

The Safety Net

San Diego



The Value of What You Know Doubles When You Share It

The President's Catch and Release — October, 2018



Enrique Medina

Dear Chapter members,
colleagues and friends,

I'm writing this message on
September 15, the deadline
to make it into the October
newsletter. The problem is

that there's lots of activity in the chapter this month that hasn't happened yet. We have the North County Section lunch meeting on the 25th with a presentation on the California Environmental Reporting System (CERS), then the [American Red Cross "Sound the Alarm"](#) smoke alarm installation day in San Marcos on the 27th, followed by the Baseball Bash on the 29th between the Padres and the Diamondbacks.

I realize that not all of us can attend the monthly meetings – we get between 40 and 50 members and guests, and the NC Section attracts about 15 members to the quarterly meetings – which is not bad at all. However, there are other ways to represent our profession. As our Membership Chair Brooks Carder said, even though most safety professionals in San Diego are not ASSP members, by promoting the message of safety,

we strengthen our profession, and that makes our work more effective, more important, and more meaningful for all.

I can't think of a better example than the September ARC smoke installation day where a group of over 60 volunteers from high school students to retired folks, including some from our Chapter, were welcomed in National City homes, and installed over 400 smoke alarms, made evacuation plans for each home, and educated the residents on the hazards of wildfire in the adjacent canyons. The Red Cross has similar events in Ramona on November 3, and Santee on December 4. The links to sign up are in the newsletter's events section. Go by yourself, or better yet, get a group from your workplace and make a fun morning out of it. They'll train you, help you, and feed you. The root beer float was great.

Giving to the profession can start by giving to yourself and making yourself a better safety professional. It was great to introduce James Royal as our newest CSP at the September meeting. I

*(See **President** on Page 2)*

Inside this issue:

PRESIDENT'S MESSAGE	1-2
GOVERNMENT AFFAIRS	2-3
PDC COMMITTEE	3-4
P2P DIRECTORY	4
CALENDAR OF EVENTS	4
ASP/CSP STUDY GROUP	5
JOB LINE	5
NEW MEMBERS	5
BREAKFAST MEETING	6
LIST OF OFFICERS	7
EX COM MTNG MINUTES	7-8
SOUND THE ALARM	9
OSHA AND VESSELS	10-11
ASSP PROF. DEV. CONF	12-13
INTERNATIONAL EHS DAY	14
OSHA NEWS RELEASES	15-16
NIOSH NEWS	17
HEALTH & SAFETY NEWS	18-19
PRODUCT RECALLS	20-21
HELPFUL LINKS	22

*CLICK ON THE TOPIC
TO JUMP TO THAT PAGE!*



(President, continued from Page 1)

could see the (understated) sense of accomplishment in his face, as I have in all the other members who have achieved the ASP or CSP designation. No one can take that away from you, and more importantly, it motivates your peers to go for it. Together, we raise the bar. I had to step back from coordinating the [study group](#) while I'm president, but I'm still putting people in touch with each other to form informal study groups. The interest is still there. You can keep it alive by starting your own

group. We'll help.

So, don't forget to email me at president@sandiego.assp.org to let me know you read this column, and tell me what you think about what we can do to help you. I'll also add your name to the President's readers' raffle.

Thanks,

Enrique Medina

San Diego ASSP Chapter President

EXECUTIVE COMMITTEE CHAIR UPDATES

Government Affairs Committee:

by Scott Simerson

[DOL Establishes Focused Reviews of Contractor Compliance with Anti-Discrimination Laws](#)

August 10, 2018

DOL issued Directive (DIR) 2018-04 effective this date, ordering the Office of Federal Contract Compliance Programs (OFCCP) to go onsite and conduct a comprehensive review of the particular authority at issue.

The Office of Federal Contract Compliance Programs (OFCCP) enforces the Executive Order 11246 (Sept. 24, 1965), (E.O.), Section 503 of the Rehabilitation Act of 1973, and Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA). Collectively, these laws prohibit federal contractors and subcontractors from discriminating on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, disability or status as a protected veteran. They also require federal contractors and subcontractors to take affirmative steps to ensure equal employment opportunity in their employment processes. Contractors and subcontractors also are prohibited from discriminating against applicants or employees because they inquire about, discuss, or disclose their compensation or that of others, subject to certain limitations. In addition, these laws require that federal contracting agencies include in all covered contracts, and that contractors include in their subcontracts, an equal-opportunity clause.

OFCCP is in the process of implementing a comprehensive initiative that seeks to ensure compliance with equal em-

ployment opportunity and anti-discrimination regulations. As part of this initiative, OFCCP intends for a portion of its future scheduling lists to include focused reviews as to each of the three authorities that OFCCP enforces: the E.O., Section 503, and VEVRAA. OFCCP staff is directed to work towards ensuring that a portion of future scheduling lists, starting in Fiscal Year 2019, include focused reviews as to each of the three authorities that OFCCP enforces: the E.O., Section 503, and VEVRAA. As such, these focused reviews will be selected from the same neutral selection system used to identify and create OFCCP's supply and service scheduling list.

OFCCP staff is further directed to develop a standard protocol for conducting the focused reviews anticipated by this Directive and to make this information available publicly in its FAQs prior to the next scheduling list being issued.

Finally, OFCCP staff is directed to develop staff training and contractor education and compliance assistance to provide guidance as to the focused reviews anticipated by this Directive.

[OSHA Releases Videos Regarding Control of Silica Dust in Construction](#)

August 24, 2018

OSHA has recently updated its website with new videos explaining methods of limiting worker exposure to respirable silica, link below.

<https://www.osha.gov/dsg/topics/silicacrystalline/construction.html#VideosTable1Tasks>

(See **Government Affairs**, page 3)



EXECUTIVE COMMITTEE CHAIR UPDATES

(Government Affairs, continued from Page 2)

APPROPRIATIONS BILL AMENDMENT TO IMPROVE BLACK LUNG SCREENING

August 22, 2018

Senator Mark Warner introduced a bill that would take a number of steps to improve participation in black lung screening. It would require NIOSH to submit a report to Congress on ways to boost outreach efforts and increase participation in the black lung screening program. It would also require NIOSH to identify the barriers that prevent miners from undergoing screening.

Warner introduced the bill as an amendment to HR 6157, an appropriations bill for the U.S. Department of Defense that also includes funding for the Labor, Health and Human Services, and Education departments. The legislation is currently under debate in the U.S. Senate. The amendment is co-sponsored by senators from both the Republican and Democratic parties.

OSHA SOLICITING COMMENTS ON FINANCIAL INDUSTRY WHISTLEBLOWER PROTECTION LAWS

September 12, 2018

The Occupational Safety and Health Administration (OSHA) is announcing a public meeting to solicit comments and suggestions from stakeholders in the financial industry, including employers, employees, and representatives of employers and employees, on issues facing the agency in its administration of the whistleblower protection provisions of the Consumer Financial Protection Act of 2010, Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, and the Sarbanes-Oxley Act.

The public meeting will be held on October 16, 2018, from 1:00 p.m. to 3:00 p.m. ET. Persons interested in attending the meeting must register by September 30, 2018. Comments relating to the “Scope of Meeting” section of this document must be submitted in written or electronic form by October 9, 2018.

OSHA is interested in obtaining information from the public on key issues facing the agency's whistleblower program. This meeting is the second in a series of meetings

requesting public input on this program. For this meeting, OSHA is focusing on issues relating to whistleblower protection in the financial industry. In particular, the agency invites input on the following:

1. How can OSHA deliver better whistleblower customer service?
2. What kind of assistance can OSHA provide to help explain the whistleblower laws it enforces?

<https://www.federalregister.gov/documents/2018/09/06/2018-19289/whistleblower-protection-public-meeting>

PDC Committee:

by Steve Workman

March 12, 2019—Save the Date!

The annual San Diego ASSP Chapter Professional Development Conference (PDC) is scheduled for March 12, 2019. Save the date!

The goal of the PDC committee is to provide attendees a valuable experience that stays with them long after the day is over. The PDC committee and the entire chapter Executive committee take the planning of this event seriously. Every detail is discussed and evaluated. The result of this passion will be an event that is better than last year - and next year is already being discussed.

Location is always a challenge. Cost, parking and catering are items the committee considers. We have decided the 2019 PDC will take place at the Jacobs Center. This is a new location for us. Catering will be by Kitchens for Good. All of their catering proceeds help individuals in need get jobs in the culinary industry and provide nutritious meals to hungry San Diegans. We will publish details soon.

