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Consider This

HEALTH & SAFETY NEWSLETTER
SEPTEMBER 2015

OSHA Issues Enforcement Period for Confined Spaces

Expanding the Zero-Injuries Mindset: A Greater Goal for Safety

OSHA Standards for Emergency Egress Lighting

Legalized Marijuana – What Does That Mean for Employers?

Captain Obvious

Staying Alert in School Zones

Work Safe. Live Safe. Stay Safe.

OSHA Issues Enforcement Period for Confined Spaces

OSHA has issued a 60-day temporary enforcement policy for its Confined Spaces in Construction standard. The agency is postponing full enforcement of the new standard to October 2 in response to requests for additional time to train and acquire equipment required to comply with the standard. During the temporary enforcement period, the agency will not issue citations to employers that make good-faith efforts to comply with the standard. Employers must be in compliance with the training requirement of either the new standard or the previous standard.

Good-faith efforts include:

- Scheduling training for employees as required by the standard;
- Ordering equipment necessary to comply with the standard;
- Taking alternative measures to educate and protect employees from confined space hazards.

The final rule was issued on May 4, 2015, and provided construction workers with protections similar to those manufacturing and general industry workers have. For more information visit www.osha.gov.

OSHA® Occupational Safety and Health Administration

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Expanding the Zero-Injuries Mindset: A Greater Goal for Safety

When assisting clients in planning for their next year, we discuss gaps in their process, prioritize risks, evaluate potential controls, and determine company-wide or department-specific goals. We are not surprised to hear “Zero Injuries” topping their charts as the #1 goal. But why?

A focus on zero injuries misses the mark, yet we believe zero injuries is one of the many positive outcomes in the journey to safety.

Firstly, zero injuries is the outcome desired by any company, on any project, and in every task. It’s a typical stance. But if we dig down further, wasn’t zero injuries the goal of the Titanic and Macondo Prospect Deepwater Horizon oil drilling platform? While the goal of zero injuries was honorable, the end results were devastating.

Zero injuries sounds great and looks good on data reports, but does it mean that your goal has been met and everything is working efficiently? A company’s #1 safety goal should encompass something much greater—**zero at-risk behaviors**.

Let’s look at the following questions for your site or facility:

- Are there PPE infractions?
- Are people taking short-cuts?
- Are guards missing from powered hand tools?
- Are inspections missing or being pencil-whipped?
- Are housekeeping efforts lax?
- Is there noncompliance with safety?

The list could continue. Did you answer yes to any of these? If so, your zero-incident rate could be at risk and the likelihood of an employee getting injured may be greater than expected. ***Let EHS Support work with you to focus on building a team and culture that identifies and eliminates at-risk behaviors.***

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OSHA Standards for Emergency Egress Lighting

The Occupational Safety and Health Administration (OSHA) requires a building's exit paths to be adequately lighted so an employee with normal vision can see along the exit route. This means emergency egress lighting must operate reliably and effectively during low visibility evacuations. To ensure the correct operation of backup lights, building owners should adhere to the National Fire Protection Association's (NFPA) emergency egress light requirements—a group of standards that OSHA has co-opted. Below are emergency egress light requirements from the NFPA Life Safety Code.

The Four Aspects of Proper Egress Lighting

The NFPA establishes four criteria to ensure the reliability and effectiveness of backup lighting: performance, operation, power source, and testing. These criteria contribute to OSHA lighting standards.

Proper Performance

- The Life Safety Code requires emergency egress lights to provide at least ninety minutes of illumination after commercial power becomes unavailable—a period of time that should be sufficient for evacuating a large building. To provide adequate lighting, egress lights must burn at a minimum of 10.8 lux. During testing, illumination should be measured by placing a light meter at floor level.

Proper Operation

- The Life Safety Code requires backup lights to operate automatically. If they are generator powered, this means that a building's emergency power supply system (EPSS) must feature an automatic transfer switch (a.k.a. "make before break" switch). Emergency lights must be able to operate automatically without receiving a manual reset.

Proper Power Source

- The Life Safety Code states that egress lights can be battery or generator powered. Batteries must be rechargeable and compliant with National Electric Code (NEC) requirements for batteries, and generators that power backup lighting must be compliant with NFPA Standard 110.

Proper Testing

- The Life Safety Code lists two methods for testing egress lights. The first method requires a monthly 30-second test of generator-powered lighting. The second method requires an annual 90-minute test of battery-powered lighting.

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OSHA Standards for Emergency Egress Lighting (Continued)

Penalties for Noncompliant Buildings

OSHA requires most commercial buildings to adhere to the NFPA standards listed above. For noncompliance with OSHA lighting standards, building owners face immediate fines that can be financially crippling. For example, a willful code violation can cost a building owner up to $70,000. When the violation causes the death of a worker, the owner can be fined up to $250,000, plus receive prison time. When a corporation's willful violation causes the death of a worker, a $500,000 fine could be levied.

Meeting OSHA requirements takes time and money, but not meeting them could result in significant fines and even prison time. If your building has egress lighting problems that constitute code violations, fix them now. Remember to backup egress lighting with photoluminescent egress markings.

Reference: http://www.globritesystem.com/blog/osha-lighting-standards-for-emergency-egress-lighting/

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Legalized Marijuana – What Does That Mean for Employers?

