

The Dell Group

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THE ADVISOR

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Your Free Newsletter of
Management Information

**SPECIALIZING IN SAFETY, ENVIRONMENTAL AND
HUMAN RESOURCES TOPICS**

P.O. Box 1390 Mentor, OH 44061-1390
440.266.0403 / 800.259.8930 / FAX 440.266.0413
DELLGROUP.COM / INFO@DELLGROUP.COM

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SEASON'S GREETINGS

Hello Friends,

We wanted to say thank you for being a part of The Dell Group this year.

We could not have managed the successes we have had without people such as yourself.

To show our appreciation, we developed some safety tips for the holidays to help keep your co-workers and families **Safe**.

Thanks again and we hope you have a great holiday.

Please let us know if you have any [other end of year safety needs](#).

HOLIDAY SAFETY TIPS

The holidays are best enjoyed at home, not in the hospital. Brush up on the do's and don'ts of holiday safety with this statistically driven guide of holiday safety tips.

Common Holiday Hazards

An estimated 5,800 people each year are treated in hospital emergency rooms for falls associated with holiday decorations.

Watch out for your kids. Kids get excited, especially concerning a new place, new people, or new experiences. Many locations aren't as childproof as your own home.

- If you're travelling or you're a guest, you'll have to be alert for potentially dangerous food, drinks, household items, toys, tools, choking hazards, etc.
- Don't wait to clean up after a party. Kids or pets could get to hazardous alcohol, food, or decorations before you do.
- Poinsettias are poisonous to man and beast; keep them far from children and pets.

Be alert for fire hazards. Most residential fires occur during winter, and it's easier to get careless when you're caught up in good company.

- Never leave sources of fire or heat unattended.
- Never use charcoal- or gasoline-fuelled devices indoors.

Step aside for professionals and experts.

- Leave the fireworks to the professionals.
- Leave the grilling to the veteran barbeque-ers of the family.

If you're decorating,

- Assemble, clean, and inspect the location and all of your tools and equipment first.
- Never block exits.
- Never use damaged accessories, cords, lighting sources, etc. Never overload on electrical outlets or cables.
- Ensure your holiday lights aren't damaged (frayed, aged, cracked, etc.)
- All outdoor electrics should be plugged into GFI (ground fault circuit interrupter) outlets for extra protection.
- Always opt for non-flammable material (whether for Christmas trees, Halloween or Carnival costumers, Easter decorations, etc.)
- Never leave fire or heat sources unattended.

Did you know?

Candle Fires Are Rampant During Holidays

Christmas, Christmas Eve, and New Year's Day are the top 3 days of the year for candle fires.

Children at High Risk for Electrical Accidents

According to the CPSC 70% of child related electrical accidents occur at home, when adult supervision is present.

Winter is Fire Season

The number of children injured or killed in home fires more than doubles during the winter months.

Seasonal Safety

On average, 250 fires each year begin with a Christmas tree. An additional 170 fires each year begin with holiday and decorative lights.

Dress and behave according to the season. Stay warm in cold temperatures, and cool-down in hot environments.

Prepare and guard yourself according to the activity.

Whether you're swimming or snowboarding, trick-or-treating or hunting for chocolate eggs, and running the risk of hypothermia or sunburn or drowning or firework explosions... Be sure you know the basic rules and safety precautions for whatever you do.

Check and prepare the fireplace before using it.

- Never burn wrapping paper, which could cause flash fires.
- Keep all decorations and flammable objects at least a few feet away.
- Always use a sturdy and large metal screen.

Safe Travels

43% of traffic fatalities on Labor Day of 2010 involved alcohol, compared to 32% on any other days of the year.

Plan ahead. Know where you're going and how you're going to get there. Download the latest GPS data or obtain a new map. Check for construction detours, and consult the weatherman.

Let a trusted person know where you are and leave them an itinerary and your contact info.

Never inform strangers of your travel plans.

Create the illusion that somebody's always home.

