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Obesity, High Blood Pressure Are Top Health Risks

Half of Americans ages 55 to 64 have high blood pressure, a major risk for heart disease and stroke, and 40 percent are obese, according to *Health, United States, 2005*.

The document is the government's annual report to the president and Congress on Americans' health. It was prepared by the Centers for Disease Control and Prevention's (CDC's) National Center for Health Statistics.

This year's report features an in-depth look at the 55 to 64 age group, which includes the oldest of the baby boomers.

In 2011 these individuals will be eligible for Medicare and by 2014, 40 million Americans will be in that group, up from 29 million in 2004.

CDC Director Dr. Julie Gerberding cautioned people in that age range to take careful stock of their health, including vital measures such as weight, cholesterol level, blood pressure, heart-attack risk, and any signs of diabetes.

The report also notes that 11 percent of Americans ages 55 to 64 lack health insurance. [22, 179]

Critics Suggest Politics Influencing Agency's Work

Charles Jeffress, who headed OSHA during the Clinton administration, is among critics of the agency who say it's been slow to promulgate standards to protect workers.

An article in the *Kansas City Star* featured comments by a number of former OSHA officials. Among them was Jerry Scannell, who served under the first President Bush. He told the newspaper, "Standards development has been slow—slower than it should be." Eula Bingham, agency chief under President Carter, said of OSHA: "They've gotten out of the standards business."

The paper's request for an interview with current OSHA Administrator Jonathan Snare was declined because the nomination of a permanent administrator is pending before the Senate. However, OSHA did issue a written statement, telling the *Star* that it had "issued some standards, but not ones that would have wide economic impact."

Calling on Congress to stiffen criminal penalties for workplace fatalities, Jeffress added that making it only a misdemeanor to willfully kill a worker "just underscores the lack of value put on a worker's life by Congress." [27, 56, 177]

Window-Cleaning Fatality Yields Citations and Fines

Unicco Service Company, a facilities management and personnel firm, faces a total of \$152,500 in proposed fines following a June accident at the New England Executive Park in

Burlington, Mass. One worker was killed and another severely injured in the incident.

(continued on page 2)

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According to OSHA the accident occurred during window cleaning of a four-story building. One employee was on the roof, tending a support unit from which a second employee was lowered to clean the windows, when the unit rolled off the roof. Both employees fell about 50 feet to the ground below and the window cleaner was also struck by the falling equipment. The tender was killed and the cleaner was badly hurt.

OSHA found that the unit: was not tied back to a rooftop anchoring point; was not equipped with sufficient counterweight; and had improperly installed wheels.

The employee monitoring the equipment allegedly had no experience and little or no training, and both employees' lifelines were tied off to the unit rather than to independent anchor points on the roof.

Noting that the employer was cited for similar hazards following a double fatality in 2003, OSHA Area Director Francis Pagliuca added, "This company is well aware of the requirements to protect window cleaners contained in industry standards, manufacturer instructions, and its own safety program, yet chose to ignore them."^[48, 54, 56]

Mixed Results from Recent Drug-Test Survey

The proportion of drug-test positives for amphetamines increased among workers subject to federal testing rules, while overall drug-test positives decreased among U.S. workers in the first half of 2005. Quest Diagnostics Incorporated, a leading provider of employer drug tests, conducts a semi-annual drug-testing index that summarizes the results of workplace drug tests it conducts.

For federally mandated safety-sensitive employees, the incidence

of positive drug tests attributed to amphetamines rose by about 13 percent. The overall positive rate dropped by 4.3 percent in the first half of 2005. Quest says that the decline was driven by a drop in positive marijuana drug tests.^[42]

DOL Announces Improved Compliance Site

The U.S. Department of Labor (DOL) has introduced a new Compliance Assistance Web Portal to help members of the regulated community understand and comply with federal employment laws.

Located at <http://www.dol.gov/compliance>, the redesigned portal is described as "an enhanced, more user-friendly version of the department's previous compliance assistance website."

Based on a central gateway, the site directs users to information including DOL etools, fact sheets on various employment laws, regulatory text, frequently asked questions, and other information provided by agencies, including OSHA.

There's also a link to a compliance-assistance mailbox and an e-mail service that updates subscribers about significant compliance news. Users can search by topic or by audience and need not know the name of a particular law to locate key information about it.^[98, 103]

Fortune 500 Companies Concerned about Avian Flu Preparedness

While 91 percent of large corporations surveyed consider preparing for avian flu important, only 16 percent have begun to implement a pandemic preparedness plan, and just 1 percent has such a plan.

