

Stark County Safety Council Newsletter

www.starkcountysafetycouncil.org ■ Newsletter Editor ■ Jacqueline Bollas Caldwell, Esq. ■
 Krugliak, Wilkins, Griffiths & Dougherty, Co., L.P.A. ■ Phone ■ 330-497-0700 ■
 E-mail: jcaldwell@kwgd.com ■



STARK COUNTY

SAFETY COUNCIL

A committee of the Canton Regional Chamber of Commerce

OSHA'S LAUNCHES "SEVERE VIOLATOR" PROGRAM

By Jacqueline Bollas Caldwell, Esq.

On June 18, 2010, OSHA's Severe Violator Enforcement Program ("SVEP") became effective. This program targets for enhanced inspections and enforcement "employers who willfully and repeatedly endanger workers by exposing them to serious hazards."

Under the OSHA's SVEP Directive, employers who meet the following criteria are subject to severe violator enforcement:

- A. Have one or more willful/repeat/failure to abate citations in connection with an employee death/multiple hospitalization situation;
- B. Two or more willful, repeat, or failure to abate citations based on high gravity, serious violations relating to the following "high-emphasis hazards": fall hazards; national emphasis programs concerning amputation, combustible dust, crystalline silica, lead, excavation, and trenching hazards;
- C. Three or more willful, repeat, or failure to abate citations concerning OSHA's Process Safety Standard (concerning potential release of highly hazardous chemicals);
- D. All "egregious" (per instance citations) enforcement actions.

Once in this category, enhanced enforcement includes mandatory follow-up inspections, nationwide inspections of related workplaces, increased notification, enhanced settlement provisions (for example, companywide compliance, mandatory hiring of safety consultant to implement comprehensive safety and health plan).

OSHA is looking at the corporate-wide settlement provisions of the Severe Violator Program as a particularly useful tool. Also, the emphasis on willful/repeat/failure to abate notices may lead to OSHA issuing significantly more willful and repeated citations. All employers may find it useful to review this program along with their current OSHA compliance.

NOTE: This general summary of the law should not be used to solve individual problems since slight changes in the fact situation may require a material variance in the applicable legal advice.

Today's program

July 8, 2010

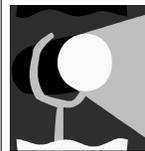
**Speaker: Tim Campbell,
 Attorney At Law
 Hanna, Campbell & Powell LLP**
**Topic: "Legal Update: Intentional Torts
 and Violation of Specific Safety"**

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Safety Council Mission Statement: To provide a forum for safety and health information, education and networking in Stark County, through leadership, innovation, facilitation, program, and support, in partnership with other public and private organizations.

Issue 7 July 2010

SCSC Members:

Our safety article this month is submitted by **Steve Hanna, Ergonomic Specialist for the BWC**. I am sure you will find this interesting.
Best Regards,

Susan

Computer Workstation Tips

Within the office, the computer operator or VDT (Video Display Terminal) operator may have complaints related specifically to visual or muscular discomforts. These discomforts could be head, neck, shoulder, hand /wrist and or back aches.

The VDT monitors, the keyboards, tables and chairs should all be easily adjustable: if not the work will probably not make use of this provided comfort. The present and future office furniture for VDT operators should be evaluated based on the following criteria:

Tables:

1. Table surfaces should not be reflective.
2. Table size should be based on the following considerations:
 - Permit the screen to move forward and backward approximately 15 inches;
 - Allow a detachable keyboard to be placed in various locations;
 - Allow mouse or other external input devices to be positioned at the same height and distance as the keyboard;
 - Permit source documents and reference materials to be positioned for optimal viewing distance and location (i.e. in proximity to, and a similar angle as the monitor) when in use;
 - Permit source documents and reference materials to be stored out of the way when not in use;
 - Permit proper location for all other equipment used in conjunction with the computer (i.e. phone, adding machine, tape recorder, etc.)
3. Tabletop thickness should be as thin as possible and it should provide ample clearance between the operator's thighs and knees for a variety of positions, not just the traditional 90-degree posture.
4. Space underneath the tabletop should be maximized allowing for proper foot and leg clearance. Storage of items under the desk should be avoided.
5. Table height, the lowest point on an adjustable table, should be between 27 and 30 inches, while non-adjustable table heights should be about 27 inches.
6. Adjustable Height tables are strongly recommended if:
 - Employees can't get away from the desk while working, such as customer service or phone directory jobs;
 - Employees have been diagnosed with back injuries;
 - Workstations are shared by a number of employees;
 - Employees are in wheelchairs.

Chairs:

1. Sufficient back, especially low-back (lumbar), support should be provided.
2. Caster chairs are preferred over fixed. Five caster chairs are considered superior to the traditional four, because they are more stable and allow for better leg/foot positioning.
3. The back rest should be adjustable within range of angles (80-130 degrees) to accommodate the seating posture of the individual.
4. The seat pan should also be adjustable; able to tilt within a range of angles.
5. The seat pan should be able to support the operator's weight, provide equal weight distribution and be wide enough to permit slight shifts from side to side. Padding and proper firmness will help ensure equal distribution.

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6. The front edge of the seat pan should be rounded downward to allow for proper leg circulation.
7. The seat pan should be tilted slightly backward at an angle of not more than seven degrees. This encourages the use of the lumbar support.
8. It is advisable that chairs be provided with arm rests, especially for general office work. Elbow rests for VDT use should be very short and height adjustable to avoid interfering with keyboard operations or there should be none at all. ■

Upcoming program

August 12, 2010

Speaker: Chuck Green
Public Awareness & Service Coordinator
Ohio Utilities Protection Service (O.U.P.S.)
Topic: "Call Before You Dig"

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Sept. 9, 2010— ANNUAL SAFETY & BUSINESS EXPO— SCSC will once again hold its' annual Safety & Business Expo on September 9, 2010. More details to follow on the event, however table reservations are available now. Space is limited to 50 tables. The cost again this year is only \$75 for a display table. Call Connie Cerny at 330.458.2061 for table reservations.

Important items to make note of:

1. **Semi-Annual Reports** are required to maintain your membership with the SCSC. Reports are due July 15th and January 15th each year.
2. **Don't forget to sign-in.** If you do not sign the "sign-in sheet" your company will not receive credit for attending. This could hurt your company's chances of receiving the BWC's discount.
3. **July 1, 2010 began a new 12 month period** for the BWC's rebate program. If your company is eligible, you must attend a minimum of 10 events, with your company's CEO or a senior level manager attending one of these 10, and submit two semi-annual reports. See BWC website for complete rebate details.
4. **Please complete a Program Evaluation Form** following each luncheon meeting. Your input is important.

This newsletter is distributed monthly to keep you advised of developments in the area of OSHA law. Note: This should not be substituted for legal advice and should not be relied upon in a specific case.