



# The Safety Net San Diego



## The President's Message — December, 2019



Steve Workman

Do this, don't do that, can't you read the sign? I remember when I first heard these song lyrics. Now it reminds me of two signs that I believe have no place at work. Perhaps you have seen them, endorsed, or encouraged them.

The first sign comes in many forms. Some examples are "XX Days without an Accident", "XX Days Without a Lost Time Accident", or "XX Days Without a Recordable Incident." Some state: "We have proudly worked XX Days without a (fill in the blank)." My question is, when an unplanned event resets the counter to zero, does it involve the opposite of pride... shame? Are these metrics important to employees? I suggest they ARE NOT. My point is, do employees think of these things throughout the day when they are consider-

ing taking a risk or a shortcut in order to get the job done? I think they DO NOT. Management may view these metrics as important since each measured event can be



This practice is alive and well. Here's a sign I found in a local home improvement store that has BOTH!

(see *President's Message*, Page 2)

tied to a cost. My response is perhaps they may have a place on paper, but not on a sign. There are so many other ways to measure safety. How about "XX Days since the last safety suggestion" or "XX Days since the last safety training"?

The second sign involves two words. These words can be

### Inside this issue:

PRESIDENT'S MESSAGE	1—2
LIST OF OFFICERS	2
EXCOM MTG MINUTES	3—4
GOVERNMENT AFFAIRS	4—9
PUBLIC AFFAIRS	9—10
SAFETY STRIDERS	10
NEW CHAPTER MEMBERS	10
JOB LINE	10
ASP/CSP STUDY GROUP	11
ASSP CAREER CENTER	11
CALENDAR OF EVENTS	11
NEWSLETTER NEWS	12
NEW TO SAFETY?	12
HOLIDAY LUNCHEON	13
ASSP SAN DIEGO PDC	14
EVERYONE HAS A STORY	15
OSHA NEWS RELEASES	16—17
NIOSH NEWS	18
HEALTH & SAFETY NEWS	19
PRODUCT RECALLS	20
HELPFUL LINKS	21

CLICK ON THE TOPIC TO JUMP TO THAT PAGE!

Thank you to all of our 2019 Professional Development Conference sponsors!





## 2019 - 2020 Officers

### PRESIDENT & DELEGATE:

Steve Workman  
president@sandiego.assp.org

### PRESIDENT-ELECT:

Scott Simerson  
president-elect@sandiego.assp.org

### SECRETARY:

Wesley Williams  
secretary@sandiego.assp.org

### TREASURER:

Chris Malicki  
treasurer@sandiego.assp.org

### PAST-PRESIDENT:

Enrique Medina, MS, CIH, CSP  
past-president@sandiego.assp.org

### MEMBERSHIP CHAIR:

Jo Curcio  
membership@sandiego.assp.org

### JOB LINE CHAIR:

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

### PROGRAMS CHAIR:

Fernand Kuhr  
programs@sandiego.assp.org

### PUBLIC AFFAIRS CHAIR:

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

### GOVERNMENT AFFAIRS CHAIR:

Scott Simerson  
government@sandiego.assp.org

### SOCIAL MEDIA CHAIR

David Hiipakka  
communications@sandiego.assp.org

### NEWSLETTER EDITOR:

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

### PDC COMMITTEE CHAIR:

Scott Simerson  
president-elect@sandiego.assp.org

### HOUSE OF DELEGATES MEMBER:

Teresa Bonilla  
delegate@sandiego.assp.org

### SUCCESSION PLANNING CHAIR

Cait Casey  
planning@sandiego.assp.org

### SPECIAL PROJECTS CHAIR:

Brooks Carder, PhD  
specialprojects@sandiego.assp.org

## *(President's Message, from Page 1)*

seen this on many different signs. Caution signs, warning signs, PPE required signs, beyond this point signs, and many more. The two words I am referring to are SAFETY FIRST. When I saw these signs on a worksite as an hourly employee, they used to bring me comfort. Without giving it much thought, I assumed Safety was more important than anything else. Then I listened to Mike Rowe of Dirty Jobs. I like Mike. He has convinced me it is better when Safety is Third. Take a minute to let that sink in, SAFETY THIRD. What if you saw a sign that read SAFETY THIRD? There's a safety conversation starter!

Mike will tell you that worker safety is a huge issue for him and one that he got personally involved with about halfway through the Dirty Jobs show. He goes on to say that after several seasons of accident-free shoots, his crew was suddenly enduring an increase in injuries. Most resulted in stitches and broken bones. Several were near misses, and near deadly. Mike believed he and his crew were becoming complacent, in spite of endless safety briefings and compulsory safety protocols. Eventually, it occurred to him that the whole “Safety First” mentality might be having a counter-intuitive effect. He realized on-the-job safety, for all its critical importance, is never really “first.” If you GOOGLE “Safety Third” here is some of what you will find:

“Safety First” discourages personal responsibility. Is it reasonable to assume that someone would hire you to work in a hazardous environment, and then tell you that nothing is more important to them than your person-

al safety? Of course it isn't. Difficult and dangerous jobs are accomplished by people who are willing to assume risk – and the assumption of that risk must come before anything else. Lawyers and insurance adjusters and government agencies have altered that simple equation by perpetuating the belief that your employer might actually care about your safety more than you. That's dangerous, (even if it's sometimes true.) Mitigating risk makes good financial sense, in the same way that wearing a harness at 600 feet up makes common sense. But telling an employee that his Safety comes before everything else sends a mixed and somewhat suspicious message. (<https://mikerowe.com/2014/08/off-the-wall-safety-third-conversation-continues/>)

Each of us needs to take responsibility for our own safety and not assume it is the responsibility of someone else to keep us safe. This has been professed by Charlie Morecraft for many years.

I would like to engrave SAFETY THIRD into our chapter. Please plan to attend the PDC on March 10, 2020 to witness this.

Do you still endorse or encourage these two signs? If so, we may have different opinions and I would like to hear from you. Please send your comments to [president@sandiego.assp.org](mailto:president@sandiego.assp.org).

Do you have an idea for a new name of this newsletter? Please read the [invitation on page 12](#) to provide suggestions in this edition.

Wishing Safe & Happy Holidays to you and your family,

**Steve Workman**, CEAS  
President  
San Diego ASSP Chapter





## SAN DIEGO ASSP EXECUTIVE COMMITTEE MEETING MINUTES

The Executive Committee met over the phone on Tuesday, November 5<sup>th</sup>. Teresa Bonilla, Brooks Carder, Cait Casey, Lee Donahue, David Ferguson, Dave Hiipakka, Fernand Kuhr, Chris Malicki, Isaac Szmuiłowicz, Scott Simerson, Steve Workman, and Wesley Williams attended.

### OLD BUSINESS

#### 1. Review Minutes from October 1<sup>st</sup>, 2019:

Steve Workman entertained the motion, Teresa Bonilla moved, and Fernand Kuhr seconded the motion to approve the minutes for October 1<sup>st</sup>, 2019.

#### 2. Treasurer’s Report:

- Revenue total receipts was \$1822.90. Expenses/total disbursements were \$3209.87.
- Talked about bringing people and letting other people know of meetings to keep the uptick and boost in attendance.
- Talked about possibly going with a different financial institution. Traditional vs Credit Union. The credit card machine is leased through Wells Fargo. Must make financial sense on whichever direction is decided.

### NEW BUSINESS

- Update contact list with everyone’s preferred email.**  
ASSP email preferred/recommended.

### COMMITTEE REPORTS

- Government Affairs — October ROC in Alaska—Was given an October 24th recap. Talked on how to keep student members involved after graduation.
- Delegate — Nothing to report.
- Job Line — There are 11 current positions listed in the job line. If anyone sees any glitches on the San Diego Chapter site don’t hesitate to reach out. The Lung Association 5k walk is on Sunday November 10th.
- Membership — Nothing to report.
- Newsletter — New name will be discussed at the December Lunch Meeting on the 10<sup>th</sup>.
- Programs — Confirmed monthly meeting speakers and topics:  
**November:** Opioid abuse, medical and recreational marijuana issues, and drug testing and treatment under the Department of Transportation, voluntary reporting, and reasonable suspicion guidelines by Majid

Karimi. Tuesday November 12<sup>th</sup>.

