies (and their subsidiaries), nationally recognized statistical ratings organizations and other covered individuals from retaliating against any employee who reports an activity reasonably believed to be fraud under mailing, wiring, banking or securities laws.

The final rule went into effect on March 5, 2015, replacing the interim final rule that was issued in 2011. Under the final rule, whistleblowers have 180 days from the date of retaliation to file a complaint with OSHA. In the complaint, the whistleblowing employee must show that he or she suffered adverse employment action and that protected activity was a contributing factor of the adverse employment action.

After receiving a complaint, OSHA will notify the affected employer that a complaint has been filed. OSHA will also provide the employer with the allegations and the substance of the evidence that supports the complaint (subject to privacy and confidentiality laws). The employer will then have a chance to show by clear and convincing evidence that it would have taken the same action, regardless of the protected activity. OSHA will begin an investigation if the employer fails to show clear and convincing evidence.



## Safety Cornerstones Newsletter

## OSHA Proposes Revisions to Eye and Face Standards

OSHA recently published a proposal to revise personal protective equipment requirements in the agency's general industry, shipyard employment, longshoring, marine terminals and construction standards. The proposal, if enacted, would align OSHA's eye and face protection standard with the latest ANSI consensus standards on eye and face protection. OSHA also plans to update the construction eye and face protection standard to make it more consistent with general industry and maritime standards.

## 2015 Fall Safety Stand-Down

Building on its unprecedented participation from last year's event, OSHA has announced this year's Fall Safety Stand-Down to prevent falls in construction, scheduled for May 4 through 15, 2015. Last year, tens of thousands of employers and more than 1 million workers across the country joined OSHA in a week-long construction Fall Safety Stand-Down, the largest occupational safety event ever hosted in the United States. Click [here](#) for more information on this year's event.

## OSHA Clarifies "Amputation" Definition

OSHA recently issued guidance clarifying new reporting requirements for amputations. Under OSHA guidelines, amputations are defined as the "traumatic loss of a limb or other external body part."

Amputations include fingertips (with or without bone loss), medical amputations caused by irreparable damage and amputations of body parts that had previously been reattached. Amputations do not include avulsions, enucleations, degloving, scalping, severed ears, broken or chipped teeth, or the removal of fingernails, toenails or eyelids.

Employers should rely on medical diagnoses to determine the classification of an injury, and, if necessary, report it as an amputation. If no diagnosis is available, employers should rely on the definitions and examples of amputations set forth in the [regulatory text](#).

## OSHA Reporting and Kinesiology Tape

In a recent letter of interpretation (LOI), OSHA clarified that when kinesiology tape is used to treat a work-related injury, the injury is considered recordable for OSHA recordkeeping purposes. Developed in the 1970s, kinesiology tape is a thin, stretchy band of adhesive material. Intended to treat musculoskeletal injuries and inflammatory conditions, OSHA determined that the use of kinesiology tape is akin to physical therapy and is considered medical treatment beyond first aid for OSHA recordkeeping purposes.

# Conducting an Accident Investigation

## **When an accident occurs, how do you know if it is work related?**

According to the Occupational Health & Safety Administration (OSHA), an injury or illness is considered work-related if:

*An event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment.*

### **Exceptions**

An injury or illness that occurs in the work environment is not work related if:

- At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
- The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure.
- The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness or recreational activity.
- The injury or illness is solely the result of an employee eating, drinking or preparing food or drink for personal consumption, whether bought on the employer's premises or brought in.
- The injury or illness is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of assigned working hours.
- The injury or illness is solely the result of personal grooming, self medication for a non-work-related condition, or is intentionally self-inflicted.
- The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.
- The illness is the common cold or flu; however, note that contagious diseases, such as tuberculosis, brucellosis, hepatitis A or plague, are considered work-related if the employee is infected at work).

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### **Incident Recording**

Securing details surrounding an alleged accident upfront will assist the insurance carrier in determining compensability. The following five steps will assist the insurance carrier in making the right decision and deter possible fraudulent claims from being reported:

1. Provide supervisor and witness questionnaire forms to all levels of management, including supervisors and foremen.

Risk management tips brought to you by:  
Tooher Ferraris Insurance Group

## DID YOU KNOW?

OSHA recently announced that it will partner with Health Canada to create universal regulatory approaches to labeling and classification requirements for workplace chemicals through the Regulatory Cooperation Council.