Currently we have commitments from a number of speakers. We will continue to solicit additional speakers and decide if the day is a single or double track with concurrent sessions.

We are fortunate to have Dr. John Howard Director of the National Institute for Occupational Safety and Health (NIOSH) return for this event. Dr. Howard's presentation

(See PDC Committee, page 4)



EXECUTIVE COMMITTEE CHAIR UPDATES

(PDC Committee, continued from Page 3)

is expected to be on fentanyl, science and recommendations. The increasing use of physician-prescribed and illicit opioids, including highly potent fentanyl and its analogs, have contributed to a significant increase in opioid-related drug overdoses in the United States, leading to a public health emergency. We see various stories about this on our local news almost daily. There have been a number of reports describing adverse health effects experienced by police officers, fire-fighter emergency medical services providers, and private sector ambulance personnel when responding to drug overdose incidents. Would you know what to do if you came across something at work? What are the symptoms of exposure? What safe work practices are needed? Dr. Howard will address these issues and more.

Our fortune continues with the next scheduled speaker: Charlie Morecraft. If you have seen him, or seen one of his videos, then you will always "Remember Charlie." If you haven't heard of him, this is a rare opportunity for a memorable experience. I have noticed that after people experience Charlie's message they are willing to change old habits and more importantly – speak up to keep others safe, where ever they are. For me, Charlie has provided an inspirational motivation for safety. I have heard Safety Professionals compared to someone with deep religious convictions. Both of them typically base their daily activities and approach to life itself, as a disciple of their beliefs. My coworkers, friends and family will tell you, I am a Disciple of Charlie.

Stay tuned for additional details and SAVE THE DATE!

Steve Workman
President Elect and 2019 PDC Chair

Peer to Peer (P2P) Resource Directory is Available Now!

Do you need help with a safety issue or question? The P2P Resource Directory can help you. SD ASSP Chapter members can now download the P2P directory matrix from the chapter website's News tab at <https://sandiego.assp.org/news/>. You will be directed to the password protected ASSP member login to download the current list.

The P2P directory lists San Diego chapter members who are willing to provide other members no fee advice on areas of their expertise as a professional courtesy. There are over 45 safety specialty categories listed. If you would like to be listed, just download the P2P registration form from the same website, complete it, and send it to chapter secretary Fernand Kuhr at Secretary@sandiego.assp.org. All members are welcome to sign up for the P2P.

Calendar of Special Events: October, 2018

Date Event

1-31 National Crime Prevention Month
1-31 National Protect Your Hearing Month
7-13 National Fire Prevention Week
8 Columbus Day
9 International EHS Day
13 Home Fire Drill Day
15-19 Nat'l School Bus Safety Week
21-27 Nat'l Teen Driver Safety Week
31 Halloween



October 2018

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Always find the latest San Diego ASSP events at <https://sandiego.assp.org/event/>!



Did You Resolve to Get Your ASP/CSP This Year?

Thinking about working on your ASP/CSP? If so, that's outstanding and we are pulling for you! If you'd like to receive personal coaching for your ASP/CSP preparation, contact our Chapter President Enrique Medina, CIH, CSP to start the ball rolling.

By becoming part of our ASP/CSP Study Group Community you will get support, advice, tips, prep course reviews, and post-test debriefing from your peers to assist you in studying for the ASP/CSP professional certification exams. This free service is open to all Chapter members, and members of allied organizations, and you can join at any time.

Enrique can be reached at: (619) 297-1469 or President@sandiego.assp.org

Job-Line

by David Ferguson, CSP

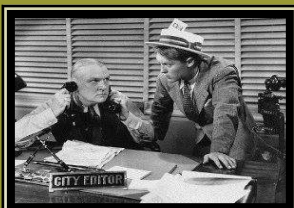
Looking for a new job? Employers are looking for you! Visit our job-line at <https://sandiego.assp.org/current-openings/> to see current opportunities such as: Risk Control Consultant (Orange, Los Angeles); Risk Control Development Program; Risk Control Internship; Associate Safety Engineer, CAL/OSHA; Compliance and Environmental Health and Safety Manager; EH and S Site Manager (Northern California); Advanced EHS Engineer; Assistant Vice President, Safety and Health (Los Angeles); Specialist, Environmental Health and Safety; Environmental Health and Safety Manager; Cal/OSHA Safety and Health Inspectors; Risk Consultant. Check out these and other great jobs today!

Membership Chair:

by Brooks Carder

Welcome to our new members!

Allyson Dunn	Member
Griffin Hicks	Member
John Hogg	Student
John McDougal	Member
Israel Stone	Member



Editor's Note: Do you have an item of interest, safety-related event, sister-organization meeting, special accomplishment or other newsworthy article that you would like to share with your fellow San Diego ASSP members? Send it to me via e-mail no later than the 15th of the month and I will do my best to get it published. Here are some conditions: news articles, reports and other text-based submissions should be limited to a maximum of two pages, 10—12 point font. Artwork or graphics (flyers or posters) should be single-page, preferably in MS Word or MS Publisher format. If you are "borrowing" a news item previously published somewhere else (i.e., not your own original work), please provide the source and whether or not you have permission to reprint it. All submissions should be e-mailed to Newsletter@sandiego.assp.org. Please also provide your contact information, including name, e-mail address and phone number. Be sure to check out this month's guest contribution by Earnesto Coleman on [page 10!](#)



MONTHLY CHAPTER MEETING, OCTOBER 9

Fleet Driver Telematics Speaker: Jerry Leatherman, Geotab

At this meeting: This interactive presentation will focus on a few key telematics topics including:

1. The benefits of tracking a driver's behavior.
2. Telematics in general (i.e., defined).
3. How technology has advanced over the past 5-10 years and how that advancement has led to better access to information.
4. An overview of Geotab's capabilities.
5. How the Geotab system differs from other systems such as front and rear mounted cameras, vehicle maintenance tracking, dots on a map, etc.
6. Potential benefits from a commercial insurance perspective.

The presentation will end with a Q&A opportunity. Jerry will be available to discuss specific applications on a 1:1 basis.

Our Speaker: Jerry Leatherman is a seasoned Account Manager who has worked in location based services (M2M/IoT), wireline and wireless for nearly 20 years selling into all verticals and business classifications. His current position with Geotab allows him to interact with partners, prospects and clients on many levels as they work towards establishing best in class fleet management programs through the use of driver telematics technology. For the last 3 years Jerry has specifically been engaged in managing strategic partner relationships. This includes collaboration with re-sellers, partners, engineering, support services and other resources to present Geotab solutions based on customer requirements and needs.



Admiral Baker Clubhouse
3604 Admiral Baker Road
San Diego, CA 92120

Registration and Breakfast begins at 7:15 a.m.
Welcome and Speaker begins at 7:30 a.m.



\$18 Members* with RSVP by 10/5/2018 by 5:00 P.M.

\$23 No RSVP by 10/5/2018 and for Non-Members/Guests

***Members include:** ASSP, ACWJPIA, AHMP, AIHA, IHPM, RNCN, RIMS, PARMA, CPCU, PWI, WUSMA

RSVP/Registration: Please RSVP **OR** register with payment by credit card on the San Diego ASSP Chapter website events page using the **BLUE BUTTON** link.

Please note: RSVPs and pre-registrations are very helpful in determining the head-count for the luncheon catering. Those who RSVP may still pay by check, credit card or cash at the door if preferred.

Directions: Interstate 15 to Friars Road East; left onto Santo Road (traffic light); immediate right on Admiral Baker Road; go STRAIGHT at STOP sign; pass the recreation area and part of the golf course; road curves to right at the driving range; keep going all the way to the club-house parking lot—a total of 0.9 miles from Santo Road.

**CLICK HERE TO GO
TO THE REGISTRATION PAGE**

Next month: Greg Shreenan presents "Trench Shoring: Trenching and Excavations"

NOTICE! As was announced at the August meeting, the monthly meeting's breakfast fee has increased to help defray the added costs to the chapter. The new fee for pre-registered ASSP members (including affiliated organizations) is \$18 and \$23 for non-members and walk-ins with no prior reservation. We hope that you will continue to support the chapter and appreciate that the real value of attending the meetings beyond a nutritious all-you-can-eat breakfast is in the networking, technical sessions, and professional development opportunities we strive to provide. Thank you and hope to see you there.