**December:** Christmas Holiday Luncheon on December 10<sup>th</sup> at 11:15 am. \*Note\* Want to decide which organization we will donate to during the luncheon.

- Public Affairs — Lung Association 5k walk on November 10th. Next Sound the Alarm Event will be April 18th, 2020 in Oceanside, CA. As a support of the San Diego ASSP Chapter to everyone who will attend could possible wear ASSP hats.
- Social Media — All platforms are being updated. Will look into adding a slide that will list all SD ASSP social media platforms during the breakfast meeting.
- Succession Planning — Nothing to report.
- Special Projects — Proposal from The Forum PR – from Brooks: We are not marketers. Objective would be to increase attendance at the PDC.  
from Steve: Given the short time until the 2020 PDC, we should consider a contract to market the chapter and the PDC in 2021. Want to market the chapter and focus on the PDC in 2021. Teresa will look into getting another bid to compare.
- PDC — 2020 PDC Planning – Updated spreadsheet, might cover expenses for speakers for the right situation. Suggestions for challenge coin. Teresa Bonilla will look into it.
  - Challenge Coins ordered.
  - 2020 PDC Planning meeting every 2 weeks in person +call in. Next meeting will be Tuesday November 19<sup>th</sup>, 2019 at Aspen Conference Room at 7 am.
  - Speaker list
  - Speaker expenses—There will be 2 hotel expenses, 2 airfare expenses, and 1 speaker fee (Ron Gant, Monica Zech, Albert Roth, Krista Geller). Steve Workman entertained the motion to approve speaker expenses, Lee Donahue moved, and Teresa Bonilla seconded. The motion was voted and approved.
  - Draft program—Talked about using Whova for the PDC. Example given were the NSC Conference in San Diego how everything was done from/within an app. A motion to use Whova was entrained by Steve Workman, moved by Fernand Kuhr, and seconded by Teresa Bonilla/Scott Simerson. The motion was voted on and approved.

(see *ExCom Meeting Minutes*, page 4)



(ExCom Meeting Minutes, continued from Page 3)

- Talked about a vendor price increase. \$450 for 1 person and \$50 more a person for up to 3 people.
- Talked about double sided lanyards with name/ information for all attendees. Wesley will mock one out. Brooks will look into getting generic San Diego ASSP lanyards that can be re-used for all future chapter events.
- Adding recycle bins for id cards after the PDC is

over.

**Next Breakfast Meeting:** November 12, 2019 – Opioid abuse, medical and recreational marijuana issues, and drug testing and treatment under the Department of Transportation, voluntary reporting, and reasonable suspicion guidelines by Majid Karimi.

**Next Event:** Lung Association 5k walk on November 10<sup>th</sup>.

**Next EC Meeting:** December 3, 2019 – Conference Call

## EXECUTIVE COMMITTEE CHAIR UPDATES

### Government Affairs Committee:

by Scott Simerson

#### Cal/OSHA Reminds Employers to Protect Workers if the Air Quality is Unhealthy due to Wildfire Smoke

October 25, 2019

**OAKLAND, CA** – Cal/OSHA is advising employers that steps must be taken to protect workers from harmful exposure if the air quality is unhealthy due to wildfire smoke.

California’s [protection from wildfire smoke standard](#) applies to workplaces where the Air Quality Index (AQI) for fine particles in the air is 151 or greater and where workers may be exposed to wildfire smoke.

When wildfire smoke affects a worksite, employers must monitor the AQI for particulate matter in the air, known as PM2.5. Employers can monitor the AQI using the following websites:

- [U.S. EPA AirNow website](#)
- [U.S. Forest Service Wildland Air Quality Response Program website](#)
- [California Air Resources Board website](#)
- [Local air pollution control district websites or local air quality management district website](#)

If the AQI for PM2.5 is 151 or greater, employers must take the following steps to protect employees:

- Communication – Inform employees of the AQI for PM2.5 and the protective measures available to them.
- Training – Train all employees on the information contained in [section 5141.1 Appendix B](#).
- Modifications – Implement modifications to the workplace, if feasible, to reduce exposure. Examples in-

clude providing enclosed structures or vehicles for employees to work in, where the air is filtered.

- Changes – Implement practicable changes to work procedures or schedules. Examples include changing the location where employees work or reducing the amount of time they work outdoors or exposed to unfiltered outdoor air.
- Respiratory protection – Provide proper respiratory protection equipment, such as disposable respirators, for voluntary use
  - To filter out fine particles, respirators must be labeled N-95, N-99, N-100, R-95, P-95, P-99, or P-100, and must be labeled as approved by the US National Institute for Occupational Safety and Health (NIOSH).

Smoke from wildfires contains chemicals, gases and fine particles that can harm health. The greatest hazard comes from breathing fine particles in the air (called PM2.5), which can reduce lung function, worsen asthma and other existing heart and lung conditions, and cause coughing, wheezing and difficulty breathing.

Guidance for employers and workers on working safely in conditions with smoke caused by the wildfires is [available on Cal/OSHA’s web page](#), including [information for protecting outdoor workers](#), [details on how to protect indoor workers from outdoor air pollution](#), and [frequently asked questions about N95 masks](#).

Information on current wildfires is available from [CalFire](#) and the [Incident Information System website](#).

(see **Government Affairs**, page 5)



*(Government Affairs, continued from Page 4)*

## Court of Appeal Upholds Cal/OSHA Citations Issued for Inadequate Protective Footwear at a Home Depot Warehouse

November 6, 2019

**SACRAMENTO, CA**—A court of appeal has upheld Cal/OSHA citations issued to Home Depot for violating safety standards after a warehouse employee suffered a serious foot injury in 2014. Cal/OSHA’s investigation found the warehouse workers were not provided protective footwear such as steel-toed shoes in an area where industrial vehicles were operating.

The 4<sup>th</sup> District court ruling also affirms an earlier lower Superior Court decision that the citations were correctly applied following an accident investigation at Home Depot’s warehouse in Mira Loma.

“This is the first California Court of Appeal decision on the issue of protective footwear in warehouses and it sends a strong message on the need to protect workers,” said Cal/OSHA Chief Doug Parker. “Cal/OSHA has investigated a number of serious foot injuries related to forklifts and rider pallet jacks in the warehousing industry. In many cases, injuries could have been avoided with protective footwear.”

In April 2015, Cal/OSHA cited Home Depot after investigating an accident in which a worker’s foot was seriously injured from a collision between two pallet jacks at a warehouse in Mira Loma. The investigation found that at the warehouse, which functions as a distribution center for retail stores, employees exposed to foot injuries wore sneakers and were not required to wear protective footwear. Investigators also identified violations with the safe operation of industrial trucks.

Home Depot appealed the citations and the Occupational Safety and Health Appeals Board (OSHAB) affirmed both, finding that employees were exposed to foot injuries when manually lifting loads and when working in close proximity to industrial trucks. The board ruled that Home Depot’s lifting safety policy and prohibition of open-toed or open-heeled shoes were not adequate to protect workers from the realistic hazard of serious foot injuries.

After the board’s decision, Home Depot filed a writ of mandate with the local superior court asking for relief of the footwear citation, but the court denied the writ. The

employer subsequently took the case to the Court of Appeal which ruled on October 17 to uphold OSHAB’s decision and Cal/OSHA’s citations.

Foot injuries from being struck or run over by industrial trucks are the single leading cause of foot amputations and other serious foot injuries among workers in California. In the last five years, Cal/OSHA has opened over **70 investigations** with home center employers engaged in retailing home repair and improvement materials.