Those are among findings of a recent survey of 200 Fortune 500 businesses

and other large organizations conducted by International SOS (ISOS), which provides health and safety services for traveling employees.

Commented ISOS Vice President Dr. Miles Druckman, "A solid pandemic preparedness plan is critical for organizations to be able to effectively medically manage their employees and travelers, especially in less-developed countries."

Among those surveyed, 72 percent are investigating options for launching such a plan. The respondents consider employee training a key strategy for employee protection. Others include travel restrictions and stockpiling antiviral drugs.

There's additional information at <http://www.internationalsos.com>.^[44, 93, 5]

Expert Offers Tips for Cutting Insurance Costs

Small businesses are particularly hard-hit when it comes to insurance costs, which reportedly are again on the rise. Insurance industry specialist Mike Chapman of BenefitsBoutique.com offers tips as to how these employers, and their employees, can keep costs down.

- Offer a choice of benefits at different premium rates, which encourages more employees to elect coverage.
- Learn about options like Health Savings Accounts and Health Reimbursement Arrangements that can save on premiums and taxes.
- Stick to the "meat and potatoes," like health insurance and retirement plans, and cut out the "desserts," like dental, vision, or life insurance.
- Compare costs to insure a spouse or child in the company health plan with the cost of adding individual plans. Most small businesses pass on the cost of dependent coverage

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Compliance Report

International Paper Makes the Grade: Corporate Giant Puts Safety First, Here and Abroad

International Paper (IP) is bullish on occupational safety and health. One of the first corporations to embrace VPP more than 30 years ago, the Connecticut-based company is today one of the most active in OSHA's voluntary programs. Throughout IP's diverse businesses and settings, including overseas, protecting workers in a traditionally hazardous business is a top priority. To learn more about this big commitment, we spoke with several safety insiders to learn about IP policies, practices, and innovations that help protect its 80,000 employees.

You'll read about:

- The diverse ways corporate leaders encourage safety awareness and promotion,
- The key roles played by hourly employees in safety management,
- A new European initiative that brings the elements of VPP to IP sites outside the U.S.,
- Why IP pays more than 30 of its employees to help OSHA do its job, *and*
- How one paper mill brought the number and severity of injuries way down and gained great employee buy-in in the process.

The IP File

International Paper dates back to 1898 and, according to company literature, is the world's largest paper and forest products company. Operations are chiefly in the United States, Europe, Latin America, and Asia.

IP operates several businesses, including Printing & Communications Papers, Consumer and Industrial Packaging, and Forest Products. IP is especially proud of its reforestation initiatives—the perpetual planting, growing, and harvesting of trees.

“Every acre of International Paper forestland harvested is regenerated either by planting more trees or by managed natural regeneration,” the company asserts.

In 2004, International Paper had sales of \$26 billion and ranked 71 among Fortune 500 companies. An IP fact sheet also proudly proclaims that “The company has the greatest number of facilities certified or recommended for certification in OSHA's Voluntary Protection Programs, the U.S. government's elite safety program.”

IP sums up its health and safety policy like this: *As one of the world's best and most respected companies, all International Paper employees work together to provide a work environment and culture that is free of injury and illness.*”

Don't Just Say It, Show It

For Mike Johnson, IP's corporate director of health, safety, and workers' compensation, the name of the game is 100 percent compliance and zero incidents. Not surprisingly, he says the keys to the company's success in approaching those goals are management commitment and employee engagement. These components, considered essential to any safety process, are definitely at the top for IP.

A few anecdotes about the value IP officials place on safety circulate around the company, says Johnson. One favorite story involves the CEO who was visiting a customer's warehouse. The top executive asked why forklift operators were not wearing seatbelts. Johnson points out that it was impressive that the CEO asked a detailed safety question, and even more impressive that he knew the OSHA requirement for seatbelts.

Another anecdote tells of an IP executive checking out a new piece of equipment at a site. The machine's

capabilities, ease of operation, and efficiency were praised by him, but no more than its superb machine *guards*. “We've had a long history of presidents and chairmen who have taken a personal interest in safety and health, and it makes the message I'm trying to get out a whole lot easier,” says Johnson. He adds that business meetings on any topic often start with a brief safety update.