AMERICAN SOCIETY OF SAFETY PROFESSIONALS



"Providing Leadership & Direction to
the Safety Professional since 1911"

2018 - 2019 Officers

PRESIDENT & DELEGATE:

Enrique Medina, MS, CIH, CSP
President@sandiego.assp.org

PRESIDENT-ELECT:

Steve Workman
president-elect@sandiego.assp.org

SECRETARY:

Fernand Kuhr
secretary@sandiego.assp.org

TREASURER:

Teresa Bonilla
treasurer@sandiego.assp.org

PAST-PRESIDENT:

Allison Long
past-president@sandiego.assp.org

NORTH COUNTY CHAIR:

Vaughn Osterhout
ncchair@sandiego.assp.org

NORTH COUNTY SEC/TRES:

Isaac Szmuiłowicz, CSP, COSS
nc treasurer@sandiego.assp.org

MEMBERSHIP CHAIR:

Brooks Carder, PhD
membership@sandiego.assp.org

JOB LINE CHAIR:

David Ferguson, CSP, CEA, REPA
jobline@sandiego.assp.org

PROGRAMS CHAIR:

Chris Malicki
programs@sandiego.assp.org

PUBLIC AFFAIRS CHAIR:

Isaac Szmuiłowicz, CSP, COSS
public@sandiego.assp.org

GOVERNMENT AFFAIRS CHAIR:

Scott Simerson
government@sandiego.assp.org

SOCIAL MEDIA CHAIR

Claire Wilson, DPT
communications@sandiego.assp.org

NEWSLETTER EDITOR:

Lee Donahue, CHST, OHST
newsletter@sandiego.assp.org

PDC COMMITTEE CHAIR:

Steve Workman
president-elect@sandiego.assp.org

HOUSE OF DELEGATES MEMBER:

Gary Couture, MS-OSH, COSS
delegate@sandiego.assp.org

SUCCESSION PLANNING CHAIR

Cait Casey
planning@sandiego.assp.org

SAN DIEGO ASSP EXECUTIVE COMMITTEE MEETING MINUTES

The Executive Committee met on Tuesday, September 4. Teresa Bonilla, Brooks Carder, Cait Casey, Gary Couture, Lee Donahue, David Ferguson, Fernand Kuhr, Allison Long, Chris Malicki, Enrique Medina, Isaac Szmuiłowicz and Steve Workman attended.

TREASURER'S REPORT

No Treasurer's report was given due to late reporting from the Society.

- Financial Audit – Enrique Medina discussed the audit process and stated that it went well with the help of the audit committee consisting of Enrique, Dan Hopwood and Isaac Szmuiłowicz. Many of the findings have already been addressed. Cait asked that Teresa report on progress to close the findings at the next meeting. Enrique will write a brief report on the audit results for the newsletter.
- Enrique informed the EC the Treasurer's Report does not need to be voted on monthly.

Members may view a copy of Treasurer's reports upon request to our President, Enrique Medina.

OLD BUSINESS

1. Review Minutes from August, 2018:

The Executive Committee accepted the August 7, 2018 Executive Committee Meeting Minutes by vote. Steve Workman motioned to accept the minutes. David Ferguson seconded it. All the attendees approved the motion by voice vote.

2. Quick Updates:

- San Diego ASSP Professional Development Conference (PDC) update by

chair Steve Workman.

- Steve asked website coordinator Claire Wilson to place a "Save the Date" and "Call for Speakers" announcements on the website.
- Fernand Kuhr is to send out a call to speakers (from a list provided by Valley Coastal (LA) ASSP).
- Chris reported on initial information on an alternative venue. The PDC committee will discuss options at the meeting next week.

• SD ASSP Baseball Bash

- Allison Long updated the EC on the current number of registrants and stated that we need more to break even.

• Red Cross Smoke Alarm Installation Event

- Isaac Szmuiłowicz informed the EC that this event included three SD ASSP participants.

• Leadership Conference

- Steve will attend the Leadership Conference as our President-elect. A \$100 donation has been approved in the budget, either in the form of goods requested by Society, or a check.

3. Chapter Safety Professional of the Year (SPY) Nominations:

- Enrique said the Chapter needs to submit SPY nominations to the Society by October 15. Here are nominees under consideration:

- Paul Zoubek, Teresa Bonilla and Chris Malicki.

(See *Executive Committee* on next page)

AMERICAN SOCIETY OF SAFETY PROFESSIONALS



"Providing Leadership & Direction to
the Safety Professional since 1911"

(Executive Committee, continued from page 7)

4. Committee Reports:

Only 3 committee reports were received by the agenda deadline.

- SD ASSP select committees will make brief introductions at the monthly Chapter Breakfast Meetings and request volunteer help.
- Brooks Carder will present on Membership and Gary Couture will discuss Delegates to the Society.

NEW BUSINESS

1. ASSP Membership Renewals: Brooks is sending renewal reminders to members, and welcome letters to new members. The list will also be in the newsletter.
2. The Chapter Planning Document was presented and approved by the Executive Committee. It lists the goals for 2018-19 for each committee. These include plans for social media, Real Magnet, web and Google Drive; it will identify new leadership potential, welcome new members, promote engagement with online surveys, move toward interactive news versus a PDF newsletter; partner with Red Cross and SD Youth Services, outreach to students, and long-term service awards/recognition.
3. The 2017-18 donation to the ASSP Foundation of \$1000, which was included in the budget was not made at the PDC. Teresa will send a check to ASSP Society Foundation. The annual \$1000 donation is in the budget every year.
4. Bylaw changes: Proposals for Society bylaws changes sent to the Delegates were discussed. The Ex. Committee supports the changes and will present them to the membership at the September meeting, and include them in the newsletter.
5. Leadership Conference: Steve will attend the Leadership Conference and SD ASSP will donate \$100 to the service group. The budget for the Spring ROC meeting in San Diego includes 3 Ex. Com members to attend including North County.
6. Lee spoke to Newsletter progress and requested comments and contributions from all attending members. Outlined methods of news gathering and deadlines to submit info or pull info for Sept issue. He will coordinate with Cindy for the release date.

7. VOTES:

- Motion Planning Document PASS (Allie, second Gary; none opposed or abstained)
- Budget approved PASS (Teresa motion, second Steve; none opposed or abstained)

COMMITTEE REPORTS

1. NC Section — Vaughn Osterhout reported that the next meeting is September 25, Speaker TBD.
2. Programs — Nothing to report.
3. Membership — Brooks Carder reported that we are sending out renewal reminders to members one month before due dates.
4. Public Affairs — Isaac Szmuiłowicz reported on the smoke alarm event above.
5. Government Affairs — Nothing to report.
6. Newsletter — Lee Donahue reported that he trained with Gary on the August newsletter and was working to get the September edition back on track. The deadline for the President's message content is by the 15th, and all other content by the 20th, with outside announcements as they come in.
7. Social Media — Claire Wilson reported we have added calendar function to website listing ASSP and allied organizations' events. Twitter is up and running. Working with Cathi more on linking Facebook with our other sites. Real Magnet e-mail switch over target date by October.
8. Jobline — David Ferguson reported 14 positions open. Request from Marie Vicario-Fisher, Cuyamaca College's Applied Tech Department Chair to place internship ads.
9. Succession Planning — Nothing to report.

Next EC Meeting: October 2, 2018 – call in meeting

Next Event: October 9, 2018, SD ASSP Chapter Breakfast Meeting: Fleet Driver Telematics



Help us Sound the Alarm about home fire safety.

The American Red Cross is teaming up with fire departments, volunteers, and partners to Sound the Alarm with home fire safety and smoke alarm installation events.

Help us install FREE smoke alarms and make our communities safer.

We need your help!

Every day 7 people die in home fires. You can help change that.

Join us at an installation event:

Ramona – Sat., November 3rd at 8A

Santee – Tues., December 4th at 8A

**For more information visit SoundTheAlarm.org/SanDiego
or email Melissa.Altman@RedCross.org**



OSHA and the Passenger Vessel Industry

*By Earnesto Coleman,
Hornblower Cruises and Events*

Have you ever considered the possibility that a representative of the Occupational Safety and Health Administration (OSHA) could come to your operation? What if that person says there is OSHA jurisdiction or probable cause to inspect your vessel, shoreside terminal and offices, or vessel repair and maintenance facilities? Do you know what to say and do? This article is the first of two that delves into complexity of OSHA and its role in the passenger vessel industry.

OSHA's overall mission is to promote workplace safety and enforce rules designed to prevent employee injuries. It certainly has extensive jurisdiction over many parts of the maritime industry, but that authority is not unlimited. Operators of Coast Guard-inspected passenger vessels should familiarize themselves as to what OSHA's authority is and what it is not.