## U.S. Department of Labor to Hold Meeting of the National Advisory Committee on Occupational Safety and Health

November 14, 2019

**WASHINGTON, DC** – The U.S. Department of Labor has scheduled a meeting of the National Advisory Committee on Occupational Safety and Health (NACOSH) on Thursday, December 12, 2019, in Washington, D.C.

The meeting will include an update on key OSHA initiatives from Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health Loren Sweatt, and remarks from National Institute of Occupational Safety and Health Director John Howard.

**WHAT:** NACOSH Meeting  
**WHERE:** U.S. Department of Labor’s Frances Perkins Building  
 200 Constitution Avenue, NW  
 Room N-5437, Conference Rooms A-D  
 Washington, DC 20210  
**WHEN:** Thursday, December 12, 2019  
 9:30 a.m. to 4:00 p.m. EST

Comments and requests to speak may be submitted electronically at <http://www.regulations.gov>, the Federal eRulemaking Portal, by mail, or facsimile. See the [Federal Register notice](#) for details. The deadline for submitting comments and requests to speak is December 5, 2019.

NACOSH advises, consults with, and makes recommendations to the Secretaries of Labor, and Health and Human Services on matters relating to the Occupational Safety and Health (OSH) Act of 1970 including regulatory, research, compliance assistance and enforcement issues.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful

*(see Government Affairs, page 6)*



*(Government Affairs, continued from Page 5)*

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 [www.osha.gov](http://www.osha.gov).

The mission of the Department of Labor is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment, and assure work-related benefits and rights.

## California Celebrates National Apprenticeship Week with the State’s First Public-Private Apprenticeship Program

November 14, 2019

**SACRAMENTO, CA**—During National Apprenticeship Week this year, California’s Division of Apprenticeship Standards (DAS) will participate in a signing ceremony marking the launch of the state’s first apprenticeship program between the public sector and a private company.

The California Department of Technology, Department of Motor Vehicles, Franchise Tax Board and Employment Development Department are the first agencies in California to collaborate with IBM via the company’s New Collar apprenticeship program to train state workers for skills in three in-demand technology fields: mainframe systems administration, application development and software engineering.

“This innovative program demonstrates the power of apprenticeship to improve the skillset and earning capacity of the state’s workforce,” said DAS Chief Eric Rood. “New pathways have been created for state workers to pursue information technology careers.”

Today, DAS will join the state agencies for the signing of the apprenticeship program standards at the Department of Technology Training and Education Center in Rancho Cordova. Employees of the four departments will complete either a 12 month or 18 month program depending on the occupation, including education in collaboration with American River College and work-based training at their respective departments under the guidance of SEIU Local 1000 and IBM, in order to be certified to work in their respective new occupation.

Several other events are planned across the state for [National Apprenticeship Week](#). These events promote efforts to expand the talent available to U.S. industries and offer workers a chance to earn while learning new skills.

The California [Division of Apprenticeship Standards](#) (DAS) consults with employers to develop a skilled workforce with viable career pathways to increase productivity and strengthen our economy.

---

**NOTICE TO MEMBERS:** The most recent meeting of the Cal/OSHA Advisory Committee was conducted on November 14, 2019 in Oakland, CA. You may find more information on these meetings at: [https://www.dir.ca.gov/dosh/DoshReg/Cal\\_OSHAAdvisoryCommittee.html](https://www.dir.ca.gov/dosh/DoshReg/Cal_OSHAAdvisoryCommittee.html).

Below is the communications log documenting accomplishments of Cal/OSHA from November 1, 2018 to October 31, 2019, for your perusal and edification:

### Cal/OSHA Advisory Committee Meeting

November 14, 2019 | Oakland, California

#### Communications

Covering the period

November 1, 2018 through October 31, 2019

#### Activities

1. Established additional technical training courses for safety engineers and industrial hygienists with outside vendors;
2. Established and implemented Cal/OSHA’s Alliance Program and entered into 10 Alliance Agreements with the Consulate of Mexico at 10 separate locations throughout the state;
3. Secured a language interpreting contract to assist with certified interpreting services in indigenous languages, including, Mixteco Bajo/Alto Triqui Bajo/Alto Zapoteco Alto
4. Improved efficiency and accuracy of tracking the progress of all activity and outcome measures identified in the strategic goals for the various units and programs within Communications that are monitored and reviewed by federal OSHA;
5. Developed, revised, and remediated dozens of publications and Cal/OSHA public webpages;
6. Developed training manuals and multiple internal processes maps for the Outreach Coordination Program and Professional Development and Training Unit;
7. Provided outreach on numerous topics to thousands of participants throughout the state, with an emphasis on high-risk, vulnerable employee populations;
8. Revised Outreach Coordination Program Post-Event Reports and Post-Event participant surveys for outreach events.
9. Co-developed and provided Advanced Heat SEP training to

*(see Government Affairs, page 7)*



## *(Government Affairs, continued from Page 6)*

- senior professional staff and managers and Essentials Heat SEP training to newer CSHOs;
- 9. Coordinated and provided internal training to hundreds of Cal/OSHA staff; and
- 10. Sent staff to training to learn how to create and remediate webpages and electronic materials available to the public, such as PDF and Word publications to meet Disability Accessibility requirements.

### **Alliance Program**

Through the Alliance Program, Cal/OSHA works with groups committed to worker safety and health to prevent workplace injuries, illnesses, and fatalities. These groups include trade associations, labor unions and other labor groups, professional associations, educational institutions, community and faith-based organizations, consulates, local, state, and federal government agencies, and other organizations or institutions.

Participants in the Alliance Program support Cal/OSHA’s strategic goals by developing Alliance agreements that contain work plans to raise awareness of safety and health hazards through outreach and communication, and training and education.

The benefits of the Alliance Program include, increasing worker access to effective workplace safety and health tools and information about worker rights, leveraging participant resources to maximize worker safety and health protection, and establishing important dialogue between Alliance participants.

To learn more about the Alliance Program, review the [Cal/OSHA Alliance Program Policy and Procedures](#).

#### Alliance Agreements:

During this period, the U.S. Department of Labor, Department of Industrial Relations, Cal/OSHA entered into an Alliance Agreement with the Consulate of Mexico located in the following cities:

- Calexico
- Fresno
- Sacramento
- San Bernardino
- San Diego
- San Francisco
- San Jose
- Santa Ana
- Los Angeles
- Oxnard

The Alliance Agreement establishes a collaborative relationship to provide Mexican nationals in California and others, information, guidance, and access to education and training resources to promote workers’ rights in protecting their occupa-

tional safety and health, and to help them understand U.S. domestic law on the rights of workers and the responsibilities of employers under the Occupational Safety and Health Act.

### **Outreach Coordination Program**

Bilingual outreach coordination staff and other Cal/OSHA personnel participated in 246 separate events during this period, of which 152 of these events had high-risk, vulnerable employees in attendance. Outreach staff coordinated with Mexican, Peruvian, Guatemalan, and Salvadorian Consulates and participated in 83 events throughout the state. Other events included participation at, Associate Employees Union, Agsafe, SoCal Gas in Downey, EDD Farmworkers Resource Fair, Caltrans new engineers training, 6<sup>th</sup> Annual Farmworker Appreciation Day & Resource Fair, 4<sup>th</sup> Annual Migrant Seasonal Farmworker Appreciation Day & Resource Fair, United Women’s Organization Farmworker Women’s Conference, California Nurses Association, Chinese Business Delegation, California Schools Risk Management, and events coordinated with insurance brokers and temporary staffing agencies. Outreach staff distributed 36,587 written materials covering heat illness prevention, and an additional 38,943 written materials covering other important safety and health-related topics.