Johnson has many other examples of the high regard for safety within the company, including a recent call from the chairman, who was planning a year-end meeting with IP middle managers. He asked Johnson for names and statistics so that he could be sure to recognize top performers in safety and workers' compensation improvement.

Johnson also recalls the note he received about a year ago when the chairman noticed that Alcoa posts its current incident rate on its website. At the boss's recommendation, International Paper now does the same.

Motivated by commitment at the top, the company's safety organization leads the charge. Safety staff share best practices by visiting and auditing sites within IP businesses separate from their own. The idea is to cross-fertilize across the corporation. As well, the company operates a best practice website. Here, for example, a safety professional can find out how a colleague handled an annual ladder inspection, or how a safety colleague across the country or the world conducts annual refresher training. The site facilitates sharing of various business best practices, including safety.

They Own the Program

A number of years ago, IP leaders decided to measure employee participation in the business through a Gallup Organization survey. “The Gallup people asked us to give them some of our metrics and they would show us how employee engagement correlates to success in various

(continued on page 4)

aspects of the business,” Johnson says. Most measurements offered centered on profitability and other financial indicators, but “somebody also handed them a safety report and they found that the facilities that did the best on employee engagement also had the best record on safety.” That correlation has been tracked for many years at IP and reinforces for Johnson the value of employee involvement in safety.

Paired with management commitment, employee involvement is the *sine qua non* of occupational safety. At International Paper, applications abound. One is the safety advocate program. Safety advocates are their shift or department go-to people for safety matters. At sites that have achieved VPP recognition—there are about 86—advocates often began their involvement with safety as members of teams that coordinated the VPP application process. At other plants, they are members of safety committees. The idea, says Johnson, is to leverage the excitement about safety and keep people active. Advocates conduct training, participate in safety meetings, and conduct sophisticated audits.

One of the most impressive demonstrations of employee engagement is the participation of 30 to 40 International Paper employees in the Special Government Employee (SGE) program. These specially trained individuals make several trips a year at IP’s expense to participate on OSHA audit teams at sites being considered for VPP. In this way, they leverage OSHA’s limited resources and share their expertise. According to Johnson, an additional benefit is that the SGEs bring back to their sites successful safety strategies observed while on their OSHA missions.

Case in Point

If management commitment and employee engagement seem like lofty principles, spend a few minutes with Larry Shaffer and it’s easy to see how they apply in the real-world environment of running a paper mill.

The Safe Way, the Only Way

An International Paper marketing manager at an El Salvador beverage packaging plant is the winner of the company’s 2006 safety slogan competition. Anabell Iglesias’s “2006: *The Safe Way, the Only Way*” entry beat out more than 2,000 others submitted by IP employees worldwide.

The accompanying artwork was designed by Michael McCall, marketing and information services for xpedx, IP’s distribution business.



Shaffer is a 28-year IP veteran of the company’s Franklin, Virginia, mill. He operated paper-making equipment for about 18 years there and has spent the last decade as an employee safety specialist. About 1,250 Franklin employees produce printing and communications papers at the site.

Shaffer boasts that at the plant, which was originally welcomed into VPP in 2002, employee involvement is “second to none.” He points to a number of examples:

Behavior-based safety. Several years ago, four mill employees left their regular jobs to spend 2 years researching behavior-based safety and determining the ideal program for Franklin. Based on their findings, the site purchased a database to track behavioral observations and corrective action plans. Shaffer credits the strategy for significant reductions in injuries.

HEAT. The site’s Hazardous Emergency Action Team is a highly effective squad of about 780 employees who volunteer to perform confined-space entry and other types of rescues. As well, they respond to fires and chemical spills, and manage other types of emergencies. HEAT volunteers receive 40 hours of annual instruction in an on-site training

facility also used by the local fire department and other businesses.

Ergonomics. Like many IP facilities, the Franklin mill has its own ergonomic team made up of hourly employees. They conduct risk assessments, review behavior observation data, and develop corrective action plans that are implemented by the site’s maintenance department. A number of ergonomic improvements have helped reduce injuries on the shop floor and in the office.

For example, a group of employees working in a control room monitoring log cutting on TV-type screens complained of neck and shoulder pain. Monitors had been placed in obscure locations, causing the workers to strain to see them. New, flat-screen monitors were purchased and strategically placed to reduce discomfort.