When it comes to workplace safety jurisdiction in the maritime industry, a lot of people are rightfully confused as to where OSHA's boundaries start and end and where the U.S. Coast Guard's boundaries begin. Keep in mind that when one refers to OSHA, it could be the federal agency or a state agency (if the federal government has delegated authority to the state).

Inspected Vessel – Coast Guard or OSHA

OSHA's purview includes shipyards, vessel maintenance facilities, marine terminals, other shoreside locations (these might include passenger terminals and company offices), and vessels that are not Coast Guard-inspected. With respect to inspected vessels (including passenger-carrying vessels), it is the U.S. Coast Guard that has regulatory authority for workplace safety.

The key is section 4(b)(1) of the Occupational Safety and Health Act. It reads: “Nothing in this Act shall apply to working

conditions of employees with respect to which other Federal agencies...exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health.” The Coast Guard has statutory authority to prescribe and enforce the safety and health of seamen aboard an inspected vessel. Since the Coast Guard has exercised that authority by issuing comprehensive regulations for the working conditions seamen on inspected vessels, OSHA may not enforce rules regarding those working conditions. However, as discussed later, OSHA does have some authority dealing with recording and reporting occupational injuries and illnesses aboard inspected vessels.

The delineation of responsibility between OSHA and the Coast Guard was expressed in a Memorandum of Understanding executed between the two agencies in 1983. It remains in effect. It says, in part: “The Coast Guard is the dominant federal agency with the statutory authority to prescribe and enforce standards affecting the occupational safety of seamen aboard inspected vessels...OSHA has concluded that it may not enforce the OSH Act with respect to the working conditions of seamen aboard inspected vessels.”

While the term “seamen” has several definitions for legal purposes, here it is construed very broadly. An OSHA Instruction document states: “A seaman is an individual engaged or employed aboard a vessel in navigation who has substantial connection with a vessel...and who contributes to the function of the vessel in

navigation or to the accomplishment of its mission, including but not limited to the navigation of the vessel.” Thus, virtually every individual employed on board an inspected passenger vessels falls within this definition.

If OSHA receives a workplace safety or health complaint for a worker on an inspected vessel, it will refer it to the U.S. Coast Guard for its consideration to determine whether the facts complained of constitute hazardous conditions. OSHA and the Coast Guard will continue to discuss the extent of their respective jurisdictions to require owners of inspected vessels to keep records concerning occupational injuries and illnesses.

OSHA Reporting Requirement for Inspected Vessels

Even though OSHA is absent from inspection and enforcement of workplace safety aboard an inspected passenger vessel, the agency does have some authority dealing with recording and reporting occupational injuries and illnesses aboard such vessels. Records of injuries and illnesses are necessary for carrying out the purposes of the OSH Act. They provide a basis for a statistical program that produces injury and illness data used by OSHA to measure and direct the agency's efforts. These records are also helpful to employers and employees in identifying many of the factors that cause injuries or illnesses in the workplace.

Most employers (even those that operate Coast Guard-inspected passenger vessels) are required to maintain a log

(See Hornblower, page 11)

About the Author: Captain Earnesto N. Coleman has been in the maritime industry for 21 years. Three years ago he brought his knowledge and experiences to Hornblower and is holding positions as both Captain and Safety and Occupational Health Coordinator. Captain Coleman is also a 1600 Ton Master/OC.

As a certified trainer of the Occupational Safety and Health Standards, Captain Coleman leads a large Hornblower team in the daily performance and adherence to safety regulations and providing all aspects of safety, including education, training and coaching. He also holds a certification as an Occupational Specialist, and Construction Site Safety Supervisor. He has an Associate Degree in Occupational Safety and Health. He presented a session at the PVA Annual Convention at MariTrends 2018 in Savannah, GA on the impact OSHA has on PVA members.



(Hornblower, continued from Page 10)

documenting serious workplace injuries and illnesses. A key exemption exists for an employer that hires no more than 10 employees at any one time during the previous calendar year. It is OSHA Form 300 that is used as the Injury/Illness Log. Also, at the end of the calendar year, a covered employer is to use Form 300A to create a Summary of work-related injuries and illnesses. The Summary must be posted in a conspicuous place where notices to employees are customarily posted.

Passenger vessel operators are quite familiar with the Coast Guard's Form 2692 which is used for reporting casualties and accidents regarding vessels; this can cover employee injuries and deaths. The Form 2692 may trigger a Coast Guard inspection. In contrast, the somewhat similar OSHA Form 300 is used for statistical purposes.

OSHA and other Maritime Industry Workplaces

In contrast to the situation with Coast Guard-inspected vessels, OSHA most definitely has authority to and does enforce workplace safety and health rules for em-

ployees engaged in shipyard work, including ship-building, repair, and maintenance. It also has jurisdiction over other landside workplaces. Thus, an OSHA inspector may wish to inspect a passenger vessel operator's landside facilities, even though inspection of the vessel itself is off limits.

The purpose of an OSHA workplace inspection is to determine whether the employer is complying with applicable

What prompts an OSHA inspection?

Many different circumstances can prompt an OSHA inspection, ranging from a workplace death to mere chance. The following are some of the reasons why OSHA may inspect your facility:

- Catastrophes and fatalities
- Employee complaints
- Referrals, which can come from any entity, including another government agency
- Programmed inspections, in which worksites are randomly selected, or based on emphasis programs, injury rates or previous citations
- Follow-up inspections

Source: OSHA

health and safety standards. A workplace inspection is performed by compliance officers who are knowledgeable in safety, often without prior notice. An inspection can most effectively be conducted outside of regular business hours where necessary to ensure the presence of key employees needed to aid the inspection process.

Prevention and Preparation

There are several ways to help your company prevent OSHA citations, starting with being keeping accurate logs, stringent safety training, preparing for an inspection, and open communication with employees about safety and protocols.

Organizations should be prepared for an OSHA inspection, even though the number of inspections has decreased in recent years (down from 100,000 in 2015 to fewer than 76,000 in 2017...and the agency's budget is shrinking). To prepare for such an event, see the sidebar [below].

A second article on what to expect, documentation, possible fines, penalties, and appeals will appear in an upcoming issue of FOGHORN.

This article originally appeared in the August 2018 issue of FOGHORN.

PREPARING FOR AN OSHA INSPECTION

- Identify someone in your organization to be the point person in the event an OSHA inspection is ever required. Ideally, the selected person should be knowledgeable about the safety protocols within the operation, including shoreside facilities. This person should escort the OSHA inspector throughout the facility as directed. It's prudent to have an additional person with safety practice knowledge in the event the point person is not available for an OSHA inspection.
- Choose a meeting place in advance for opening and closing commentary between the OSHA inspector and your company representative.
- Ask the OSHA inspector to show ID before allowing him/her access to your facility. The ID should include the inspector's name, photo, and office

(note: OSHA inspectors do not carry badges).

- Ask the OSHA compliance officer to define the specifics of the visit and reason for the inspection. Complaints should be in writing and the organization should be allowed to review the documents.
- Employers' rights should be fully explained, including how to contest any violations or penalties.
- The scope of the inspection should be clearly communicated, including specifics of any spaces, machinery, or procedures that may be inspected or questioned.
- The inspector will likely ask about the operation, include:
 - Type of work performed
 - Number of employees
 - Names of those in charge
 - Contact information

- There is no set length of time for inspection.
- Employers are expected to produce records or logs of incidents in a timely manner when requested.
- Company representatives can respectfully ask an OSHA inspector to postpone the inspection if current conditions warrant a delay. However, the inspector may deny the postponement, or do a short walk around the facility to assess the situation before making a decision whether to grant a delay.
- Employers are within their rights to deny access to OSHA for an inspection. Doing so, however, could lead to the compliance officer seeking a warrant or subpoena granting access to the facility and records.

*Source: National Safety Council
Safety+Health, 2015*



San Diego Chapter American Society of Safety Professionals

A Not-For-Profit Organization

One Chapter - Two Convenient Locations

Save the Date for the ASSP San Diego Chapter 2019 Professional Development Conference

The 2019 Professional Development Conference (PDC) sponsored by the San Diego Chapter of ASSP is planned for March 12, 2019 at a new venue — The Jacobs Center. Please save the date!



Scheduled Keynote Speaker is Charlie Morecraft
An ordinary guy with an extraordinary story!

Also scheduled to present



Dr. John Howard, MD, MPH, JD, LLM, MBA
Director, National Institute for
Occupational Safety and Health (NIOSH)

Additional information can be found on Page 3, and also will be announced at the monthly meetings and in future issues of the San Diego Chapter newsletter.