Presentation topics provided by outreach staff:

- Agriculture Safety, General Industry, and Construction – 135 events
- Worker Rights – 104 events
- Cal/OSHA Program – 29 events
- Cannabis Safety – 15 events
- Local Government – 14 events
- Regulatory Updates – 6 events
- Ag Safety-Night Work – 4 events
- Workplace Violence in Healthcare – 3 events
- Wildfires – 2 events
- Adult Film Industry – 1 event

Outreach coordination staff are bilingual. They present to small and large audiences, including those from unions, other worker-based organizations, university programs, professional organizations, Consulates for Mexico, Peru, Guatemala, and Salvador, and organizations serving persons who speak Spanish. Go to this webpage to learn more about outreach at <https://www.dir.ca.gov/dosh/Communications-Calosha.html> and use this webpage to submit an outreach request: <http://www.surveygizmo.com/s3/1900428/Outreach-Request-Form>.

### **Professional Development and Training Unit**

The unit currently has one vacancy after a senior safety engineer transferred to another unit. However, the unit continues to work tirelessly to ensure Cal/OSHA field staff receive training opportu-

*(see Government Affairs, page 8)*



## *(Government Affairs, continued from Page 7)*

nities that are critical to their professional development. The unit exceeded all outcome measures of the Professional Development and Training strategic goal that is monitored by federal OSHA in federal fiscal 2019-20.

Training outcome measures are as follows:

- 100% of Cal/OSHA compliance personnel received during their first year all of their required training. The goal was 80%.
- 94% of Cal/OSHA compliance personnel received during their first three years all the required training. The goal was 90%.
- 100% of Cal/OSHA compliance personnel with more than three years of experience attended at least two technical courses. The goal was 70%.

The unit has completed its forecasting and planning for 2020, and is setting the dates for the 2020 calendar year planned training.

Classes held:

- Hearing Loss Prevention – November 2018
- Introduction to Health Standards – January 2019
- 3-Day Industrial Hygiene Sampling – January 2019
- Lockout/Tagout & Machine Guarding – February 2019
- Orientation to Enforcement – March 2019
- Heat Illness Prevention for DOSH Personnel – March 2019
- Confined Space – March 2019
- Lockout/Tagout & Machine Guarding – April 2019
- Competent Person Fall Protection – April 2019
- Advanced Heat Special Emphasis Program for Enforcement – April 2019 (two classes)
- Heat Special Emphasis Program Essentials for Enforcement – April 2019 (two classes)
- Confined Space – April 2019
- COEH Fundamentals of Industrial Hygiene – April 2019
- Introduction to Safety Standards – May 2019
- Case Management Review – June 2019 (three classes)
- Investigative Interviewing Techniques – July 2019
- Introduction to Construction and Electrical Standards – September 2019
- Inspection Techniques and Legal Aspects – September 2019
- Silica SEP – Cut Stone and Stone Product Manufacturing – November 2019
- Accident Investigation – November 2019

Upcoming classes scheduled for the next six months:

- Introduction to Health Standards – January 2020
- Introduction to Construction and Electrical Standards – February 2020
- Appeals and Hearing Preparation for District Managers &

Senior Safety Engineers – March 2020

- Advanced Heat Special Emphasis Program for Enforcement – April 2020
- Heat Special Emphasis Program Essentials for Enforcement – April 2020 (two classes)
- Orientation to Enforcement – April 2020

### Publications Unit

The unit, although limited in staff, continue to be busy reviewing, revising, and developing new publications. There are many layers during the review process to ensure publications and eTools are accurate, relevant, and easy to understand for the end user. The review process, which includes review and involvement from selected stakeholders, has shown benefits. The unit has been actively engaging with selected stakeholders to solicit input to assist with developing and reviewing publications.

In addition, staff recently focused their efforts on making publication materials compliant and accessible for those with visual, physical, and cognitive disabilities and constructing design concepts for a more resourceful and “user friendly” Cal/OSHA publications webpage, found here <https://www.dir.ca.gov/dosh/PubOrder.asp>.

Publications that have been completed and uploaded to our publications webpage:

- Aerosol Transmissible Diseases Fact Sheet – New
  - Agricultural Industrial Tractors – Revised
  - Brief Guide to Recordkeeping Requirements – Revised
  - Cal/OSHA Pocket Guide for the Construction Industry – Revised
  - Confined Space Guide for General Industry – Revised
  - Employer Heat Illness Prevention Program Sample Plan – Revised
  - Employer Sample Procedures for Heat Illness Prevention – Spanish (PDF and MS Word) – Revised
  - Employer Sample Procedures for Heat Illness Prevention (PDF and MS Word) – Revised
  - Fall Protection in Construction Fact Sheet – Revised
  - Granite Hazard Alert – Revised
  - Guide to Cal/OSHA – Revised
  - Health & Safety Rights: Facts for California Workers – English, Spanish, Chinese, Tagalog, Vietnamese, Korean – Revised
  - Hotel Housekeeping
  - Hotel Housekeeping Fact Sheet for Employees – New
  - Model Program for Musculoskeletal Injury Prevention Program (MIPP) for Housekeeping Workers – New
  - N95 Mask Commonly Asked Questions (HTML and PDF) – Revised
  - Operating Rules for Industrial Trucks (Poster) – English and
- (see Government Affairs, page 9)*



## *(Government Affairs, continued from Page 8)*

Spanish – Revised

- Respiratory Protection Fact Sheet – Revised
- Roofing Safety, General Requirements – Revised
- Safety and Health Protection on the Job (Cal/OSHA Poster) – English and Spanish – Revised
- Tailgate Topics for Roofing – General Safety Requirements – Revised
- Tailgate/Toolbox Topic on Lockout/Tag-out – Revised
- Tree Work Safety for Workers and Employers – English and Spanish – Revised

Publications drafted or revised by Publications Unit staff that are undergoing review or formatting:

- Aerosol Transmissible Disease Guidance Document
- Aerosol Transmissible Disease Model Program – Procedure for Referring Employers
- Aerosol Transmissible Disease Model Program – Exposure Control Plan for “Full Standard Employers”
- Aerosol Transmissible Disease Model Program – Laboratory Biosafety Plan
- Aerosol Transmissible Disease model exposure control plan
- Bloodborne Pathogens – Best Practices Approach for Preventing Exposure Guide
- Cal/OSHA Guide to Restaurant Safety
- Cal/OSHA Jurisdiction Fact Sheet
- Confined Space Construction Guide
- Confined Space eTool
- Confined Space Hazard Alert (GISO and CSO revision)
- Engineered Stone – Countertop Fabrication
- Guide to Hazardous Communication
- Hotel Housekeeper Employer Fact Sheet
- Noise Model Program
- Occupational Silica fact sheet
- Respiratory Protection Guide (updates)
- Safety and Health in Agricultural Field Operations
- Silica eTool with model exposure control plan (GISO)
- Silica eTool with model exposure control plan (CSO)
- Silica Hazard Alert – General Industry
- Silica Hazard Alert – Construction Industry
- Tailgate/Toolbox Topics fact sheets
  - Construction Silica
  - High Voltage Overhead Lines
  - Noise Hazards
  - Roofing Hazards – New Production
  - Roofing Slips and Falls
  - Servicing Tires and Rims
  - Setting up a Tailgate Meeting
  - Tailgate Safety Meeting Topics
  - Trenching and Excavation Safety

Publications staff, along with other Cal/OSHA staff revised and updated the “Worker Safety and Health in Wildfire Regions” webpage found at <https://www.dir.ca.gov/dosh/Worker-Health-and-Safety-in-Wildfire-Regions.html>. The webpage provides important information about the emergency regulation Occupational Safety and Health Standards Board (OSHSB) recently adopted, news and announcements related to Wildfire Advisory discussions, and steps all employers must take to protect their employees from all health and safety hazards associated with work in areas affected by wildfires, clean-up activities, and power outages.

## **Public Affairs Committee:**

*by Isaac Szmuiłowicz*

On November 2<sup>nd</sup>, the Otay Lakes Lodge Mobile Park Sound the Alarm event took place. Sherry Eberling, Stewart Migdal, and I attended on behalf of the SD ASSP.