Another big change about 3 years ago was the introduction of automatic roll movers to transport huge rolls of paper.

The Franklin ergo team also helped design a fix for crane operators who complained of hand and arm discomfort because the big, bulky buttons on the cranes were hard to push. New, smaller buttons were introduced, and discomfort was reduced.

Thanks, VPP

Shaffer is a huge VPP advocate and is one of the company's Special Government Employees who help audit other companies for admission into the program.

In 1995, the Franklin mill was experiencing about 125 OSHA-recordable injuries per year. Today, thanks to VPP and earlier innovations like departmental safety teams and the behavioral process, that number is down to 17.

VPP has also been a source of cooperation among the three union locals that operate on-site and company management. Shaffer recalls that when VPP was first being considered at the site, the unions voted overwhelmingly to pursue it and have been an integral part of its subsequent success.

Shaffer is philosophical about his long-time involvement with safety. "We had some pretty serious accidents here in the past. And when people ask me why I do what I do, I tell them that the bottom line is that it's all about people. When I can see family members and friends who work here going home just a little better than when they got here, that's what it's all about."

Translating Safety

One of the challenges for IP and other companies that have beat down incident rates and finely tuned their programs is finding new strategies to keep improving. VPP has helped.

IP was one of six corporations that joined a pilot project for Corporate VPP, a program that helps deserving corporations get more of their facilities on board by avoiding some of the duplicative paperwork required.

Mike Johnson, the IP corporate safety and health director, had been looking for a way to share with international sites some of the benefits VPP was bringing to thousands of workers at more than 80 U.S. facilities. The idea he and others came up with is known as Global Star, a VPP-style program offered not by OSHA, but by IP to its non-U.S. locations. Within the past year a paper mill in Kwidzyn, Poland, stepped up to the

plate as the first site to achieve Global Star. As with domestic VPP, corporate leaders never require that sites sign on for the daunting task of becoming certified. Rather, the challenge is issued and those that wish to, pursue it.

European safety initiatives are the purview of Andy McIntosh, an enthusiastic Scotsman who's been with the corporation for 19 years. He oversees safety in 11 European countries employing 12,000 IP workers.

Global Star is a promising program, he believes. "Not only is it something that can help drive sites to a world-class level, but it allows us to recognize them in the same way their American cousins are recognized," he says with an appealing brogue.

The Kwidzyn plant is an integrated operation, which starts with pulp production and ends up with finished office and coated papers. With about 1,700 workers, it's one of the largest employers in the town.

One tactic McIntosh admires at Kwidzyn is the use of the key elements of Global Star to create and perfect a safety process.

The primary elements are: management involvement and support; employee involvement; safety policies and procedures; training; inspection and maintenance; and failure analysis and feedback.

These and other components are considered one at a time, in depth, throughout the year, forming the basis for the plant's safety process. Project teams are created to address these and specific topics under them; in this way, the program criteria become the basis of continuous improvement.

Decentralized safety management has also been a key to success at Kwidzyn. "Although one man carries the title, there are probably 12 or 13 departmental safety managers," McIntosh added.

Responding to questions by e-mail, Kwidzyn safety and health manager Marek Pawliszewski explained that the plant has benefited in two primary ways from Global Star.

"First, measuring ourselves against a new system allowed us to see our deficiencies and correct them.

"Second, and even more importantly, the preparation process and the actual winning of the Global Star was a great motivational factor for our employees. They won the success and they fully deserve it." The plant has also achieved recognition through ISO and the European Union.

Zeroing in on Zero

Across this giant corporation, managers, employee teams, safety professionals, and labor leaders are working together to get to the coveted 100 percent compliance and zero incidents described by Mike Johnson.

As for methods it will use to get there, Johnson points with pride to many in place but says more are always being planned.

For example, an IP safety and health management system evolved from a sophisticated audit program is currently being institutionalized and made available on a corporate Intranet.

The site will include everything from policies to safety calendars, links to OSHA and other compliance materials, training information and schedules, risk assessment assistance, and other reference documents.

IP is also working to enhance safety in its distribution network, especially for those who drive and deliver on behalf of the company.

With exceptionally favorable incident rates on the books, Johnson says he can show a steady 10-year improvement in total recordable and lost-workday incidents.

Despite the low numbers, IP continues to set high percentage goals for annual improvement, encourages reporting, and pays particular attention to near misses.