Mark your calendar for future Chapter meetings:

10/09/2018 - Monthly Breakfast Meeting - Speaker Jerry Leatherman, Geotab: Telematics and fleet tracking systems
11/13/2018 - Monthly Breakfast Meeting - Speaker Greg Shreenan, Trench Shoring: Trenching and Excavations
12/11/2018 - Annual Holiday Luncheon and Donation Presentation



2019 Professional Development Conference Call for Speakers

The San Diego Chapter of the American Society of Safety Professionals (SD-ASSP) announces a call for speakers for the 2019 Professional Development Conference (PDC) in San Diego, California to be held on Tuesday, March 12, 2019. Interested presenters must submit a proposal to speak for review by the PDC Planning Committee. If you or someone you know is a dynamic, knowledgeable speaker with a presentation relevant to one of the broad subject areas listed below, please have the below information completed and submitted. You will be contacted a few weeks after the final closing of speaker applications. Thank you!

Possible Presentation Subject Areas

- Occupational Safety and Health
- Regulatory and Legal Issues
- Risk Assessment and Management
- Industrial Hygiene
- Environmental Issues
- Any Other Topics with Broad Appeal and/or Related EHS Practice

Presentation Parameters

The PDC audience is a professional, technical, and sophisticated audience of safety, health and environmental professionals. Presentations should be **one hour** in length (including Q & A), and **should not be a marketing pitch**. The PDC seeks experienced, professional speakers who will leave attendees with a **valuable takeaway related to EHS practice**.

Please Complete Below for Your Presentation to Be Considered

San Diego Chapter of ASSP is a non-profit organization. Remuneration or expense reimbursement is not guaranteed.

Presenter Name: _____ E-mail Address: _____

Company or Organization & Location: _____

Topic Title: _____ Mobile Phone: _____

Audience Takeaways/Learning Points: _____



Scheduled Speakers

Charlie Morecraft

An ordinary guy with an extraordinary story!



Dr. John Howard, MD, MPH, JD, LLM, MBA

Director, National Institute for
Occupational Safety and Health (NIOSH)

Scan and e-mail completed information to: Steve Workman stworkman@gmail.com. Questions, call Steve at (619) 867-1775.



Come celebrate International EHS Day with us!

Help us raise the awareness for environmental
health and safety in the work place.



Event date: October 9th, 2018

Location: 4540 Viewridge Avenue - San Diego, CA 92130

Time: 11:30 am - 4 pm

Lunch will be provided!

For info contact:

Chris Misa at (858) 576-0200 x2024 or Chris.Misa@saint-gobain.com

Gil Ines at (858) 614-1125 or gil.ines@saint-gobain.com

Some of the vendors who attended this event:

Grainger, San Diego, Gas & Electric, HealthWorks, 3M,
DeWalt, Clark & Associates, Dorn DES Recycling, SHOMA





OSHA Trade News Release

U.S. Department of Labor
OSHA, Office of Communications



The Department of Labor Provides Compliance Assistance Resources to Keep Workers Safe from Trenching-Related Hazards

September 27, 2018

WASHINGTON, DC – The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has developed a series of compliance assistance resources to help keep workers safe from trenching and excavation hazards. OSHA's goal is to increase awareness of trenching hazards in construction, educate job creators and workers on safe cave-in prevention solutions, and decrease the number of trench collapses. These resources, which continue the goals of the Department's recently announced Office of Compliance Initiatives (OCI), encourage and facilitate compliance evaluations.

Trench-related injuries are preventable when workers are properly trained and the required protections are in place. OSHA is working with industry stakeholders and providing new compliance assistance resources.

- U.S. Secretary of Labor Alexander Acosta recorded audio public service announcements in [English](#) and [Spanish](#) that highlight effective ways to stay safe when working around trenches and

excavations. A 45-second video, "[5 Things You Should Know to Stay Safe](#)," also highlights well-known and proven safety measures that can eliminate hazards and prevent worker injuries.

- An updated [trenching operations QuickCard](#) provides information on protecting workers around trenches, including daily inspections, and trench wall safety.
- OSHA's revised "[Protect Workers in Trenches](#)" poster provides a quick reminder of the three ways to prevent dangerous trench collapses: SLOPE or bench trench walls, SHORE trench walls with supports, or SHIELD trench walls with trench boxes. The poster is available in [English](#) and [Spanish](#).
- An [updated trenching and excavation webpage](#) provides additional information on trenching hazards and solutions.

OSHA's [On-Site Consultation Program](#) provides valuable services for job creators that are separate from enforcement. OSHA recently published an [analysis](#) demonstrating how the agency's On-

Site Consultation Program contributes \$1.3 billion to the national economy each year. Job creators who implement workplace improvements can reduce lost time due to injuries and illnesses, improve employee morale, increase productivity, and lower workers' compensation insurance premiums.



OCI – housed within the Department of Labor's Office of the Assistant Secretary for Policy – fosters a compliance assistance culture within the Department designed to complement its ongoing enforcement efforts. This Office focuses on helping enforcement agencies more effectively use online resources to deliver information and compliance assistance to help the American people. In August 2018, OCI launched [Worker.gov](#) and [Employer.gov](#) to provide information about workers' rights and the responsibilities of job creators toward their workers. ▀

U.S. Department of Labor to Hold Meeting to Solicit Public Input On Whistleblower Issues in the Finance Industry

September 5, 2018

WASHINGTON, DC – The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has scheduled a meeting October 16, 2018, in Washington, DC, to solicit public comments and suggestions from stakeholders on whistleblower issues in the finance industry within OSHA's jurisdiction.

This is the second in a series of meetings at which OSHA is seeking public input on how it can improve whistleblower customer service, and enhance understanding of

the whistleblower laws it enforces.

Open to the public, the [meeting](#) will be held from 1:00-3:00 p.m. EDT at the Department's national headquarters in the Frances Perkins Building, 200 Constitution Ave. NW, Washington, DC 20210 in Room N-4437 A-B. Those interested in participating or attending the meeting, either in-person or via telephone, [must register by September 30, 2018](#). There is no fee to register.

Comments related to the "Scope of Meeting" section of the Federal Register

notice must be submitted electronically or in writing by October 9, 2018. All materials may be submitted electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal using OSHA Docket No. OSHA-2018-0005.

OSHA enforces the whistleblower provisions of 22 statutes protecting employees who report violations of airline, commercial motor vehicle, consumer product, environmental, financial reform, food safety, health care reform, nuclear, pipeline, public transportation agency, railroad, maritime, and securities laws. More information is available at <http://www.whistleblowers.gov>. ▀



OSHA Trade News Release

U.S. Department of Labor
OSHA, Office of Communications



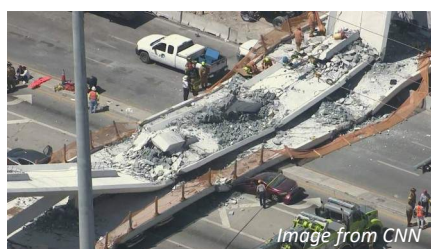
U.S. Department of Labor Cites Five Contractors for Safety Violations Following Florida Pedestrian Bridge Collapse

September 18, 2018

MIAMI, FL – The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) on Friday, September 14, cited multiple contractors for safety violations after one employee suffered fatal injuries and five other employees sustained serious injuries when a pedestrian bridge at the Florida International University campus in Miami collapsed. The five companies collectively received seven violations, totaling \$86,658 in proposed penalties.

OSHA cited Figg Bridge Engineers Inc., a civil and structural engineering company; Network Engineering Services Inc. (doing business as Bolton Perez & Assoc.), a construction engineering and inspection firm; Structural Technologies LLC (doing busi-

ness as Structural Technologies/VSL), specializing in post-tensioning in bridges and buildings; Munilla Construction Management LLC, a bridge and building construction company; and The Structural Group of South Florida Inc., a contractor specializing in concrete formwork.



OSHA's investigation determined that the companies failed to protect workers when indications of a potential bridge collapse were evident. Violations included exposing employees to crushing and fall hazards;

and allowing multiple employees to connect to an improperly installed lifeline.

"Collectively, these employers failed to take appropriate action and provide the necessary protections to their employees while they were working on the bridge on the day it collapsed," said OSHA Regional Administrator Kurt A. Petermeyer.