The event was as usual, very well organized and very well attended. This time there was an adult with two high schoolers that had not participated in the past. The two young people that were in our groups were very engaged and did a great job.

The picture below shows the training that volunteers receive before being released with a map of homes to visit, a satchel with literature, a bucket with a drill, screws, a marker and three boxes of smoke detectors and a stool.



On that Saturday, we were able to install 276 alarms and make 105 homes safer.

We all had a great time and are happy to make a big impact in our community. There have been already 5 lives

*(see Public Affairs, page 10)*

# AMERICAN SOCIETY OF SAFETY PROFESSIONALS



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

*(Public Affairs, continued from Page 9)*

saved in San Diego by our efforts and more than 640 across the US.

**Please mark your calendars** and join me and other volunteers for our big National Sound the Alarm event where we aim to install 800 alarms on **April 18th in Oceanside**.

**We will need all the help we can get, so if you're interested in joining us, please email me.**

Isaac Szmuiłowicz

(619) 417-7189

PA Chair for the San Diego Chapter of ASSP

## Safety Striders

One objective of the San Diego chapter is to plan and enjoy five community / social events this year for camaraderie and to reach out for letting folks get to know our membership.

We followed-up our super-fun bowling social with some community involvement supporting the American Lung Cancer Association's 5K "Jazz-by-the-Bay" fund raising walk, meeting our \$500 contribution goal.

MANY thanks to the Safety Striders Team Captain David Ferguson coordinating all the logistics !!!!



The hearty Safety Striders were (left to right): Jo Curcio, Enrique Medina, Lee, Carrie, and Emily Donahue, and David Ferguson.

## *Membership Chair*

by Jo Curcio

**Welcome to our newest members!**

Amy Duck

Terrence Harris

Bill Vail



## *Job Line*

by David Ferguson, CSP, CEA, REPA

Looking for a new job? Local employers are looking for you! Visit our job-line at <https://sandiego.assp.org/current-openings/> to see current opportunities such as:

- California Department of Public Health—Occupational Health and Safety Specialist
- North County Health Services—Safety Coordinator
- ASI Hastings—Safety Coordinator
- Sentry—Safety Services Consultant
- Hach Company—EHS Colorado Site Manager
- Western Precooling—Safety Manager
- American Equity Underwriters—Loss Control Manager (Southern California)
- Huntington Ingalls Industries—Industrial Hygienist
- Cal/OSHA—Safety and Health Inspectors

The [blue](#) links should take you directly to the posting, when available. Otherwise, see the [San Diego ASSP Job Listing](#) for full details and instructions on how to apply. Check out these and other great jobs today!



## ASP® Study Group



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. Contact Enrique at (619) 297-1469 or [past-president@sandiego.assp.org](mailto:past-president@sandiego.assp.org).

## ASSP Career Center

The ASSP Career Center is a free comprehensive resource available to all ASSP Chapter members who are looking for a job or those who are employed and want to advance their safety careers.

The Career Center's Job Seeker Resource Center offers resume writing tips, tools to build your resume online, and a Resume Bank where you can post your resume anonymously for employers to view, except for your name and contact information. But that's not all! You also get interview preparation and follow-up strategies, such as how to bring up and negotiate a salary.

The Job Board lets you to search for job postings throughout the US and internationally by applying filters that fit your criteria, and save them by keyword, location, industry, or job function. The Job Alert automated search sends new postings that meet your criteria right to you, instead of having to log in to search for new jobs. You also get help with career advancement to move your career forward or change industry sectors, including using social media for networking, how to work effectively with recruiters, how to give notice, and negotiating salary and benefits. And you have access to expert coaching!

Employers can post and manage job openings, search and manage job candidates, create a company profile, upload position templates, consult a Resume Bank, and much more. This is a great free resource designed with you in mind—visit the ASSP Career Center and Job Board at <https://jobs.assp.org/>.

## Calendar of Special Events

December 2019

Dates	Event
1-31	Safe Toys & Gifts Month
1-31	National 3D Prevention Month
13-31	Holiday Season Drunk Driving Campaign
1-7	Older Driver Safety Awareness Week
1-7	National Influenza Vaccination Week
1-7	National Hand Washing Awareness Week



## December 2019

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!>



## Check us out on social media!



**Twitter**  
@AsspSan



**Facebook**  
American Society of Safety Professionals—San Diego ASSP Chapter



**LinkedIn**  
ASSPSanDiego



**Instagram**  
assp\_san\_diego

## We Need Your Help!

It's time to think about renaming the newsletter, and we want your help doing it! While “The Safety Net” has served us well, we're ready for something that better reflects our San Diego community and our ASSP Chapter's mission. So with that in mind, what do you think the name should be?

We'll take suggestions via email to [newsletter@sandiego.assp.org](mailto:newsletter@sandiego.assp.org) until January 20th, 2020. The Executive Committee will determine the finalists, which will be announced in the February newsletter and at the February breakfast meeting. During February, voting will be open to all chapter members, with the name capturing the popular vote being the winner. This final name will be announced at the PDC in March, and the changes will be made the following newsletter release in April.

Prizes will be awarded for names selected to the final vote, with a grand prize given for the overall winner! You may submit as many unique names as you like, so don't delay—send in your ideas today!

## Getting Started in Safety?

Are you just embarking down the path of a career in safety? Seasoned professionals are a fantastic resource for finding your way. As some of us close out successful careers and transition into retirement, we would like to see our bodies of knowledge find new life. ASSP member Miles Katayama has generously offered to hand off his library of safety and health resource materials, spanning over 35 years, to an interested ASSP member learning the ropes of this career path. This extensive collection includes textbooks, Dan Peterson books, handouts, Cal/OSHA publications, sample programs and forms, and even a spine model! For more information or to get in touch with Miles, please write him at [mckatayama@gmail.com](mailto:mckatayama@gmail.com).



**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 15<sup>th</sup> 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 letter-sized 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. E-mail all submissions to [Newsletter@sandiego.assp.org](mailto:Newsletter@sandiego.assp.org). Please also provide your contact information, including name, e-mail address, and phone number.



## MONTHLY CHAPTER MEETING, DECEMBER 10<sup>TH</sup>

### 2019 Holiday Luncheon

Please come out to get a jump on Holiday cheer by celebrating with us on December 10th, 2019 from 11:15a.m. – 1:00p.m. at the Admiral Baker Clubhouse. The chapter is maintaining the normal breakfast meeting price of \$20 per person (and \$10 Student invitations) for this upgraded menu of either roast beef or turkey main dishes — *with plenty of vegetarian side dishes*. **HAPPY HOLIDAYS !!**  
Enjoy live music and a free raffle of beautiful floral centerpieces.

Once again we're so pleased to partner with **San Diego Youth Services** (<https://sdyouthservices.org/>) to offer our luncheon as a wonderful chance for our membership to share the holiday spirit by bringing a donation to support this VITAL service to help our community!

#### PLEASE CONSIDER ANY OF THE FOLLOWING CONTRIBUTIONS:

- Their greatest need is for non-perishable food and grocery gift cards (Vons, Ralphs, Smart and Final, Walmart, Target, etc.) *Did you know one in five children face food insecurity in San Diego County?*
- With new transitional housing opening soon it would be great to be able to provide move-in necessities (twin sheets, cookware, kitchen supplies, cleaning supplies, etc.) for youth in transitional housing.
- Other Items Needed:  
Women's bikini briefs and men's boxers in various sizes (no other types of underwear accepted), new bras in various sizes, new packages of sock varieties for teen girls, drinks and healthy non-perishable snacks, pop top food items, diapers of all sizes, baby wipes and all other baby care essentials, bus passes, entertainment tickets, new yoga mats, adult-sized backpacks, sleeping bags, art supplies and craft supplies (paint, brushes, markers, etc.), furniture suitable for a small apartment, all types of new bedding for twin beds, pillows, new/gently used housewares.



