

Stark County Safety Council Newsletter

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STARK COUNTY

SAFETY COUNCIL

A committee of the Canton Regional Chamber of Commerce

WHAT'S NEW IN FEDERAL SAFETY REGULATION?

By Jacqueline Bollas Caldwell, Esq.

OSHA is continuing its aggressive inspection and enforcement policy. Several of the new OSHA rules and policies that are in the offing are the following:

- The Occupational Safety & Health Administration plans to issue a final rule in July 2010 to define work-related musculoskeletal disorders and to require them to be recorded in a separate column on the OSHA 300 Log. OSHA currently only requires the recordkeeping of injuries on paper. However, it is contemplating moving to an electronic system in order to provide information to employers and workers in real time.
- OSHA is on track to significantly outpace the number of inspections that it performed in fiscal 2009, in which year OSHA performed the most inspections that it had ever performed;
- finally, OSHA is revising the way penalties are calculated in its Field Operations Manual, the manual which OSHA inspectors use to guide their enforcement efforts. OSHA expects the revisions to result in average maximum penalties for a serious violation to rise from \$1,000.00 to between \$3,000.00 to \$4,000.00. OSHA expects the rise in average penalty for a serious violation to take effect within the next several months.



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

Speaker: Ray Sinclair

Small Business Program Coordinator

National Institute for Occupational Safety and Health (NIOSH)

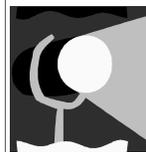
Topic: "Workplace Health Issues"

Spotlight Company:



To be a spotlight company contact **Mark Rossiter**
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MAY SPOTLIGHT COMPANY



AULTCOMP MCO—Here for you since 1997, Aultcomp MCO is a statewide, full-service Managed Care Organization specializing in workers' compensation medical case management. AultComp is URAC accredited in case management services meeting URAC's requirements

for quality.

Every on-the job injury hurts your company's bottom line. Acting as your partner, AultComp ensures claims are filed quickly, treatment for injured workers begins promptly and recovery programs are implemented for a safe and timely return to work for your injured employee. This means improved productivity and reduced costs for your company.

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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 5 May 2010

SCSC Members,

I am pleased to provide you with an article this month from Norm Hostetler, Safety Director of Beaver Excavating. Norm is a current member and past chairman of the SCSC Steering Committee. I am sure you will find the article informative.

Best Regards,

Susan

Dear SCSC Members:

In view of recent trench cave-ins and a subsequent fatality, I feel it is timely to review the requirements whenever a trench is necessary for any reason. Sewer pipe installation, basement excavations, and repairs to waterlines and manholes are just a few examples of trenching.

By definition in 29CFR 1926, Subpart P, a trench is defined as "a narrow excavation (in relation to its length) made below the surface of the ground". ANY time the ground is broken, Ohio Utility Protection Service (OUPS) must be informed by calling 1-800-362-2764, or 811, at least 48 hours before you dig. OUPS will issue a ticket number for the planned excavation and they will notify all participating utilities, so that appropriate markings can be made locating underground lines. They will give you a list of "non participating" utility owners which will need to be called directly by the excavator. The locator will spray paint on the ground, giving approximate location, but they will not specify depth. Therefore, digging "with caution" will be necessary until the actual lines are located.

Once the utilities are located and the trench is begun, some visual and manual tests are required to establish the method needed to prevent cave-ins. If the trench is five feet deep, the soil on the sides of the trench must be classified as Class A, B, or C. This classification process is critical to establish how you will proceed because you can either slope the sides back, shore up the side walls, or utilize a trench box to protect workers in the trench. This procedure is detailed in Subpart P of the OSHA regulations referred to above. If the trench is four feet deep, a means of climbing out is also required, like a ladder or a ramp built into the trench.

These are the basic rules; many more apply and they are explained in detail in the standards. The bottom line is that there is simply no excuse for injuries or fatalities due to trench failures. The law is very specific in this inherently dangerous activity. Know the rules, use caution whenever you break the ground, and hire a professional excavator for deep trenches or excavations.

Submitted by Norm Hostetler, Safety Director of Beaver Excavating, current member and past chairman of the SCSC Steering Committee.

Upcoming program

June 10, 2010

Speaker: Pete Bioniarz, Great Lakes Regional Sales Manager, **Accuform Signs**

Topic: "The Benefits of A Customized Safety Sign Program"

Spotlight Company:



Includes AED Demonstration

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mark.rossiter@anheuser-busch.com

MARK YOUR CALENDARS

May 27 – Special Group Rating Safety Training Program. Presented by Craig Lancken, Safety & Risk Consultant of RiskControl360. 7:30 registration; 8:00 a.m. to 10:00 a.m.. Holiday Inn, Canton. Group Rated employers who have had a claim between Jan. 1 2007 and Dec. 31, 2008 are required to complete two hours of safety training by Jun 30th, 2010. Fee includes breakfast & course materials. Register online www.starkcountysafetycouncil.org or call 330.458.2070.

IMPORTANT INFO FOR MEMBERS: The FY10 BWC Safety Council rebate program ends June 30, 2010. As you are aware, if your company is eligible for the rebate program, you must attend 10 safety council meetings, with your CEO/Senior Management person attending at least one of the 10, and submit the semi-annual reports for 2009 calendar year. You can get credit for up two meetings through attendance at BWC's Division of Safety & Hygiene safety training courses or industry-specific training. Certificates of attendance must be submitted to the Safety Council program manager, Connie Cerny no later than June 30, 2010. Certificates will not be accepted after this date. Email the certificates to conniec@cantonchamber.org or fax to 330-489-6012.

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, 2009 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.