As you put the finishing touches on your 2006 safety plan, we hope you'll take some inspiration from IP and its dedication to 80,000 employees worldwide. ^[166]

OSHA, JCAHO Alliance in Good Health

—Accreditation Group Reports Progress

Every week, it seems, OSHA signs another alliance with an organization or trade group. The goal of these agreements is to extend the agency's reach through voluntary compliance, sharing of resources, best practices, safety and health training, and strategies specific to the industry.

Although alliances are a relatively new development at OSHA, the agency has always maintained ongoing relationships with complementary groups.

One such is JCAHO, the Joint Commission on Accreditation of Healthcare Organizations. An alliance was signed in July 2004, but the two groups have been collaborating for years. When the alliance was inaugurated, JCAHO President Dr. Dennis O'Leary called it "a logical extension of our long-standing working relationship that will benefit the more than 16,000 accredited healthcare organizations by helping them address issues affecting the safety and health of their employees."

Relationship Results

The formalization of the relationship has been productive, says Karen Timmons. She heads the commission's educational arm, Joint Commission Resources (JCR), which is also a partner in the alliance. "What we tried to do during the first year was to

explore ways to use our collective expertise to foster a culture of prevention" among healthcare employees.

Accomplishments also include sharing technical knowledge to reduce specific exposures to airborne and biological hazards, emergency situations, and workplace violence.

JCAHO experts were called on to review and provide comments for an OSHA publication for hospital-based first receivers in mass casualty incidents. As well, OSHA specialists reviewed and responded to a Joint Commission publication.

The association is also helping the accreditation organization, which focuses primarily on patient safety, to raise awareness about worker safety among its members.

For example, JCAHO's newsletter now includes a worker-safety column that addresses topics like protecting emergency responders and OSHA compliance matters. Also, says Timmons, OSHA, JCAHO, and JCR co-sponsored a highly successful conference last fall on hospital-based first receivers. Another area of collaboration is determining ways healthcare entities can comply with both OSHA and JCAHO standards without duplicating activities.

Timmons is upbeat about the value of allying with OSHA. She says the initial focus areas will continue, with additional emphasis on prevention of incidents related to ergonomics in general, patient transfer, and workplace violence.

"We're also considering holding a conference next year that would focus on the experiences of organizations that were involved in Hurricane Katrina and best practices we can glean," she adds. [141.5]

Joint Commission on Accreditation of Healthcare Organizations

Founded in 1951, JCAHO is the parent organization of Joint Commission Resources, Inc., a knowledge-based nonprofit group that provides tools and solutions to help healthcare entities maintain accreditation standards and respond to emerging issues. It also:

- ✓ Seeks to improve the safety and quality of care through accreditation and related services that support performance improvement in healthcare organizations,
- ✓ Evaluates nearly 16,000 organizations and programs including more than 8,200 hospitals and home-care organizations, *and*
- ✓ Accredits health plans, and organizations that provide long-term care, assisted living, laboratory, and ambulatory care services.

What's in Your Warehouse—

A Heap of Hazards or a Safe Haven?

Warehouses and other places in which a manufacturer stores products and various other materials, either on a long-term basis or while awaiting regular distribution, are an important part of the company's operation.

They are also locations that require careful attention to safety because material handling presents numerous potential hazards for workers. Here are some of those hazards, along with tips for protecting against them:

- **Accidents involving industrial trucks.** When stacking materials *in-house*, be careful not to pile stocks too high, too close to sprinkler systems, or in an irregular, unstable manner. When

loading "outward-bound" materials onto freight cars or tractor trailers, check the flooring in the vehicle being loaded; be sure the wheels are chocked so that it can't move away from the dock when entered. In all movement, the trucks should follow established traffic lines, and the drivers should be alert to:

- Other trucks and workers
- Intersections and crosswalks
- Such overhead hazards as pipes, lights, structural members, and door limits
- Articles not in their proper places—e.g., cartons, drums, spools, skids, etc.

- **Using hand trucks.** There are many types of hand trucks, including wheelbarrows, two- and three-wheeled trucks, cylinder trucks (for compressed air cylinders), and pallet trucks. Each has its own proper use to avoid injury—e.g., some are pushed forward, others pulled. On all of them the load must be carefully placed and secured, without obstructing the worker's view. Injury to hands or feet can be prevented by wearing safety shoes and gloves. Safe practices include moving at a moderate speed, taking care at blind corners and doorways, and keeping feet clear of wheels.
- **Unsafe manual lifting.** This is the cause of many material-handling injuries in the warehouse or any other part of the plant. Workers should be

Trainer's Corner

Training a Diverse Audience: How to Adapt

The times they've been a changin'.