**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.



**\$20 All Attendees, \$10 Students**

**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.

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

**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.



# ASSP SD PROFESSIONAL DEVELOPMENT SYMPOSIUM

## WHEN

**March 10, 2020**  
**7:30am – 5pm**

## WHERE

**Jacobs Center**

**404 Euclid Ave San Diego CA 92114**

**Symposium meets Navy threshold for normal  
supervisor approval, per OPNAVINST 5050.34**

**[HTTPS://SANDIEGO.ASSP.ORG/EVENTS/  
ASSP-PROFESSIONAL-DEVELOPMENT-  
CONFERENCE-2020](https://sandiego.assp.org/events/assp-professional-development-conference-2020)**

## JOIN US!

### EARLY BIRD

**\$150/Person until January 31**

### REGULAR

**\$175/person  
\$1000/table (8)**

## TOPICS

- **Earthquake Early Warning & Recovery**
- **Surviving Workplace Violence/Active Shooter**
- **6 Lies About Work Safety Pros Believe**
- **Ergonomics Made Fun & Easy for Employees**
- **HAZMAT CUPA Requirements**
- **NIOSH Updates**

## VENDORS

- **MAKESafe Tools**
- **Grainger**
- **Industrial Environmental Association**
- **Cal-OSHA Reporter**
- **InfraGard**
- **UCSD OSHA Training Institute Education Center**



## Everyone Has a Story

### *Breauna Winn*

As interviewed by Wesley Williams

Breauna Winn was one of 2019 San Diego ASSP Chapter PDC Student Essay Contest scholarship recipients. Breauna is a student at Cuyamaca College working to attain a dual degree in Occupational Safety Management and Environmental Management with the hopes of attaining a bachelor's degree in environmental engineering at San Diego State University. Currently, Breauna is working in the Maritime Industry, where she feels most comfortable. Her career started at Naval Shipyards as a general laborer then moving on to a role in Environmental Health and Safety. She has worked for other industries outside of safety but often felt something was missing because she was not in full PPE gear.

Working as a general laborer she felt that she was not reaching her fullest capacity due to the fact that she had skills that were not being utilized nor did she have a leader mentoring her to develop. She began to be discouraged, feeling like she needed to move into a skilled trade or join the military. However, her thoughts and sentiments changed when she met Melissa Bewley, her Hazwoper trainer. Melissa helped her complete her Hazmat training course and encouraged her to keep going. Breauna listened and eventually got her 40-hour Hazwoper training completed. She was elated at the job opportunities that she now qualified for instead of doing minimum-wage jobs.

With her newfound confidence after completing her training, she started to search and apply for different safety roles. Her Hazmat instructor recommended Breauna to a job opportunity as an EH&S Inspector. Breauna was thrilled that her trainer believed in her ability. She applied

and got the job!

Breauna started working with her new supervisor, Roman Williams. Roman has the patience and willingness to guide. Breauna couldn't have asked for a better supervisor who will help develop her skills in safety and ensure that she is successful.

In her role as EH&S Inspector, she has to manage a multitude of responsibilities that keep her on her toes. She continues to be a student learner to ensure that she is well-informed and stays in compliance with local, State, and Federal regulations. Although her main role is a safety professional, she has to be able to have other skills such as communication, leadership, and mentoring others.

Safety was never something that she thought about growing up, but she knows that every path is different but can be worth it. She feels overjoyed that she chose this path. She met great people who had the heart to guide and support along the way. The journey has made her resilient and strong under pressure. In her words, “Diamonds are made of carbon so they form as carbon atoms under a high temperature and pressure...” The pressure of her current role will develop her into a powerhouse of knowledge, skill, and experience.





## OSHA Trade News Release

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



### U.S. DOL Orders Compensation For Employee Who Refused to Drive Without Safety Measure

November 19, 2019

**Boston, MA**—The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has determined that UPS Ground Freight Inc. – doing business as UPS Freight – violated the [Surface Transportation Assistance Act \(STAA\)](#) when managers retaliated against a driver at the Londonderry, New Hampshire, facility. The driver had refused to operate a commercial motor vehicle that did not have either a permanent electronic logging device (ELD) or a mounting device for a portable ELD. OSHA ordered UPS Freight to pay the driver \$15,273 in compensatory damages, \$30,000 in punitive damages, and approximately \$2,700 in back wages plus interest.

OSHA investigators determined that – in March 2019 – the driver refused in good faith to drive a truck without either a permanent ELD or a mounting device for a portable ELD because he believed doing so would violate the Federal Motor Carrier Safety Regulations (FMCSR). ELDs automatically record an operator's driving time and facilitate the accurate recording of a driver's hours of service. FMCSR required the driver to use an

ELD, and the company to provide a vehicle with either a permanent ELD or a portable ELD mounted in a fixed position during his assigned route.

Investigators also determined that the driver's supervisor was not trained on FMCSR's requirements for ELDs, and that company managers attempted to coerce the complainant into violating the regulation. When he refused, the company terminated him for “gross insubordination.” The investigation revealed that the company later modified the driver's termination to a suspension and engaged in post-reinstatement harassment.

OSHA also ordered the company to take additional corrective actions to resolve violations of the whistleblower provisions of STAA, including:

- Clear the driver's personnel file of any reference to the issues involved in the investigation;
- Post a notice informing all employees of their whistleblower protections under STAA;
- Refrain from firing or discriminating against any employee who engages in STAA-protected activity; and
- Not use a driver's refusal to drive because of a good faith concern that doing so would violate a FMCSR as a contributing factor in any termination

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>.

decision.

“Truck drivers are protected from retaliation when they refuse to violate laws put in place to protect their safety and health,” said OSHA Regional Administrator Galen Blanton in Boston, Massachusetts. “This order underscores the agency's commitment to protect workers who exercise their right to ensure the safety of themselves and the general public.”

OSHA enforces the whistleblower provisions of STAA and [more than 20 whistleblower statutes](#) protecting employees who report violations of various airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, motor vehicle safety, healthcare reform, nuclear, pipeline, public transportation agency, railroad, maritime, and securities laws. For more information on whistleblower protections, visit OSHA's [Whistleblower Protection Programs webpage](#). ▪

**Editor's note:** *The U.S. Department of Labor does not release the names of employees involved in whistleblower complaints.*

### US DOL Promotes Worker Safety And Pay During Holiday Season

November 27, 2019

**Washington, DC**—The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) and Wage and Hour Division (WHD) remind employers to protect worker safety and pay during the upcoming holiday season.

“During the busy holiday season, em-

ployers must focus on protecting their workers by anticipating and preventing potential hazards in the workplace,” said Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health Loren Sweatt. “All workers deserve a safe workplace whether they are stocking shelves, packing boxes, delivering products or selling merchandise.”

OSHA offers holiday workplace safety [resources](#) on [warehousing tractor](#)

[trailer drivers forklift safety](#), [winter weather](#) and [crowd management](#). General safety guides are also available, providing information on [workers' rights](#), the protection of [temporary and seasonal workers](#), as well as safety for [young workers](#).

Temporary or seasonal employees hired to provide additional help have the right to a safe and healthful workplace, and

(see *OSHA News*, page 17)



## *(OSHA News, continued from Page 16)*

to be paid for the work performed. As hiring spikes, employees not familiar with seasonal employment, and employers unaccustomed to hiring part-time and/or seasonal employees may not be fully aware of the [rules](#) that surround such work.

“Retail employees work hard during the holiday season to serve shoppers and keep the economy thriving, and they have bills to pay. We need to make sure they are able to do so by ensuring workers are paid their rightful wages,” said

### US Department of Labor Issues Temporary Enforcement Policy for Certifications from Crane Institute Certification

November 26, 2019

**Washington, DC**—To avoid industry confusion and potential disruptions of construction crane projects, the U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has issued an enforcement policy for crane operator certifications is-

### US Department of Labor Proposes Penalties of \$210,037 To Missouri Contractor for Exposing Workers to Trenching Hazards

November 22, 2019

**Kansas City, MO**—The U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has cited Blue Nile Contractors Inc. – based in Birmingham, Missouri – for failing to protect employees from trench collapse and electrical hazards. The company faces \$210,037 in penalties.