If you're driving, keep these holiday safety tips in mind:

- Never drive under the influence of alcohol, drugs, or distractions.
- Buckle up-yourself and your family; use the car-seat for small children.
- If possible, travel by day. Quite simply, it's safer. If you're worried about traffic congestion, get a very early start or avoid the hours when most folks are driving to or from work.
- Have a breakdown kit (spare tires, jumper cables, fuses, flares, flashlights, blankets, etc.).

If you're flying or using public transportation

- Travel with a buddy (or a few); there is safety in numbers.
- Always travel with a trusted source. The airline, bus, or train company (as well as, any middleman company being used) should be familiar and trusted.
- Don't carry too much cash or valuables on your person; don't look like an expensive target.

A Very Healthy Holiday

During the holidays, 38% of Motor Vehicle Fatalities, involve alcohol impaired 21 to 24 Year-Old Drivers.

Drink responsibly.

De-stress! You already know stress isn't healthy. Here are a few tips to fight it off:

- Make time to sleep and eat properly
- Drink plenty of watering
- Enjoying the people and living in the moment
- Plan as much as possible; whatever you can do today, don't leave for the "big day"
- Make time for exercise
- Settle on a positive attitude no matter what goes awry.

Hearty and Harmless Holiday Food

Home fires involving cooking, peak on major U.S. holidays with traditions of cooking, such as Thanksgiving and Christmas.

Wash your hands often. You come into contact with plenty of people, and you're handling unusual things (it's not every day you're setting up the Christmas tree).

Avoid cross-contamination; separate raw food from cooked food.

Refrigerate leftovers promptly. Don't leave perishable food out for more than a couple of hours.

Thaw meat in the fridge, not the counter.

Eat plenty of fruits and vegetables, and limit sugary and alcoholic and fatty food intake.

If you're stuffing a turkey or any other meat, prepare the stuffing and then insert it immediately and loosely. Whether it's cooked inside or outside the main meat, be sure to cook it to at least 165 degrees F.

NEW OSHA CONFINED SPACE RULE FOR CONSTRUCTION

On May 4, 2015, OSHA issued a new standard for construction work in confined spaces, which will be effective starting August 3, 2015. Confined spaces can present physical and atmospheric hazards that can be avoided if they are recognized and addressed prior to entering these spaces to perform work.

The new standard, Subpart AA of 29 CFR 1926 will help prevent construction workers from being hurt or killed by eliminating and isolating hazards in confined spaces at construction sites similar to the way workers in other industries are already protected. The rule requires employers to determine what kinds of spaces their workers are in, what hazards could be there, how those hazards should be made safe, what training workers should receive, and how to rescue those workers if anything goes wrong.

A confined space has:

- Limited means of entry and/or exit,
- Is large enough for a worker to enter it, and
- Is not intended for regular/continuous occupancy.

Examples include sewers, pits, crawl spaces, attics, boilers, and many more.

A permit space is a confined space that may have a hazardous atmosphere, engulfment hazard, or other serious hazard, such as exposed wiring, that can interfere with a worker's ability to leave the space without assistance.

Only workers who have been assigned and trained to work in a permit space may do so. Additionally, before workers can enter a permit space, the employer has to write a permit that specifies what safety measures must be taken and who is allowed to go in.

The rule makes the controlling contractor, rather than the host employer, the primary point of contact for information about permit spaces at the work site. The host employer must provide information it has about permit spaces at the work site to the controlling contractor, who then passes it on to the employers whose employees will enter the spaces (entry employers).

Likewise, entry employers must give the controlling contractor information about their entry program and hazards they encounter in the space, and the controlling contractor passes that information on to other entry employers and back to the host. As mentioned above, the controlling contractor is also responsible for making sure employers outside a space know not to create hazards in the space, and that entry employers working in a space at the same time do not create hazards for one another's workers.

Employers whose employees or sub-contractors enter permit spaces must have a written compliance program, containing all the procedures and safety steps. Call Creative Solutions for details about our NEW Construction Confined Space Program, and how we can customize it to fit your needs. We also offer training for your employees to keep you in compliance and keep them safe while they work in these areas.