By using one standard label and safety data sheet (SDS) format between the United States and Canada, OSHA and Health Canada aim to create an easily understandable way of classifying chemicals and promote safety in the workplace.

## OSHA Changes Policy on Concentration of Chemicals

OSHA has revised the enforcement policy on the concentration of a chemical that must be present in a process for the purpose of determining whether the chemical is at or above the threshold quantity listed in Appendix A of the Process Safety Management of Highly Hazardous Chemicals (PSM). OSHA's previous policy was found to be potentially unsafe for use around hazardous chemicals.

Under OSHA's revised policy, an employer is required to use a new process to calculate the following:

- The total weight of any chemical in the process at a concentration that is at or above the concentration listed for that chemical in Appendix A
- With respect to chemicals for which no concentration is specified in Appendix A, the total weight of the chemical in the process at a concentration of 1 percent or greater.

The employer need not include the weight of such chemicals in any portion of the process in which the partial pressure of the chemical in the vapor space under handling or storage conditions is less than 10 millimeters of mercury. The employer must document this partial pressure determination.

For more detailed information, refer to the full policy changes at [www.osha.gov](http://www.osha.gov).

## Overuse of Physical Therapy

Although physical therapy can often help an injured employee return to work quicker, the overuse of physical therapy by injured workers may add to their time off and lead to increased medical costs.

There are a variety of reasons an employee can overuse physical therapy. For example, it can be difficult for workers to distinguish between rehabilitative discomfort and physical pain. Also, workers that reach maximum medical improvement may have additional, unnecessary sessions scheduled.

It is vital to have a system of communication in place between a physician and a physical therapist in order to maximize recovery for workers and to get them back to work quickly and safely.

**ABC COMPANY**

**R** **EPORT OF INJURY OR ILLNESS**

Location		State	Dept		Phone	
Employee Name			DOB		Employee #	
Address		City		State	Zip	
SS#	Married	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female
Job Title				Hire Date		

**Description of Incident:**

**Release of Medical Information:** *I certify that the above information is true to the best of my knowledge and I authorize the release to my employer and workers' compensation company all records relevant to my disability and my claim for disability or workers' compensation benefits, including but not limited to medical diagnosis, prognosis, treatment, and periods of hospitalization. It is understood that the company will use the information to verify my disability and determine my eligibility of appropriate benefits. This authorization applies to physicians and other health care providers, hospitals, clinics, insurance companies, workers' compensation carriers, and organizations administering benefit programs. This authorization will remain in effect throughout my claim for workers' compensation benefits. I understand that I have the right to revoke this authorization in writing. A photocopy of this authorization will be as valid as the original.*

<b>Employee Signature:</b>	<b>Date:</b>
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Incident Details						
Date of Incident	Time of Incident	<input type="checkbox"/> AM	<input type="checkbox"/> PM	Date Reported		
Incident Location (area)			On Employer Premise	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Witness(es)						
Employee lost time to injury	<input type="checkbox"/> Yes	<input type="checkbox"/> No	First Aid Given		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date Worker Left Work	Time Worker Left Work		Date Worker Returned			
Medical Facility			Doctor			
Follow Up Appointment Scheduled				<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Time Off Authorized by Physician	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, How Many Days			
Treatment Given	<input type="checkbox"/> Prescription	<input type="checkbox"/> Irrigation	<input type="checkbox"/> Sutures	<input type="checkbox"/> Tetanus Shot		
	<input type="checkbox"/> Brace	<input type="checkbox"/> Cast	<input type="checkbox"/> Remove Foreign	<input type="checkbox"/> None		
<input type="checkbox"/> Ace Bandage	<input type="checkbox"/> Other:					

## Managing Your Total Cost of Risk

As a manufacturer, how do you quantify your true cost of risk? For example, if you are faced with a recall, how do you calculate your loss of reputation or market share? It is difficult, at best, to quantify this scenario. In contrast, other components of your cost of risk are easily identified, such as insurance premiums, or lost production costs caused by downtime of a custom piece of machinery.