OSHA inspectors observed workers exposed to trenching and excavation hazards while installing water lines at a Kansas City, Missouri, jobsite in May 2019. OSHA cited the company for four repeat and five serious safety violations of trenching and electrical hazards, and placed the company in the Agen-

Wage and Hour Division Administrator Cheryl Stanton. “The holiday shopping season increases the numbers of temporary and part-time workers, so it’s important that we [inform](#) these workers and their employers about rules concerning work hours, wages and employment conditions.”

WHD enforces federal minimum wage, overtime pay, recordkeeping and child labor requirements of the Fair Labor Standards Act (FLSA). Common holiday season labor violations include failing to pay salespeople and cashiers for time spent prepping or closing out a register;

sued by Crane Institute Certification (CIC). OSHA requires crane operators engaged in construction activity to be certified by an entity accredited by a nationally recognized accrediting agency. CIC no longer holds such accreditation.

The [policy](#) explains that, although CIC-issued certifications are not compliant with OSHA’s operator certification requirement, OSHA does not intend to cite

The mission of the Department of Labor is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

cy’s [Severe Violator Enforcement Program](#).

“Trench collapses can be quick and cause serious or fatal injuries, but they are preventable,” said OSHA Kansas City Area Director Karena Lorek. “Employers must ensure that there is a safe way to enter and exit a trench, cave-in protection is used, all materials are placed away from the trench’s edge, standing water and other hazards are addressed, and no one enters a trench before it has been properly inspected.”

OSHA recently updated the [National](#)

requiring stock room and warehouse personnel to work through breaks without compensation; and not providing overtime pay to employees working more than 40 hours in a workweek.

[Learn more about WHD’s guide for holiday season employment.](#) ■

U.S. Department of Labor news materials are accessible at <http://www.dol.gov>. The Department’s [Reasonable Accommodation Resource Center](#) converts departmental information and documents into alternative formats, which include Braille and large print. For alternative format requests, please contact the Department at (202) 693-7828 (voice) or (800) 877-8339 (federal relay).

employers for operating equipment that violates that requirement if their operators, in good faith, obtained CIC-issued certifications prior to December 2, 2019, with the belief the certifications met the standard’s requirements. Until further notice, OSHA will not accept CIC certifications – including re-certifications – issued on or after December 2, 2019. ■

[Emphasis Program](#) on preventing trenching and excavation collapses, and developed a series of compliance assistance resources to help keep workers safe from these hazards. The agency’s [trenching and excavation webpage](#) provides additional information on trenching hazards and solutions. The page includes a [trenching operations QuickCard](#) on protecting workers around trenches, and the “[Protect Workers in Trenches](#)” poster that provides a quick reminder of the three ways to prevent trench collapses.

The company has 15 business days from receipt of the [citations](#) and 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](#). ■



## 100 Years of the Hard Hat, 100 Years of Safety

**John Howard, M.D., Director, NIOSH**

This year marks the 100th anniversary of the invention of the hard hat. The hard hat is one of the most recognizable pieces of safety equipment in the world. Hard hats were first worn by construction workers beginning in the 1920s. Over the years, hard hats have come to symbolize the strength of the construction industry and its workers.

Hard hats are designed to protect workers from head injuries due to falling objects or overhead hazards by reducing the intensity and distributing the pressure of impacts to the head. The E.D. Bullard Company, in San Francisco, California, was the first manufacturer to develop and sell hard hats that were used by some miners and laborers. At the time, Bullard referred to their product as the “Hard Boiled” hat. In the early 1930s, electricians in Boston, Massachusetts, also began wearing hard hats. By the mid-1930s, construction of the Golden Gate Bridge began, and all workers were expected to wear hard hats [Carpenter et al. 2019].

During the ensuing 40 years, hard hats of various shapes and materials reached the market. These included hard hats made of steel, aluminum, canvas and resin, Bakelite®, and fiberglass. In each case, these hats were advertised as light, resilient, and cool while protecting the worker. In the 1960s, hard hats made of plastics such as polyethylene were sold. In the 1970s, when OSHA and NIOSH were created under the OSH Act, the use of hard hats was regulated as part of the head protection standard, and hard hat use significantly expanded [OSHA 2019]. As demand increased, more manufacturers produced hard hats, including MSA, Honeywell, 3M, and Kask [Rosenberg et al. 2010].

The hard hat has a rich history, but its design has remained fairly consistent over the decades, including a suspension system and outer shell. In recent years, safety helmets, similar to those worn in mountain climbing or ice hockey, have begun to be used on some construction sites to improve worker protections beyond that provided by the traditional hard hat. NIOSH is studying the performance and design of hard hats and safety helmets to improve overall personal protection with the hope of potentially reducing the likelihood of traumatic brain injury caused by falls and to save lives [Konda et al. 2016; Wu et al. 2017]. NIOSH researchers are also working to improve consensus standards that address hard hat performance.

For more safety and health related topics in construction go to the [NIOSH Construction Safety and Health webpage](#).

## Follow NIOSH for Winter Safety Tips for Workers

Winter is almost here! Now is the time to take precautions and make sure workers are prepared to stay safe and healthy while working in the cold or in cold environments. Follow us on [Facebook](#), [Instagram](#), and [Twitter](#) for the latest [resources](#) all winter long. #workingincold

## Funding Available to Study Use of Robotics in the Workplace

NIOSH in partnership with the National Science Foundation (NSF) and others, announced funding available to study workplace use of collaborative robots (co-robots). The December 2, announcement calls for proposals for the National Robotics Initiative 2.0 (NRI 2.0). NIOSH seeks fundamental and applied research on co-robots for reducing workplace risk exposures, research to identify potential risks of co-robots to workers, and research to evaluate different control strategies. The proposal submission window is February 12-26, 2020. More information is available on the [NSF web site](#).

## NIOSH and the U.S. Coast Guard Announce 2020 Commercial Fishing Safety Research and Training Grants

Six million dollars in funding is now available to support both research on improving the occupational safety of workers in the commercial fishing industry, as well as critical training for this high-risk occupation. The fishing safety research and training grants will provide up to 50% of an organization’s costs, ranging from \$150–\$650 thousand per grant over a two-year funding period. In 2019, nine research and training projects were awarded \$5.25 million in funding. The research and training grant funding opportunities are listed as [RFA-OH-20-002](#) and [RFA-OH-20-003](#), respectively. The deadline to apply for both grants is **January 21, 2020**.

## Special Issue on Health and Safety in the Fishing, Aquaculture, and Seafood Processing Industries Available

The *Journal of Agromedicine* recently published a [special issue](#) dedicated to papers presented at and inspired by the [Fifth International Fishing Industry Safety and Health Conference \(IFISH 5\)](#). The special issue continues the discussion started at IFISH 5 on the effects of fisheries management policy on health and safety, the state of the science in aquaculture, the health effects of bioaerosols in seafood processing, and many other practical and relevant solutions for improving safety and health in these high-risk industries. As editor of the special issue, Jennifer M. Lincoln, Co-Director of the NIOSH Center for Maritime Safety and Health Studies, contributed an editorial on the importance of IFISH and future directions for the conference.



## HEALTH AND SAFETY NEWS

### Six Tips for Starting a Safety Committee

October 27, 2019

Excerpt from an article by Barry Bottino

As a member of two safety and health committees, Jordan Hollingsworth understands their value.

“Maybe you’re not the decision-maker, but you might have a great idea, and you might be able to bring it to the table,” said Hollingsworth, field operations manager for the



Indianapolis-based Safety Management Group. “Then that great idea gets implemented across the board.”