For more information call us at (800) 259-8930, and Read OSHA's [FAQ](#) Sheet

TARGET TAKES ANOTHER SIGNIFICANT STEP TO ADDRESS TOXIC CHEMICALS

Written by [Mike Schade](#) for [The Safer Chemicals, Healthy Families Coalition](#)

Recently, Target quietly posted a rather important update to its sustainable products standard addressing toxic chemicals. Bloomberg broke the news early this morning.

Target's Sustainable Product Index (formally known as the Sustainable Product Standard) is a program launched to encourage and incentivize suppliers to bring more sustainable products to market — especially those free of dangerous chemicals in beauty, personal care, baby care and cleaning products.

The updated standard now includes a number of substantial improvements to the original version, which will help drive suppliers away from toxic chemicals in products sold in their stores.

In the introduction to the new version, Target summarizes some of the key changes made to the program:

“In response to stakeholder comments on the initial criteria, we have expanded the set of regulatory lists used to identify chemicals of concern, refined the information used to evaluate packaging, incorporated third-party certifications and are piloting key issues that are specific to product categories.”

With an expanded universe of criteria suppliers' products are evaluated on, products now receive a score from 0 to 115 (with up to 135 points available for household cleaning products with the new pilot criteria – more on that below), and information is collected and evaluated using the UL Transparency Platform.

How has the program been improved?

Let's take a look at some of the most exciting elements of the expanded policy related to toxic chemicals:

- **Taking on triclosan and a broader list of chemicals:** Target added triclosan as well as Health Canada's "Cosmetic Ingredient Hotlist – prohibited for use in cosmetics" to its list of "high level health concerns authoritative lists," which already includes over 1,000 dangerous chemicals. We are particularly excited about these new criteria as triclosan is one of the chemicals on our Hazardous 100+ list we have been calling retailers to act on, and the Health Canada Cosmetic Ingredient Hotlist represents a large list of ingredients that are banned or limited in cosmetics by the Canadian government.
- **Rewarding third-party DfE/Safer Choice and Cradle2Cradle certified products:** The index has a whole new section on certifications, giving up to 15 points for third-party certified products. A product can receive 10 out of 15 points if it has been certified by either EPA Design for the Environment/Safer Choice program or Cradle2Cradle (Bronze,

Silver or Gold). The policy surprisingly doesn't include GreenSeal, which would be another useful program to include.

A product can also receive 3 points if *“one or more feedstock materials have been certified as USDA organic or biopreferred, non-GMO, fair trade or sustainable produced”* though they don't list which certifying bodies are relevant for each area.

- **Piloting new criteria for cleaning products that incentivizes the use of safer chemicals:** Target has also developed a new set of criteria specifically for household cleaning products such as laundry detergents and surface cleaners. Half of the additional credit for cleaners rewards those cleaning products containing ingredients on the Safer Chemical Ingredients List (SCIL) developed by EPA's DfE/Safer Choice program. More specifically, *“a product will receive 3 points if up to 25% of its ingredients are on the Safer Chemical Ingredients List (SCIL), 5 points if 25%-50% of its ingredients are on the SCIL, and 10 points if 100% of its ingredients are on the SCIL.”*
- **New product category: feminine care products, and more categories to come:** Target is now for the first time adding feminine care products to the index, which our partners at Women's Voices for the Earth have been calling attention to in recent years. Target states that *“other product categories will have an index in the future”* which is a promising sign that perhaps they will finally add cosmetics and other products to the program.
- **Clarifying transparency criteria:** The language in the transparency section around generic ingredients (such as fragrances) has been slightly adjusted to now say, *“A product will receive a maximum of 20 points if its ingredients are listed on packaging and website, ingredient purposes are listed on website and there are no generic ingredients on its publicly available ingredient list.”* This provides an incentive for brands to publicly disclose chemicals in fragrances. Under water quality, the language has similarly been clarified to now say, *“A product will receive 5 points if the ingredient list can be fully assessed and no ingredients are on the aquatic hazard lists.”*

It's important to note that these are not the only changes that have been made to the program, but those that are most relevant to driving toxic chemicals out of the value chain.