Total cost of risk is an insurance term describing the cost of both pure and speculative risk. It is synonymous with price — the price of your risk management program. We take a total cost of risk approach to positively affect your price by protecting the following four main asset categories:

1. Organization
2. Personnel
3. Property
4. Net income

The structure of your risk management program looks to help decrease your total cost of risk. To reach that goal, we help you:

- Analyze your exposures
- Implement control measures to those exposures
- Determine risk transfer or financing options
- Manage current and future exposures

### Identification of Exposures

As part of our risk management interview process, we look to confirm that your risk management approach supports your overall business objectives and plans for your company's future. How would your income or cash flow be affected if there were unforeseen depletions of capital or a shutdown in the plant? Discussing the qualitative aspects of your business provides the important details needed to solidify a plan to help your business succeed, even if the worst happened. Risks can be both qualitative and quantitative. Analyses into both offer the foundation for developing forward-thinking approaches to those exposures.

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**Total cost of risk is an insurance term describing the cost of both pure and speculative risk. Additionally, it is synonymous with price – the price of your risk management program.**

What is your viewpoint on risk? Is your company risk-averse? Is it in a financial position to take on more risk versus transferring that risk to another party or contractually to a carrier? To help determine your risk aversion, it helps to assess your company history. For example, if you are a start-up company, cash flow and funds are typically tight, so you are more likely to be adverse to risk to protect the financial viability of your start-up organization. Conversely, if your company has a 20-plus year history, there are also risks, including

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Provided by Tooher Ferraris Insurance Group

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# Lockout/Tagout Overview

## Purpose of Lockout/Tagout

Lockout/tagout is used to **prevent the unexpected startup or activation of a machine or equipment during service and/or maintenance operations that might cause injury.** In short: lockout/tagout makes certain that no one performing service or maintenance work gets injured or killed.

## Energy Sources

When lockout/tagout is performed, it is important to identify all energy sources inside a machine or piece of equipment. **This is not limited to electrical energy**, the most common source; it also must include mechanical energy, pneumatic energy, hydraulic energy, stored energy (particularly when dealing with pneumatic or hydraulic energy) and thermal energy. Consider the impact gravity will have on equipment released from its energy source and take the steps to prevent equipment or parts from falling.

## When Lockout is Used

Lockout is used during all service or maintenance when an employee must **remove or bypass machine safeguards and have body parts exposed** to the point of operation or another danger zone. Lockout/tagout guards against the **unexpected** energizing or startup of the equipment during all service activities. **This include installing, adjusting, setting up, inspecting, modifying, or servicing machines or equipment in addition to lubricating, cleaning, un-jamming and making adjustments or tool changes.**

## When Lockout is Not Necessary

Lockout is not necessary during **normal production operations provided no guards are removed and employees are not placing any part of their body in a danger zone.** Normal production operations are defined as the machine performing its intended function.

## Work Zones

When service or maintenance work is being performed on live electrical systems, the electrician will establish a work zone around the work. **This work zone will be identifiable with safety cones and is off limits to other employees.**

## Training Requirements

**All employees must receive lockout/tagout training** but there are three different levels that apply to the three types of employees OSHA recognizes. **Authorized** employees are those who perform maintenance work and who will initiate lockout procedures. These can be maintenance or production employees performing service/maintenance work. Authorized employees receive the highest level of training and need to know how to do all the specific steps outlined on the next page. **Affected** employees are those who work in areas where lockout/tagout is performed, and **Other** employees are those who may pass through lockout/tagout areas and simply need to know not to touch padlocks or attempt to re-energize equipment that has been locked out.

## Written Procedure

**The company has a written lockout/tagout program that outlines how the program will be administered. In addition, there are written “machine specific procedures” that define how each machine or piece of equipment**

PLAYING IT

# SAFE

Be safe and healthy on the job at ABC COMPANY with these helpful tips provided by Tooher Ferraris Insurance Group.

## Keep Your Hands, Wrists and Fingers Safe

*Helpful tips for reducing your risk of injury at work*

Hand, wrist and finger injuries are among the most common ailments suffered by workers, and they can be both extremely painful and debilitating. An occupational injury not only causes initial pain – it can also require weeks or months of rehabilitation.

### Sources of Injury

Throughout the day, your hands come in contact with a multitude of hazards such as heavy or fast-moving machine parts, sharp tools and corrosive chemicals. The following is a sampling of hand, wrist and finger hazards you might face on the job every day:

- Cutting tools operating at high speeds
- Heavy machinery
- Extreme temperatures
- Pinch points
- Equipment without machine guards
- Wearing clothing that can get caught in a machine

### On-the-Job Protection

Personal protective equipment (PPE) is designed to shield your body from hazards. Since the hands, wrists and fingers are so susceptible to injuries, there are many varieties of PPE to choose from and that your employer may require.