Hollingsworth said such committees serve as a valuable launching pad for new ideas, as well as identifying safety

concerns in an organization.

“It’s a conduit for that voice,” he said.

So, how do you start a safety and health committee at your workplace? *Safety+Health* asked several experts and came up with six guidelines.

1. Know where to start.
2. State your purpose.
3. Get organized.
4. Choose members wisely.
5. Plan ahead.
6. Stress accountability.

To continue reading, check out the full article in *Safety+Health* at <https://www.safetyandhealthmagazine.com/articles/19020-six-tips-for-starting-a-safety-committee>.

### Work-Life Imbalance Hard on Women’s Hearts: Study

Dallas — Work demands that get in the way of family life and family obligations that hinder work performance both can cause chronic stress that may increase workers’ risk for cardiovascular disease, especially among women, warn researchers from Brazil.

For the study, more than 11,000 workers in Brazil between the ages of 35 and 74 answered questions about the impact of work on their family life and vice versa. Each participant’s cardiovascular health was determined using questionnaires, clinical exams and lab results for health metrics such as smoking, body mass index, diet, physical activity, cholesterol, blood sugar level and blood pressure.

The researchers found that lower cardiovascular health scores were most

prominent among women who reported frequent conflicts of work-life balance.

Although both genders were affected, the researchers said that the increased heart health impact on some women can be explained by the high importance they place on a nurturing family life.

American Heart Association experts note in an Oct. 10 press release that chronic stress increases inflammation in the body, which negatively affects the heart. The researchers recommend workers seek out strategies to reduce job-related stress and encourage physicians to place greater emphasis on recognizing stress as a component of health.

“We’re not going to

eliminate stress,” lead study author Itamar Santos, professor at the University of São Paulo and researcher in the *Brazilian Longitudinal Study of Adult Health*, said in the release. “But we should learn how to live with it to not have so many bad consequences.”

The study was published online Oct. 10 in the *Journal of the American Heart Association*. ■

This article originally appeared in *Safety+Health* on September 18, 2019.



*Safety+Health* is the official magazine of the National Safety Council. You can sign up for free monthly newsletters [here](#).



Consumer Product  
Safety Commission  
4330 East West Hwy  
Bethesda, MD 20814  
[www.cpsc.gov](http://www.cpsc.gov)



US Health & Human Services  
Food & Drug Administration  
10903 New Hampshire Ave.  
Silver Spring, MD 20993  
[www.fda.gov](http://www.fda.gov)



**NHTSA**  
NATIONAL HIGHWAY TRAFFIC  
SAFETY ADMINISTRATION

U.S. Department of Transportation  
Nat'l Highway Traffic Safety Admin.  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
[www.nhtsa.gov](http://www.nhtsa.gov)

## FEATURED SAFETY RECALLS

- 11/4: GMC and Chevrolet—Software Error May Cause Unintended Braking: <https://is.gd/vzatKV>
- 11/6: Skacel Collection Recalls FlipStix Knitting Needles Due to Laceration Hazard: <https://is.gd/qoO9Wf>
- 11/6: Mann Packing Recall of Vegetable Products Affects Whole Foods Market Stores; Grocer Issues Voluntary Recall of Multiple Products: <https://is.gd/Q4ZiNj>
- 11/7: Skylight Recalls Power Adapters Sold with Digital Photo Frames Due to Electrical Shock Hazard: <https://is.gd/7bGRIZ>
- 11/7: Dorel Babiéal Storm Booster Car Seats—Improper Warning Labels/FMVSS 213: <https://is.gd/EqLy7P>
- 11/12: Hoey Recalls Children’s Sweatshirts with Drawstrings Due to Strangulation Hazard: <https://is.gd/cOz0S1>
- 11/13: Mystery Ranch Recalls Holsters for Semi-Automatic Handguns Due to Injury Hazard: <https://is.gd/kS66QT>
- 11/14: Quest Products Recalls ALOCANE Emergency Burn Pads Due to Failure to Meet Child Resistant Closure Requirement; Risk of Poisoning: <https://is.gd/xv5MM6>
- 11/14: Kenmore Microwave Ovens Recalled Due to Burn Hazard; Made by Guangdong Galanz; Sold Exclusively at Sears and Sears Hometown and Outlet Stores: <https://is.gd/vLf1KG>
- 11/14: Briggs & Stratton Recalls Snapper Rear Engine Riding Mowers Due to Injury Hazard: <https://is.gd/4lqYBF>
- 11/18: Nissan and Infiniti—Brake Fluid Can Leak into ABS Pump and Ignite: <https://is.gd/Ts4a4p>
- 11/19: Flying Tiger Copenhagen Recalls Crocodile Candleholders Due to Fire Hazard: <https://is.gd/42iEKJ>
- 11/19: United National Closeout Stores Recalls Isometric Exercise Devices Due to Projectile Hazard; Devices Sold at Burlington Stores After 2014 Recall: <https://is.gd/PKdBc8>
- 11/20: B&B Acquisition Recalls Wintergreen Essential Oils Due to Failure to Meet Child Resistant Packaging Requirements; Risk of Poisoning: <https://is.gd/vvLsas>
- 11/20: Deck Source Recalls Cutek Proclean Due to Violation of FHSA Labeling Requirements; Risk of Poisoning: <https://is.gd/kGjKXs>
- 11/20: Grace Digital Recalls EcoBoulder Speakers That Can Overcharge and Burst; Impact Hazard: <https://is.gd/9AVmUk>
- 11/20: Mondelēz Global LLC Conducts Voluntary Recall of Limited Quantity of Cheese Nips (11 oz. Box) Product in the U.S. Due to Potential Presence of Foreign Material: <https://is.gd/UIV6ww>
- 11/21: SCARPA North America Recalls Ski Boots Due to Fall Hazard: <https://is.gd/TnHkix>
- 11/21: RESURRECTIONbeauty Recalls Wintergreen Essential Oil Due to Failure to Meet Child Resistant Packaging Requirement; Risk of Poisoning: <https://is.gd/dncS1Y>
- 11/25: GMC and Chevrolet—Fire After Seat Belt Pretensioner Deployment: <https://is.gd/KZPesj>
- 11/25: Mazda—Passenger Frontal Air Bag Inflator May Explode (NEW RECALL): <https://is.gd/UyrhIU>
- 11/26: Mark Feldstein & Associates Recalls Stacked Gourd Jack-O-Lantern Decorations Due to Fire Hazard: <https://is.gd/bot3VS>
- 11/26: Recalled Products Sold by T.J. Maxx, Marshalls and HomeGoods After Recalls Were Announced: <https://is.gd/P6jmBJ>
- 11/26: Yamaha Recalls Portable Generators Due to Fire and Burn Hazards: <https://is.gd/0hCJt4>
- 11/27: Stanley Black & Decker Recalls Wooden Handle Nailing Hammer Due to Injury Hazard: <https://is.gd/ZIVJZE>
- 11/27: Fuji Food Products, Inc. Voluntarily Recalls Ready-to-Eat Sushi, Salads and Spring Rolls Manufactured on the East Coast Due to Potential Listeria monocytogenes Contamination: <https://is.gd/8w2hsS>

**PRODUCT  
RECALL**

*Note: Agency logos are used here solely for identification and familiarity purposes, and do not constitute an endorsement by those agencies.*



## 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 Main Website: <https://www.assp.org/>

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

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

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

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/>

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/>

Food and Drug Administration: <https://www.fda.gov/> **NEW**

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/>

National Occupational Research Agenda (NORA): <https://www.cdc.gov/nora/> **NEW**

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=>

OSHA Silica Frequently Asked Questions: [https://www.osha.gov/dsg/topics/silicacrystalline/generalindustry\\_info\\_silica.html](https://www.osha.gov/dsg/topics/silicacrystalline/generalindustry_info_silica.html) **NEW**

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

US Chemical Safety Board (CSB): <http://www.csb.gov/>