Congratulations to Target for continuing to move the needle on toxic chemicals in the retail sector!

All in all, the updates to the Target Sustainable Product Index are a significant milestone for Target as they continue to leverage their purchasing power to help drive the marketplace towards safer products.

We applaud Target for improving their standard and look forward to working with them to continue to expand the program over time. We hope other big retailers will follow suit to Mind the Store.

WHAT KIND OF FALL PROTECTION IS REQUIRED TO OPERATE A LIFT?

How often have you seen workers in boom lifts with absolutely no fall protection? I'm willing to bet it's pretty often.

Fall Protection IS Required When Operating a Lift

What workers don't realize (let's give them the benefit of the doubt and assume they haven't been properly trained), is that you are required to be tied-off the moment you step into the basket of a boom lift. How you achieve tie-off may vary, but you must always be tied-off. 29 CFR 1926.453(b)(v) states that "A body belt shall be worn and a lanyard attached to the boom or basket when working from an aerial lift." Note that there is no qualifier to this statement – no height at which it kicks in, no type of work you need to be performing, no amount of time you will be in the basket. If you are working from an aerial lift, you must be tied off.

Body Belts – Aren't Those Banned?

Something should, however, stand out from that paragraph to anybody familiar with safety. The words "body belt" used here instead of "harness." If your initial thought was, "Hey, didn't OSHA ban the use of body belts back in 1998?" you would be correct – when it comes to fall arrest systems. However, body positioning or fall restraint systems are perfectly acceptable in boom lifts. These systems prevent the employee from being exposed to a fall in the first place and could still utilize body belts. While this is technically compliant, having a body belt available could lead to its use in the wrong situation. Since full-body harnesses are acceptable in all situations, it tends to be safer to only have harnesses available.

Will Any Lanyard Do?

You may also be wondering why OSHA doesn't specify the type of lanyard to be used. Most workers who are actually wearing fall protection while using an aerial lift can be seen sporting a shock absorbing lanyard despite some safety professionals insisting only retractable or fixed length lanyards are compliant. In fact, OSHA seemed to ban the use of shock-absorbing lanyards in lifts through a letter of interpretation issued in 2009. However, a 2011 letter repealed the 2009 response.

The current interpretation states that the lanyard in use must prevent the user from freefalling more than 6 feet or from contacting a lower level, in line with what 29 CFR 1926 Subpart M requires. The thought process behind the original interpretation was that workers sometimes worked at heights where the necessary 18.5' clearance for the use of the particular shock-absorbing lanyard in question was not available. The current interpretation basically states that the user must be familiar with the necessary clearance and ensure that a shock-absorbing lanyard

is not used if that clearance is not achievable.

More important is the force applied to the lift. While the harness, lanyard, and anchor point may all be strong enough to properly arrest a fall, the lift itself may not be designed to sustain such forces. The longer the freefall, the more force on the lift. The fall arrest system needs to be designed in such a way that the lift is able to maintain a safety factor of 2 in the event of a fall. This means that the best possible option is a fixed-length lanyard that eliminates the possibility of a fall altogether.

Scissor Lifts

Scissor lifts are different. In scissor lifts, OSHA requires that you be protected by fall arrest, fall restraint, or rails. **Unlike in a boom lift, the rails of the machine are sufficient protection as long as the user is completely enclosed.** In other words, that little chain at the end of the lift **MUST** be hooked, or the gate **MUST** be closed, or the slide-bar **MUST** be down for OSHA to consider you protected. Not doing one of these things is the safety equivalent of leaving your valuables in your car and only locking 3 of the 4 doors.