- Select gloves that are appropriate for the task at hand. Make sure they are long enough to cover your wrists and fit correctly. Gloves that are too big can get caught in machinery, and gloves that are too small wear out easily.

- Leather gloves provide protection from bruises, cuts and minor burns. Cut-resistant gloves offer shielding from sharp-edged tools. Heat-resistant gloves offer protection against burns. Rubber, vinyl or neoprene gloves shield hands from corrosive materials.
- Barrier creams applied to the skin provide an invisible protective coating against minor irritations.
- Guards or hand pads protect against heat and abrasive materials.
- Finger guards protect against pinch hazards.

### Recognize Hazards

While PPE will shield you to some extent, you also must learn how to recognize potential hazards and then take the proper steps to avoid them. Consider the following recommendations while on the job:

- Develop a “safety first” attitude and take time to familiarize yourself with the hazards in your working environment. Become familiar with all equipment and know what others are doing around you.
- Concentrate on the task at hand, even when you’re frustrated or when there are distractions.
- Use common sense and remain alert for unexpected problems. Be wary of possible hazards.



### Serious Risks

According to the Bureau of Labor Statistics data, there are about 250,000 hand, wrist and finger injuries in private industry per year, resulting in an average of seven days away from work for an injured worker.

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# safety matters

Manufacturing  
Toolbox Talks for ABC COMPANY

From your safety partners at Tooher Ferraris Insurance Group

## Practicing Slip and Fall Prevention

A janitorial employee was scrubbing the steps and floors with water and a cleaning agent. An observant worker realized that soon, dozens of employees would be going down these steps for their lunch break. This person then took the proper action to avert this potentially dangerous situation and set up a wet floor sign.

### Do Your Safety Part

An unguarded wet floor is only one of the many causes that account for millions of work-related injuries every year. Which is why it is important to spot unsafe conditions that could lead to slips and falls, and do what you can to prevent them.

There are various ways to suffer slips and falls while working. You can slip and lose your balance, you can trip over objects left improperly in your walkway, or you can simply fall from an elevated position to the ground. To avoid slips and falls, be on the lookout for foreign substances on the floor. Watch for:

- Deposits of water
- Food
- Grease or oil
- Sawdust
- Soap
- Other manufacturing debris

Even small quantities are enough to make you fall.

### Good Housekeeping Counts

When entering a building from the outdoors or from debris areas, clean your footwear thoroughly. Snowy and rainy weather require a doormat at each entrance to allow for complete wiping of shoes. Avoid running, walk safely and do not change directions too sharply.

Beware of tripping hazards. Trash, unused materials or any object left in aisles designed for pedestrian traffic invites falls. Extension cords, tools, carts and other items should be removed or properly barricaded off. If equipment or supplies are left in walkways, report it. Let the proper personnel remove it. And keep passageways clean of debris by using trash barrels and recycling bins.

### Practice Prevention

Walk in designated walking areas. Short cuts through machine or other manufacturing areas can cause accidents. Concentrate on where you are going—horseplay and inattention leaves you vulnerable to unsafe conditions. Hold on to handrails when using stairs or ramps. They are there to protect you should a fall occur. If you're carrying a heavy load that hampers your ability to properly ascend or descend stairs, use the elevator or find help.

The worst falls are from elevated positions such as ladders, and can result in serious injury or death. Learn and practice ladder safety and the proper use of scaffolding. For example,

**To avoid slips and falls, be on the lookout for hazards such as water, food, grease, oil, sawdust, soap or other manufacturing debris.**

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# WHAT DO YOU KNOW ABOUT SAFETY?

**Can you tackle the biggest safety hurdles on the job? If you think you can, take this welding and cutting safety quiz to find out!**

1. Before beginning to work, you should check your workspace for fire hazards.
  - a) True
  - b) False
  
2. How can you reduce the risk of burning a floor when welding?
  - a) Cover it with a metal sheet
  - b) Wet the floor
  - c) Place plastic down under your materials
  - d) A and B only
  
3. Name three ways that you can prevent fires when welding near combustible materials.
  
  
  
  
  
  
  
  
  
  
4. What is the point of testing a tank or drum that once held flammable liquids or gas before welding?
  - a) To make sure it can withstand hot temperatures
  - b) To make sure there are no dangerous vapors present
  - c) None of the above
  
  
  
  
  
  
  
  
  
  
5. What types of personal protective equipment (PPE) must a welder wear to remain safe? Name two.