Read the citations for [Figg Bridge Engineers Inc.](#), [Network Engineering Services Inc.](#), [Structural Technologies LLC](#), [Munilla Construction Management LLC](#), and [The Structural Group of South Florida Inc.](#)

The companies have 15 business days from receipt of the citations and proposed penalties to comply, request an informal conference with OSHA's area director, or contest the findings before the independent [Occupational Safety and Health Review Commission](#). ■

U.S. Department of Labor Urges Workers and the Public to be Vigilant And Mindful of Hazards Following Hurricane Florence

September 18, 2018

ATLANTA, GA – The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) urges emergency crews in the areas affected by Hurricane Florence to be aware of hazards from flooding, power loss, structural damage, fallen trees, and storm debris.

"Workers involved in storm recovery can face a range of safety and health hazards," said OSHA Regional Administrator Kurt Petermeyer. "Risks can be minimized with knowledge, safe work practices, and personal protective equipment."

Recovery efforts after the storm may involve hazards related to restoring electricity and communications, debris removal, repairing damage from water intrusion, roof repair, and tree trimming. Only individuals with proper training, equipment, and experience should conduct recovery

and cleanup activities.

Protective measures after a weather disaster should include the following:

- Evaluating the work area for hazards;
- Assessing the stability of structures and walking surfaces;
- Fall protection for elevated surfaces;
- Assuming all power lines are live;
- Using chainsaws, portable generators, ladders, and other equipment properly; and
- Using personal protective equipment, such as gloves, hard hats, hearing and foot protection, and eye protectors.

OSHA maintains a [comprehensive web-site](#) with safety tips to help employers and workers. Individuals involved in response and recovery efforts may call OSHA's toll-

free hotline at 800-321-OSHA (6742).

North and South Carolina have OSHA-approved State Plans that cover private, state, and local government workplaces. North Carolina's Department of Labor can be contacted at 1-919-707-7876. South Carolina's Department of Labor, Licensing & Regulation, Division of Occupational Safety and Health, can be reached at 803-896-7665 or <https://www.sccemd.org/prepare/types-of-disasters/hurricanes/>. ■

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.



Caring for 9/11 Survivors and Responders



John Howard, M.D.
Director, NIOSH

Outside my office in Washington DC is an American flag with the names of those lost 17 years ago this month at

the World Trade Center in New York City; the Pentagon in Arlington, Virginia; and the crash site in Shanksville, Pennsylvania. This 9/11 commemorative flag serves as a daily reminder of the cost of those terrible attacks as well as the important role NIOSH plays in caring for those who survived and those who responded.

As the Director of NIOSH, I also serve as the Program Administrator for the [World Trade Center \(WTC\) Health Program](#). Established by the James Zadroga 9/11 Health and Compensation Act of 2010, the WTC Health Program provides high quality, no-cost annual medical monitoring examinations and treatment for health conditions related to the 9/11 attacks. Law

enforcement officers, fire fighters, emergency medical personnel, cleanup and recovery workers, and residents of lower Manhattan are some whose health continues to be affected by the long-term impact of 9/11 exposures.

Through the seven Clinical Centers of Excellence in the greater New York metropolitan area and the Nationwide Provider Network, the program currently serves over 88,000 responders and survivors, with thousands more enrolling each year. Applications for the program are up by 66% over last year, driven in no small part by an increase in survivors applying to the program.

The WTC Health Program's work also goes beyond medical care. A lot is still unknown about the long-term health effects of 9/11. The program, through the [research-to-care logic model](#), funds [research projects](#) designed to help answer critical questions about the physical and mental

health conditions related to the 9/11 terrorist attacks. This work will also help to inform and improve future disaster response and recovery planning efforts.

In addition, we held a [“Research to Care” member engagement event](#) in New York City last year where researchers shared study findings directly with members and discussed the impact on member care. Continuing education credits for the event are available through the [WTC Health Program training page](#).

The WTC Health Program and NIOSH play a critical role for those affected by 9/11. I encourage everyone to learn more about the [program](#) and help us spread the word about it. Together, we can all play a part in helping those that were there. They haven't forgotten 9/11, and neither will we. ■

Look for Dr. John Howard at the San Diego ASSP 2019 Professional Development Conference. [Details in this newsletter!](#)

NIOSH Updates Position on Facial Hair, Respirator Use

Notice supersedes October 2, 2006 letter
August, 2018

In a recent notice, the National Institute for Occupational Safety and Health (NIOSH) updated its position on facial hair and respirator use. The notice supersedes its October 2, 2006, “Letter to all Manufacturers” titled NIOSH Policy for Respirator Sealing Surfaces and Facial Hair. The notice applies to all primary seals of tight-fitting full- and half-facepiece respirators

and to tight-fitting respirator designs that rely on a neck dam seal.

According to NIOSH, facial hair that lies along the sealing area of the respirator, including beards, sideburns, moustaches, or stubble, should not be permitted on employees who are required to wear respirators that rely on tight facepiece fit. The notice states that facial hair growing in or protruding into the area of the primary sealing surfaces of the respirator will

prevent a good seal, and that workers should not enter a contaminated work area when conditions prevent a good seal of the respirator facepiece to the face. ■

This article originally appeared at www.jjkeller.com on September 17, 2018.

For the complete NIOSH statement, visit www.cdc.gov/niosh/npptl/resources/pressrel/letters/conformityinterp/CA-2018-1005.html.

This Month in History

More than two decades ago, a NIOSH survey from several states found that older tractors lacked rollover protective structures. Proven to protect workers in the event of a tractor rollover, these safety devices now are standard equipment on new tractors sold in the United States. They also can be installed retroactively on older tractors. More information is available:

- [Use of Rollover Protective Structures—Iowa, Kentucky, New York, and Ohio, 1992–1997](#)
- [NIOSH: Agricultural Safety](#)



HEALTH AND SAFETY NEWS

OSHA in line for funding boost after congressional conference committee agrees on appropriations 'minibus'

Washington — OSHA is set to receive a \$5 million budget increase, after the House and Senate resolved their differences in a Sept. 13 congressional conference committee meeting on a "minibus" [appropriations bill](#). The spending package includes funding for the Department of Defense and a continuing resolution to keep the government open until Dec. 7.

The minibus, which includes the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act of 2019 and the Continuing Appropriations Act of 2019, was passed by the Senate on Sept. 18 and by the House on Sept. 26. It still needs President Donald Trump's signature.

The appropriations bill provides about \$557.8 million for OSHA in FY 2019, a \$1 million increase from the [Senate's initial minibus](#) — which passed Aug. 23 — and \$12.5 million more than the House's proposed budget. The agency received \$552.8 million in FY 2018; the Trump administration allocated \$549 million.

The conference committee also chose to allocate no more than \$102.4 million to

OSHA [State Plans](#), an increase of \$1.5 million. It would be the first hike since FY 2014, according to a [post](#) from the agency's former Deputy Assistant Secretary Jordan Barab on his "Confined Spaces" website. The [Susan Harwood Training Grants Program](#) is slated to remain viable for another fiscal year, receiving around \$10.5 million. The administration's previous attempts to cut that program have failed so far, and the House slated it for elimination in its budget proposal.

OSHA's federal compliance assistance efforts are scheduled for a \$2.5 million increase to \$73.5 million, and at least \$3.5 million is going to the [Voluntary Protection Programs](#). OSHA's enforcement budget is slated for a \$1 million boost to \$209 million.

The Mine Safety and Health Administration

would receive level funding at \$373.8 million, with up to \$2 million going to mine

rescue and recovery and at least \$10.5 million to state assistance grants. The House initially proposed \$367.6 million for the agency, and the Trump administration allocated \$375.9 million.

The bill includes a provision that some of the state assistance grants "may be used for the purchase and maintenance of new equipment" as required by the agency's coal dust rule for mine operators who "demonstrate financial need." That rule lowered the exposure limit at underground and surface mines to 1.5 milligrams per cubic meter of air from 2.0 milligrams. Other changes include sampling requirements with continuous personal dust monitors.

NIOSH would receive \$336.3 million — a \$1.1 million increase from FY 2018 — and would remain under the Centers for Disease Control and Prevention. The Trump administration proposed to give the agency \$200 million and move it to the National Institutes of Health. The House budgeted \$339.2 million for NIOSH. ■

This article originally appeared in [Safety+Health](#) on September 18, 2018.



Amendment to protect MSHA coal dust rule fails

Washington — MSHA is slated to receive \$373.8 million, unchanged from FY 2018, with up to \$2 million going to mine rescue and recovery and at least \$10.5 million to state assistance grants. The bill includes a provision that some of that grant money "may be used for the purchase and maintenance of new equipment" as required by the coal dust rule for mine operators who "demonstrate financial need."