Fall Protection on Lifts

A couple of other key points to remember when discussing fall protection in lifts:

- 1. You must clip your lanyard to the approved anchor point *only*.** These are usually steel angles welded into the rail system or rings in the floor. You must not wrap your lanyard around the rails and tie back to your own lanyard, or tie off to the rail directly.
- 2. You must keep your feet on the floor of the lift at all times.** It doesn't matter which lift you're using or what fall protection you have, 29 CFR 1926(b)(iv) specifically states that "Employees shall always stand firmly on the floor of the basket, and shall not sit or climb on the edge of the basket or use planks, ladders, or other devices for a work position."
- 3. You must *never* tie-off to an adjacent structure or any anchor point outside of your lift.** If you are in the lift, you may tie-off to the lift *only*.

Quotable

"Tact is the knack of making a point without making an enemy." — Isaac Newton

*"Not to be able to grow old is just as ridiculous as to be unable to outgrow childhood."
— Carl Jung*

COMPANY FIGHTS OSHA FINES AFTER WORKER LOST HAND: WHAT DID COURT SAY?

A judge recently upheld a host of safety violations leveled against a New York packaging company, finding that uncorrected safety hazards caused the loss of a worker's hand.

Two years ago a worker for American Recycling & Manufacturing Company in Rochester was cutting wood with a pop-up saw when a co-worker accidentally stepped on an unguarded foot pedal that activated the saw. The blade sliced through the man's left hand, amputating it.

OSHA cited the company for 18 safety violations, carrying \$154,800 in penalties.

The company contested the citations to the Occupational Safety and Health Review Commission. A hearing was held before Administrative Law Judge Dennis Phillips in October 2014.

Employees continuously complained about the hazards of the saw and foot pedal, but their warning fell on deaf ears, OSHA said. "Despite employee complaints, supervisors' use of the saw, and hiring a new plant manager to oversee safety, no efforts were made to secure, guard or otherwise protect the foot pedal from accidental activation before the accident," the court said.

Compounding the hazard was the company's lack of training for its employees and the fact that the employer was aware of the hazard and didn't correct it, the judge noted. "The company was able to guard the foot pedal with minimal cost and effort after the accident," the court said. "This shows an indifference to implement even the simplest of safety measures. "The judge also said that the caution signs posted on the saw were in English, but most of the employees who worked at the plant, including the injured worker, were not fluent in English and could not understand the warnings.

The company appealed the violations, arguing it wasn't aware of any complaints about guarding the foot pedal and that it didn't know a guard was needed because there was no request from an employee for a guard.

"An employer cannot formulate its safety program based on employee complaints or requests," the judge shot back. And, the court said, the company had a duty to comply with the standard and with the manufacturer of the foot pedal which requires a guard or other protection to prevent accidental activation.

The judge also found the company's safety manual and employee handbook was nothing more than "boilerplate" and not site specific. The manual, the court said, instructed the company to write its own site-specific procedure to comply with lockout-tagout and hazard communication, but no specific machines or chemicals at the company were listed in it.

The company was also cited for exposing workers' to bloodborne pathogen hazards. OSHA said the company didn't have a written exposure control plan and didn't provide employees with training on clean-up, PPE, disposal and the employees' right to Hepatitis B vaccinations and tests.

The company argued that it didn't need an exposure control plan because employees don't have exposure to blood at the plant. They said any exposure that occurred during the accident was due to the "Good Samaritan" act – which provides an exception to the standard. The judge said the exception is limited to when an employee provides assistance to an injured co-worker and not to clean-up.

Chances are your safety program goes beyond a boilerplate binder, especially when it comes to lockout-tagout and hazard communication. But this recent court decision does have some useful lessons for any team looking to boost safety culture:

- Don't ignore complaints from employees – they'll talk to OSHA if you do.
- A generic safety program is not enough. Boilerplate safety manuals may be a dime a dozen, but they all come with instructions that they must be site-specific to your company on standards such as lockout-tagout, machine guarding and hazcom programs.
- Manufacturers may require you to add additional guards on machines, and OSHA expects you to do so. This company bought the foot pedal online and didn't know who the manufacturer was. The company claimed it didn't even know the pedal needed a guard. Know who you're buying from, and read the manufacturer's instruction manual before letting an employee operate a machine or tool.
- Safety training, including reminders and warnings around machines, should be provided in any language necessary so that all workers understand it.