Employment drug testing proves to be a powerful risk tool that provides organizational benefits. In addition to promoting a safer, more productive workplace, it can help to decrease employee turnover and absenteeism, reduce employer risk, and lower workers' compensation incidence rates, according to Drug Testing Efficacy 2011, a poll conducted by The Society for Human Resource Management (SHRM) and the Drug and Alcohol Testing Industry Association (DATIA). Key points from this study showed that organizations with high employee absenteeism rates (over 15%) that implemented drug-testing programs lowered their absenteeism rates from 9% to 4%. Additionally, of the organizations surveyed, nearly 19% of employers experienced an increase in productivity after the implementation.

It is obvious that an effective drug-testing program promotes a safe, productive workplace in addition to a multitude of other benefits, but what challenges are arising from the marijuana legislation? Twenty states and the District of Columbia have decriminalized possession of marijuana for medical use. Washington and Colorado allow recreational use, as well. But federal law still classifies marijuana as a Schedule I drug—one with no legal use. Therefore, employers who implement drug testing polices are facing new challenges. These new challenges must be resolved quickly and efficiently because of the staggering new positivity results that are being reported.

For the first time in a decade, employees are testing positive for marijuana at a higher rate nationwide, especially in Colorado and Washington. According to Jenny Dudikoff, a representative for Quest Diagnostics, positive testing for marijuana for regularly tested employees in Colorado increased by 20 percent. The growth was even greater in Washington. Employees there showed a 23 percent increase. Nevertheless, the increased marijuana results were not limited to so-called "green states". Nationwide, Quest found a 6.2 percent increase in marijuana use.

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Legalized Marijuana – What Does That Mean for Employers? (Cont.)

Residing in a state where recreational marijuana is legal does not ensure protection. Employers generally have the authority to restrict recreational use of marijuana by employees and impose sanctions, including terminations, on employees with positive drug tests in all 50 states. When employees walk on to the job, they become an employer's responsibility. Use of any substance that impacts an employee's ability to do their job, quickly and legitimately becomes a cause for concern.

Employers may certainly institute drug-free workplace policies. These are in place to help ensure that employees come to work ready and able to work, and they do not endanger others while they are working. Some companies in green-states, especially in the tech industry, are having a cultural shift. They are scrapping the old drug policies in order to recruit the best talent available. Even though these companies are updating their policies to exclude marijuana, common sense remains. Even though marijuana is not tested for, if you should show up intoxicated on marijuana at the workplace, it is still grounds for termination. This aligns with the current standard for intoxication of alcohol in the workplace.

Interestingly, despite marijuana legalization in some states, another substance boasted the biggest increase among the 8.5 million Americans tested by Quest. Amphetamines, a class of central nervous system stimulants that includes drugs ranging from methamphetamine to prescription medication for ADHD, showed a 10 percent increase nationwide (compared to 6.2 for marijuana) from 2012 to 2013. This represented the highest percentage of amphetamine use on record and the highest methamphetamine testing rates since 2007.

How can we take a stance?

- Review your state's laws on discrimination against marijuana users. Make sure your policies are consistent with state anti-discrimination statutes.
- Continue complying with federal regulations
- Review your drug use and drug testing policies to ensure that they clearly explain your expectations regarding impairment, marijuana use outside of the company, and drug testing
- Make sure you are prepared to consistently follow your stated procedures
- As part of your policy review, articulate whether you wish to ban all employee drug use or merely impairment.

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Why is it that safety professionals are getting heckled when we provide reminders on basic safety information and then go into a facility to conduct a mock-OSHA audit and find the same type of potential hazards or non-compliance items over and over again? Each month we feature a "Captain Obvious" photo to share simple safety reminders that are found on jobsites every day.

CORRECTIVE ACTIONS

- **Take damaged power tool out of service until repaired.**
- **Retrain personnel on inspecting hand and power tools prior to use and on procedures for tagging damaged equipment and removing from service.**

FINDING

Damaged Electrical Cord on Power Tool

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It's that time of year again – BACK TO SCHOOL! But starting a new school year means more to consider than new clothes, backpacks, and homework; it's also time to consider safe driving in school zones and through neighborhoods where children may be making their way to school.

According to the National School Bus Loading and Unloading Survey, nine students were killed during loading or unloading accidents the U.S. from 2012-2013, with six of the fatalities caused by passing vehicles. These are heartbreaking statistics that nobody wants to hear. If you have employees that spend time driving full-time or even part-time for your company, **take the time to provide school-zone safety training**.

A few simple reminders could keep an accident from happening.

- Watch for school zone signs and follow the posted speed limit in these zones (usually between 15-20 miles per hour). IT'S THE LAW!
- Never pass vehicles (especially school buses) or change lanes inside a school zone.
- Watch for children walking or bicycling (both on the road and the sidewalk) in areas near a school.
- Watch for children playing or gathering near bus stops and yield to pedestrians in these areas.
- Look for crossing guards and follow their instructions at cross walks and four-way stops.
- Stop for school buses with its red overhead lights flashing or that has stopped to load/unload children, regardless of the direction from which the bus is approaching. Do not proceed until the bus resumes motion and the red lights stop flashing.
- Put down your cell phone and turn down the radio through neighborhoods and in school zones. Actively look and listen for children around you.

For more information on school-zone and pedestrian safety, visit the website for the National Highway Safety Administration.

Sources: http://www.protection1.com/resources/back-to-school-safety/ http://www.topdriver.com/school-zone-safety/
http://www.saferoutesinfo.org/program-tools/improving-school-drop-and-pick-zones
http://static.arvada.org/docs/1313026157School_Zone_Safety_brochure.pdf

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Contact Monica Meyer at Monica.Meyer@ehs-support.com today to learn more about how we can help you manage your health and safety risks.