Sen. Joe Manchin (D-WV) proposed an [amendment](#) that would prevent the agency from repealing or rolling back the coal dust rule, which lowered the exposure limit at underground and surface mines to 1.5 milligrams per cubic meter of air from 2.0 milligrams. Other changes include sampling requirements with continuous personal dust monitors.

The Department of Labor is seeking a retrospective study of the coal dust rule, according to its [semiannual regulatory agenda](#) released Dec. 14, listing the study as a deregulatory action. At a [hearing](#) before the House Workforce Protections Subcommittee on Feb. 6, MSHA administrator David Zatezalo said the study was required by the final rule, issued in 2014, and he did not know why it was listed as a deregulatory item.

NIOSH would receive \$335.3 million, a slight increase from FY 2018, and would remain under the Centers for Disease Control and Prevention. The administration proposed moving the agency to the National Institutes of Health. The House bill allocates \$339.2 million for NIOSH.

An amendment from Sen. Mark Warner (D-

VA) and four of his colleagues calls for NIOSH to provide an update on miners currently covered by the [Coal Workers' Health Surveillance Program](#). The legislators also want the agency to report on potential barriers to participation and existing and planned ways to boost involvement in the program.

In May, researchers from the University of Illinois at Chicago presented [findings](#) showing that more than 4,600 coal miners have developed progressive massive fibrosis — the most severe form of black lung disease — since 1970. Nearly half of the cases have been discovered since 2000. ■

Excerpt from an article originally appearing in [Safety+Health](#) on August 29, 2018.



Drop that donut: Workers consuming 1,000 extra calories at work, researchers say



Photo: DGLimages/istockphoto

Boston — Bagels and donuts during the breakfast meeting. Cake for birthday celebrations. Consuming extra food is a common occurrence for many workers. But before you grab that free donut, know this: Workplace snacks may be adding more than 1,000 calories to your daily diet.

Using data from the [National Household Food Acquisition and Purchase Survey](#), researchers from the Centers for Disease Control and Prevention analyzed the food

and drinks that 5,222 employees bought from work vending machines and cafeterias, as well as the free food set out in workplace common areas. They found that 22 percent of employees, at least once a week, bought or ate food that added up to nearly 1,300 calories – most of which tended to be food high in empty calories.

Of the 1,300 calories, more than 70 percent came from free junk food found around the office. The main culprits were pizza, sodas, cookies, brownies, cakes, pies and candy.

The free food contained “high amounts of sodium and refined grains and very little whole grains and fruit,” an American Society for Nutrition press release states. The [study’s results](#) were presented at the organization’s annual meeting in June.

“Our results suggest that the foods peo-

ple get from work do not align well with the recommendations in the [Dietary Guidelines for Americans](#),” said Stephen Onufrak, epidemiologist in the Division of Nutrition, Physical Activity, and Obesity at CDC.

The researchers suggest employers help instill better eating habits among employees with workplace wellness programs. Via the programs, employers could promote “healthy options that are also appealing,” the release states. They also could request that vending machines and cafeterias be stocked with healthy options.

“Employers may also want to consider healthy meeting policies to encourage healthy food options at meetings and social events,” Onufrak said. ■

This article originally appeared in [Safety+Health](#) on September 19, 2018.

Study examines role of metabolism in night shift worker health

Spokane, WA — Individual organs in the digestive system contain separate biological clocks that may influence the [metabolism](#) of people who work the night shift and help explain a link to shift worker health problems such as obesity and diabetes, a [recent study](#) from researchers at Washington State University suggests.



Photo: SANSA Images

For the study, the researchers asked 10 men and four women to simulate a shift work schedule for one week at the WSU sleep lab. Half of the participants fulfilled three days of night shift work, while the other half completed three days of day shift work. After this time, participants

remained awake in a semi-reclined posture for 24 hours, receiving the same snacks each hour and giving blood samples every three hours. Room temperature and light exposure were constant.

Researchers analyzed the levels of 132 metabolites, or products of metabolism, during the 24-hour period. Findings showed that 24-hour rhythms in metabolites related to the liver, pancreas and digestive tract shifted by 12 hours after night shift work. However, the brain’s typical 24-hour circadian clock – long regarded as the body’s driving force – shifted by only about two hours, producing conflicting information for the body.

“No one knew that biological clocks in people’s digestive organs are so profoundly and quickly changed by shift work schedules, even though the brain’s master clock barely adapts to such schedules,” Hans Van Dongen, study co-author and WSU professor, said in a July 31 press release. “As a result, some biological signals in shift workers’ bodies are saying it’s day while other signals are saying it’s

night, which causes disruption of metabolism.”

[Previous research](#) has shown that regular night shift workers face an increased risk of becoming obese or overweight, conditions that are associated with cardiovascular disease, among other adverse health issues. ■

The study was published online July 10 in the journal *Proceedings of the National Academy of Sciences*.

This article originally appeared in [Safety+Health](#) on August 29, 2018.

The APA presents
Work, Stress and Health 2019
What Does the Future Hold?

Call for Proposals—Deadline for paper and presentation proposals is January 28, 2019. Event details and proposal criteria are available at the American Psychological Association website <http://www.apa.org/wsh/>.

AMERICAN SOCIETY OF SAFETY PROFESSIONALS



"Providing Leadership & Direction to
the Safety Professional since 1911"



-----NEWS from CPSC-----

U.S. Consumer Product Safety Commission

Office of Communications

4330 East West Highway, Bethesda, MD 20814, www.cpsc.gov



PRODUCT SAFETY RECALLS:

1. **(8/23) BMW/Mini Cooper — Missing Fuel Pump Crash Protection Plate:** www.nhtsa.gov/recalls?nhtsaId=18V557
2. **(8/30) Kawasaki — Center Stand May Drop Unexpectedly:** www.nhtsa.gov/recalls?nhtsaId=18V580
3. **(9/5) Rust-Oleum Recalls Countertop Coating Due to Violation of Federal Lead Paint Ban:** www.cpsc.gov/Recalls/2018/Rust-Oleum-Recalls-Countertop-Coating-Due-to-Violation-of-Federal-Lead-Paint-Ban
4. **(9/5) Hawthorne Hydroponics Recalls Humidifiers Due to Fire and Shock Hazards:** www.cpsc.gov/Recalls/2018/Hawthorne-Hydroponics-Recalls-Humidifiers-Due-to-Fire-and-Shock-Hazards
5. **(9/5) Polaris Recalls Ranger Recreational Off-Highway Vehicles Due to Crash Hazard:** www.cpsc.gov/Recalls/2018/Polaris-Recalls-Ranger-Recreational-Off-Highway-Vehicles-Due-to-Crash-Hazard-Recall-Alert
6. **(9/6) TJX Recalls Barstools Due to Fall Hazard; Sold at HomeGoods, Marshalls and T.J. Maxx Stores:** www.cpsc.gov/Recalls/2018/TJX-Recalls-Barstools-Due-to-Fall-Hazard-Sold-at-HomeGoods-Marshalls-and-TJ-Maxx-Stores
7. **(9/6) Lester Electrical Recalls Links Series Chargers Due to Fire and Burn Hazards:** www.cpsc.gov/Recalls/2018/Lester-Electrical-Recalls-Links-Series-Chargers-Due-to-Fire-and-Burn-Hazards
8. **(9/6) Schneider Electric — Product Safety Notice: Masterpact™ NW 800-6300A Circuit Breakers:** [www.schneider-electric.us/en/work/products/notifications/safety-notices/2018/masterpact-nw/#xtor=CS4-371-\[Short-URL\]-\[www.schneider-electric.us/nwhelp\]-\[Print\]-](http://www.schneider-electric.us/en/work/products/notifications/safety-notices/2018/masterpact-nw/#xtor=CS4-371-[Short-URL]-[www.schneider-electric.us/nwhelp]-[Print]-)
9. **(9/7) Nissan/Infiniti — Brake Fluid May Leak into ABS Pump and Ignite:** www.nhtsa.gov/recalls?nhtsaId=18V601
10. **(9/11) John Deere Recalls Gator Utility Vehicles Due to Crash Hazard:** www.cpsc.gov/Recalls/2018/John-Deere-Recalls-Gator-Utility-Vehicles-Due-to-Crash-Hazard-Recall-Alert
11. **(9/11) Emerson Tool Company Recalls RIDGID Wet/Dry Vacuums Due to Shock Hazard; Sold Exclusively at Home Depot:** www.cpsc.gov/Recalls/2018/Emerson-Tool-Company-Recalls-RIDGID-Wet-Dry-Vacuums-Due-to-Shock-Hazard-Sold-Exclusively-at-Home-Depot
12. **(9/11) Jimco Recalls Bistro Chairs Due to Fall Hazard:** www.cpsc.gov/Recalls/2018/Jimco-Recalls-Bistro-Chairs-Due-to-Fall-Hazard
13. **(9/11) Cost Plus World Market Recalls Daybeds Due to Violation of Federal Mattress Flammability Standard:** www.cpsc.gov/Recalls/2018/Cost-Plus-World-Market-Recalls-Daybeds-Due-to-Violation-of-Federal-Mattress-Flammability-Standard
14. **(9/11) Gas Ranges and Wall Ovens Recalled by Prizer-Painter Stove Works Due to Burn Hazard:** www.cpsc.gov/Recalls/2018/Gas-Ranges-and-Wall-Ovens-Recalled-by-PrizerPainter-Stove-Works-Due-to-Burn-Hazard
15. **(9/11) Ford/Lincoln — Incorrect Length of Door Striker Bolts/FMVSS 206:** www.nhtsa.gov/recalls?nhtsaId=18V612
16. **(9/12) 3M™ DBI-SALA® 16-Foot Talon™ Self Retracting Lifeline: Stop Use & Recall Field Service Action:** www.16foottalonrecall.com/
17. **(9/14) Mitsubishi Motors — Prolonged Braking by Collision Avoidance System:** www.nhtsa.gov/recalls?nhtsaId=18V621
18. **(9/14) Mitsubishi Motors — Safety Systems May Be Disabled When In Use:** www.nhtsa.gov/recalls?nhtsaId=18V621
19. **(9/20) Titan Recalls Weight Lifting Safety Straps Due to Injury Hazard:** www.cpsc.gov/Recalls/2018/Titan-Recalls-Weight-Lifting-Safety-Straps-Due-to-Injury-Hazard-Recall-Alert
20. **(9/20) Weeplay Kids Recalls Children's Coveralls Due to Choking Hazard:** www.cpsc.gov/Recalls/2018/Weeplay-Kids-Recalls-Childrens-Coveralls-Due-to-Choking-Hazard