Have an incident response plan in place. What should employees do if they witness an injury? Who should they contact? How will you deal with cleanup of bloodborne pathogen spills on the job?

Quotable

"Our greatest responsibility is to be good ancestors" — Jonas Salk

"This thing we call 'failure is not the falling down, but the staying down.'" — Mary Pickford

OSHA UPDATE

OSHA Fines Set to Increase 80%

Outgoing house speaker John Boehner's congressional budget deal to extend the debt limit— took labor officials by surprise after finding that the agreement included a provision to hike OSHA fines to keep pace with inflation. Signed into law by President Obama on November 2nd, OSHA will be able to increase fines levied against firms for not complying with workplace safety regulations.

The bill allows OSHA a one-time adjustment, dating back to the last time OSHA fines were increased in 1990, which could increase maximum penalties almost 80%. OSHA is one of few federal agencies whose penalties don't increase with the rate of inflation.

From October 1990 to September 2015 the Consumer Price Index rose 80%. This means:

- The maximum fine for a repeat or willful violation would increase from \$70,000 to \$124,768; and
- The maximum fine for a serious violation would increase from \$7,000 to \$12,477.

Along with the rate increase, OSHA fines could increase each year using the CPI.

OSHA has been concerned that its current regulatory structure does not present employers with a sufficient deterrent to non-compliance.

“Unscrupulous employers often consider it more cost effective to pay the minimal OSHA penalty and continue to operate an unsafe workplace than to correct the underlying health and safety problem,” OSHA chief David Michaels said about previous bills that would hike penalties.

Research has found strong evidence suggesting that actual OSHA citations and penalties, as opposed to simply the threat of inspections, are effective in reducing the frequency and severity of workplace injuries. In addition, workplace injury rates have been found to decline in the years following an OSHA inspection. A new study from the Institute for Work and Health supports earlier research, concluding that citations with penalties from inspections reduce workplace injuries. The increase in fines will ensure that these penalties continue to deter potential violators.

The new penalty amounts must be in place by August 1, 2016.

Retailers reminded to keep workers safe during major sales events

During the holiday season, OSHA is encouraging retail employers to implement safety measures to prevent workplace injuries during major sales events, including Black Friday. The agency is reminding employers about the potential hazards involved with managing large crowds at retail stores during the holiday season, when sales events attract a higher number of shoppers. Retailers are encouraged to use the safety guidelines outlined in the fact sheet [Crowd Management Safety Guidelines for Retailers](#).

Court tosses \$490K OSHA fine in gruesome workplace death

OSHA was dealt a blow by a U.S. Appeals Court after it vacated a \$490,000 fine against a Missouri manufacturing company in the wake of a worker fatality.

In 2009, a lathe operator for Loren Cook Co., an industrial manufacturer, was killed when a 12-pound metal disk broke free from a lathe, sailed through the air and struck him on his head at a speed between 50 and 70 miles per hour.

The company uses lathes to form and mold metal discs during its manufacturing process. Lathes hold heavily lubricated pieces of metal that rotate rapidly, which allows the lathe operator to shape the metal into individual work pieces.

Following an investigation, OSHA cited the company for seven willful and one serious violation of machine guarding hazards, carrying \$490,000 in penalties.

The company appealed to an administrative law judge who shot down the citations after ruling that the machine guarding standard applies only to point of contact risks, like chips and sparks associated with routine operation of the machine, rather than catastrophic failures, like a work piece being thrown out of the lathe.

OSHA then appealed the decision to the Eighth Circuit. A three-member panel of the Court reversed the commission, ruling that the interpretation of the machine guarding standard was different, but not “unreasonable.”

Loren Cook Co. then petitioned a review from the full circuit. The court agreed in an 8-4 decision, that the ruling restricts use of the standard to cases of routine hazards rather than catastrophic accidents, prevailing over OSHA’s broader interpretation of the machine guarding standard. “A catastrophic failure just doesn’t fit in that category...These guarding devices would do little to prevent the hazard for which the Secretary cited Loren Cook” the court said.

Also, the court noted that OSHA has never successfully cited an employer before using the machine guarding standard following a similar incident. The court said the company was “unfairly surprised” by OSHA’s new interpretation of the standard.

CITATIONS & PENALTIES

Young worker loses four fingers on first day on the job; Ohio company cited

A 21-year-old worker suffered severe burns and the loss of four fingers as he tried to clear a jam in a plastic molding machine during his first day on the job. OSHA cited his employer, Quality Blow Molding of Elyria, for five willful, repeated and other-than-serious violations for failing to properly train the employee and failing to implement procedures to prevent machines from starting up during service and maintenance. OSHA also tagged the company as a “severe violator,” allowing inspectors to conduct random safety checks. Proposed penalties total \$171,270.

Dyson Corp. cited after 23-year-old machine operator loses part of finger

In the wake of an incident in which an employee lost part of his finger, OSHA found that Dyson Corp. of Painesville, failed to train workers on safety procedures, including how to install machine guards on belts, pulleys and presses. The employee had been on the job for only three weeks when his finger became caught in a machine. The company was cited for eight willful, repeated and serious violations, totaling \$170,170 in proposed penalties, and was placed in OSHA's Severe Violator Enforcement Program.

Worker injured when 1,000 pounds of equipment falls on him; steel manufacturer faces fines of nearly \$400K

OSHA inspectors found serious safety lapses at two Ohio steel manufacturing plants, where workers were exposed to falls, amputations, electrical hazards and other dangers. Both plants, operated by TimkenSteel, have a long history of OSHA violations. The most recent inspection was prompted after a crane's safety latch failed, dropping 1,000 pounds of equipment on a worker and causing severe foot and leg injuries. "This worker is lucky to be alive," said Howard Eberts, OSHA area director in Cleveland. The two inspections resulted in 21 violations, including 10 serious, 9 repeated and 1 willful. Proposed fines total \$393,500 and the company has been placed in the agency's Severe Violator Enforcement Program

Ohio poultry processor fined for ignoring dangers and exposing workers to serious amputation, electrocution and fall hazards

For employees at a leading supplier of chicken to national fast food and supermarket brands, the dangers of amputation, electrocution and hazardous falls are all in a day's work, and part of their employer's long history of violating federal worker safety and health standards.

An OSHA investigation of an Ohio poultry processing facility operated by Case Farms Processing Inc. found that the company was aware of the dangers, but continued to expose workers to serious and potentially fatal injuries. Acting on a referral, OSHA cited the company on August 13 for two willful, 20 repeat, 30 serious and three other-than-serious safety and health violations. OSHA assessed \$861,500 in penalties and added the company to the agency's Severe Violator Enforcement Program.

"Case Farms is an outrageously dangerous place to work. In the past 25 years, Case Farms has been cited for more than 350 safety and health violations," said Dr. David Michaels, assistant secretary of labor for occupational safety and Health. "Despite committing to OSHA that it would eliminate serious hazards, Case Farms continues to endanger the safety and health of its workers. This simply must stop."

Ashley Furniture's Mounting OSHA Fines

The tab keeps growing for Ashley Furniture after OSHA cited the midwest furniture giant for workplace safety violations at one of its Wisconsin plants, regulators said.

Already facing \$1.7 million in OSHA fines, inspectors tagged the company for repeat violations of its lockout-tagout rule – failing to protect workers from moving machine parts. The fine, this time, tops nearly half a million dollars.

“Workers risked amputation injuries each time they serviced the machines,” said Mark Hysell, OSHA area director. “Ashley Furniture failed to implement required safety procedures to protect machine operators until after OSHA opened its inspection.”

In February, OSHA leveled 38 violations against the furniture manufacturer saying the company cared more about making a profit than protecting its workers. OSHA said there had been more than 1,000 work-related injuries over a 4 year period at the Arcadia plant.

Regulators cited the company for 1 willful, 5 repeat and 2 serious violations, carrying \$431,000 in fines, for failing to implement lockout-tagout procedures.