AMERICAN SOCIETY OF SAFETY PROFESSIONALS



"Providing Leadership & Direction to
the Safety Professional since 1911"



-----NEWS from CPSC-----

U.S. Consumer Product Safety Commission

Office of Communications

4330 East West Highway, Bethesda, MD 20814, www.cpsc.gov



PRODUCT SAFETY RECALLS (CONTINUED):

21. (9/20) Kaz Recalls Stinger Insect Zappers Due to Shock Hazard: www.cpsc.gov/Recalls/2018/Woodcraft-Recalls-Clip-On-Adapters-for-Motorcycle-Handlebars-Due-to-Crash-Hazard
22. (9/21) Woodcraft Recalls Clip-On Adapters for Motorcycle Handlebars Due to Crash Hazard: www.cpsc.gov/Recalls/2018/Woodcraft-Recalls-Clip-On-Adapters-for-Motorcycle-Handlebars-Due-to-Crash-Hazard
23. (9/25) Desert Harvest Recalls Relèveum Skin Repair Cream Due to Failure to Meet Child Resistant Closure Requirements: www.cpsc.gov/Recalls/2018/Desert-Harvest-Recalls-Releveum-Skin-Repair-Cream-Due-to-Failure-to-Meet-Child-Resistant-Closure-Requirements
24. (9/25) Traeger Grills Recalls Wood Pellet Grills Due to Fire Hazard: www.cpsc.gov/Recalls/2018/Traeger-Grills-Recalls-Wood-Pellet-Grills-Due-to-Fire-Hazard
25. (9/25) Provata Health Recalls Promotional Activity Trackers Due to Burn Hazard: www.cpsc.gov/Recalls/2018/Provata-Health-Recalls-Promotional-Activity-Trackers-Due-to-Burn-Hazard
26. (9/26) CFMOTO Recalls All-Terrain Vehicles Due to Fire Hazard: www.cpsc.gov/Recalls/2018/CFMOTO-Recalls-AllTerrain-Vehicles-Due-to-Fire-Hazard
27. (9/26) Boy Scouts of America Recalls Neckerchief Slides Due to Violation of Federal Lead Content Ban: www.cpsc.gov/Recalls/2018/Boy-Scouts-of-America-Recalls-Neckerchief-Slides-Due-to-Violation-of-Federal-Lead-Content-Ban
28. (9/27) Life Fitness Recalls PowerMill Climber Due to Fire Hazard: www.cpsc.gov/Recalls/2018/Life-Fitness-Recalls-PowerMill-Climber-Due-to-Fire-Hazard
29. (9/27) TerraTrike Recalls Adult Tricycles Due to Crash Hazard: www.cpsc.gov/Recalls/2018/TerraTrike-Recalls-Adult-Tricycles-Due-to-Crash-Hazard
30. (9/27) IKEA Recalls Ceiling Lamps Due to Impact and Laceration Hazards: www.cpsc.gov/Recalls/2018/IKEA-Recalls-Ceiling-Lamps-Due-to-Impact-and-Laceration-Hazards
31. (9/28) Boy Story Recalls Action Dolls Due to Choking Hazard: <https://www.cpsc.gov/Recalls/2018/Boy-Story-Recalls-Action-Dolls-Due-to-Choking-Hazard>

IN CASE YOU MISSED IT...

32. (June 2016) 3M Recalls Hard Hats Due to Shock Hazard: https://solutions.3m.com/3MContentRetrievalAPI/BlobServlet?lmd=1466786098000&locale=en_US&assetType=MMM_Image&assetId=1362241670831&blobAttribute=ImageFile
33. (August 2016) 3M issues voluntary recall of fall protection sleeve: http://api.capitalsafety.com/api/assets/download/1/44877916?utm_source=ACT!&utm_campaign=1cd8820305-Safety_Recall_Notice_3M&utm_medium=email&utm_term=0_0603d3eb6f-1cd8820305-197900713
34. (August 2016) Honeywell issues voluntary recall of Eyesaline eyewash: www.fda.gov/Safety/Recalls/ucm517443.htm
35. (September 2017) Genie issues recall for mounting brackets on aerial lifts: www.safetyandhealthmagazine.com/ext/resources/files/news/SN-170004_North-America.pdf
36. (April 2018) Stop Use: Select MSA Nuevo Wrap Safety Glasses: http://media.msanet.com/advisor/Safety_Notice_Stop_Use_Nuevo_Wrap_Eyewear.pdf





HELPFUL LINKS AND OTHER INFORMATION

American Industrial Hygiene Association: <http://www.aiha.org/>

American Red Cross: <http://www.redcross.org/>

American Society of Safety Professionals NEW Main Website: <https://www.assp.org/> **NEW**

ASSP Center for Safety and Health Sustainability <http://www.centershhs.org/> **NEW**

ASSP Learning Library: <http://www.safetybok.org/> **NEW**

ASSP Risk Assessment Institute <https://www.assp.org/advocacy/risk-assessment-institute> **NEW**

California Division of Occupational Safety and Health (DOSH), (Cal/OSHA): <http://www.dir.ca.gov/dosh/>

Center for Disease Control and Prevention (CDC): <http://www.cdc.gov/>

Consumer Product Safety Commission (CPSC): <https://www.cpsc.gov/> **NEW**

Electronic Library of Construction Occupational Safety & Health: <http://www.elcosh.org/index.php>

Environmental Protection Agency (EPA): <http://www.epa.gov/>

Federal Emergency Management Agency (FEMA) Main Page: <http://www.fema.gov/>

FEMA “Be Ready” Website: <http://www.ready.gov/>

Federal Motor Carrier Safety Administration: <http://www.fmcsa.dot.gov/>

Mine Safety and Health Administration (MSHA): <http://www.msha.gov/>

National Institute of Health Sciences (NIH): <http://www.niehs.nih.gov/>

National Institute of Occupational Safety and Health (NIOSH): <http://www.cdc.gov/niosh/>

Occupational Safety and Health Administration (OSHA) Main Website: <https://www.osha.gov/>

OSHA Silica Fact Sheets <https://www.osha.gov/pls/publications/publication.searchresults?pSearch=Controlling+Silica+Dust+in+Construction+&pSearch=>

San Diego ASSP Website: <https://sandiego.assp.org/> **NEW**