The company fired back, calling the allegations “outrageous” and said it will “vigorously challenge” the citations. The company said it has “gone beyond what manufacturers put in place by installing additional guards and implementing special procedures to protect workers.”

The company has been placed in the agency's Severe Violator Enforcement Program and, Investigations are ongoing at company facilities in California, Pennsylvania, Mississippi and North Carolina, regulators said.

The company was fined \$83,200 in July after OSHA cited the company for failing to report incident in which an employee lost a finger.

2016 LEAD TRAINING SCHEDULE LEAD EXPERTS

Type, Length and Price	Location	Course Dates
<u>Contractor Initial - 40 Hour</u> \$795 Per Trainee	Toledo Cleveland Columbus	May 2 - 6 Feb 22 - 26 Apr 11 - 15 Jun 13 - 17 Jun 27 - Jul 1
<u>Contractor Refresher - 8 Hour</u> \$195 Per Trainee	Toledo Cleveland Akron	Feb 2 Apr 29 Jan 12 Feb 9 Mar 29 Apr 26 May 17 Jun 21 Jan 7 Mar 15 May 13
<u>Worker Initial</u> \$595 Per Trainee	The Contractor Initial and Refresher courses shown above satisfy Ohio Department of Health's requirements for Worker Classes.	
<u>Worker Refresher</u> \$195 Per Trainee	A Worker enrolling in these classes will be charged the lower fee shown in this section. Please call if you have <u>any</u> questions.	
<u>Inspector Initial - 24 Hour</u> \$475 Per Trainee	Cleveland Columbus	Mar 21 - 23 Apr 4 - 6
<u>Inspector Refresher - 8 Hour</u> \$195 Per Trainee	Toledo Cleveland Columbus	**Risk Assessor Refresher classes shown below satisfy the Inspector Refresher** **requirements of the Ohio Department of Health**
<u>Risk Assessor Initial - 16 Hour</u> \$320 Per Trainee	Cleveland Columbus	Mar 24 - 25 Apr 7 - 8
<u>Risk Assessor Refresher - 8 Hr</u> \$195 Per Trainee	Toledo Cleveland Akron	Feb 1 Apr 28 Jan 11 Feb 8 Mar 28 Apr 25 May 16 Jun 20 Jan 6 Mar 14 May 12
<u>Renovation, Repair and Painting Certification Initial - 8 Hour</u> \$189 Per Trainee	Toledo Cleveland Akron	Feb 3 Mar 31 Jun 2 Jan 14 Feb 11 Mar 17 Apr 18 May 9 Jun 23 Mar 9 May 19
<u>Renovation, Repair and Painting Refresher (Grandfather) - 4 Hr</u> \$95.00 per Trainee	Toledo Cleveland Akron	Feb 4 Apr 1 Jun 1 Jan 15 Feb 12 Mar 18 Apr 19 May 10 Jun 24 Mar 10 May 20

IF YOU HAVE ANY SPECIAL NEEDS OR NEED A REASONABLE ACCOMMODATION, PLEASE CONTACT US IMMEDIATELY

EPA RRP accredited classes for certification under Section 402 of TSCA

YOU ARE NOT ENROLLED IN ANY CLASS UNTIL YOU RECEIVE WRITTEN CONFIRMATION FROM US. CERTIFICATES WILL NOT BE ISSUED IF YOU ARE LATE TO CLASS. CERTIFICATES ARE HELD UNTIL PAID IN FULL.

Licensing courses approved by the Ohio Department of Health

RRP CLASSES ARE ADDED AS CLASSES FILL UP – CALL FOR ADDITIONAL DATES

On Site Classes Available, Closed Enrollment - Your Location / Your Students - Priced per Day, Call for More Information

**Lead Experts, P.O. Box 1390, Mentor, OH 44061-1390
Phone: 440-266-0403 / 800-259-8930 Fax: 440- 266-0413**

INFO@LEADEXPERTS.ORG / LEADEXPERTS.ORG

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