The United States has long been thought of as the world's "melting pot," a place where diverse cultures blend into a uniquely American way of life. But that's been changing. The melting pot is fast becoming a smorgasbord of distinct cultures. Instead of shedding their backgrounds, new immigrant groups are retaining their ethnicity, language, and traditions. We've become a multicultural society. And that's had a significant impact in the workplace.

Workplace diversity can have a profound effect on job safety. Some of the workers now entering the workforce come from countries where workplace safety is not a high priority. They may be used to performing dangerous, risky work without PPE and the other protections that we take for granted. They may never have experienced any kind of safety training before. And they may come from cultures where a worker does not bother a boss except for extremely serious reasons. In Asian cultures, for example, employees are shown how to do their tasks and are expected to perform them with few questions asked.

Case in point. A Thai worker, who spoke little English and read none, was employed at a hospital as a maintenance worker. Using a combination of pantomime and color-coding, his supervisor trained him to operate a carpet-cleaning machine. When the worker appeared to be adequately trained, he

was assigned to the "graveyard" shift. He was on duty soon after a major snowstorm hit the area. The tracked-in snow and slush took a big toll on the hospital's many carpeted areas. The Thai employee was eager to do a good job, but unfortunately, he had apparently failed to understand key points from his training. Instead of using warm water as he'd been trained, he used hot water in the cleaning machine, believing that would work better on the unusually dirty carpets. He also added three times the recommended amount of chemical cleaner.

Of course, the hotter the water and the more chemical, the more fumes were produced. As a result, an entire wing of the hospital had to be evacuated.

Adapt safety training strategies for a diverse workforce. Here are some helpful training strategies that can help you adapt effectively to the needs of an increasingly diverse workforce—especially where language barriers are an issue:

- Speak slowly, explain fully, and repeat important points several times.
- Choose the simplest words and avoid technical jargon (or explain it in simple terms).
- Use a translator with groups of employees who have only minimal English skills.
- Stress the importance of following safety regulations and policies.

thoroughly trained in how to lift loads, move them, and set them down safely. Back injuries are the greatest risk, but hands and feet are vulnerable, too, so sturdy gloves and safety shoes are desirable protection.

- **Slips and falls.** Just as anywhere else in the facility, these are hazards that can result in severe injury, so it is essential to have spills cleared up promptly and to avoid falls by keeping clutter out of traffic ways or wires from crossing them, and by using ladders properly.

- **Fire.** Mandated rules for the storage and handling of any flammables in the warehouse or on the dock must be followed carefully. Workers in the area must know where fire extinguishers are located and what type of extinguisher is to be used on different types of fires. It is also important to know where the fire alarm boxes are—and access to these boxes and extinguishers must be clear. Automatic fire doors should be checked regularly to ensure that they are working properly and that their operation is not impeded or blocked in any way.

- Show employees how to use safety protections, such as PPE, and explain why they are important.
- Demonstrate while you speak and use pictures, diagrams, props, etc., to supplement your words.
- Have employees practice skills in training so that you can see if they've understood.
- Check to make sure that workers are able to understand written materials; don't assume that they can read forms, signs, written directions, etc.
- Provide handouts in the language(s) trainees speak and read.
- Team up non-English-speaking employees with English-speaking employees.
- Follow up on the job to make sure employees properly apply what they've learned in training. ^[187]

Why It Matters...

- ✓ The American workforce is more diverse than ever before and becoming more so every year.
- ✓ During the past 10 years, 51 percent of new entrants into the United States workforce have been minorities.
- ✓ Over the next 10 years, there will be a dramatic increase in minority workers, particularly ethnic minorities, some of whom may lack proficiency in spoken and/or written English and familiarity with common workplace safety precautions.

A Lot to Remember

Because there is such a wide variety of possible injury involved in warehouse operations, management should provide thorough *training*—and occasional reminder training—to all workers taking part in these operations.

When possible, demonstrate the right ways to do things, such as lifting, using hand trucks, and so forth. Even though appropriate protective gear is provided, it may well be necessary to offer reminders on its use. ^[116.3, 164, 199.5]

Washington Watch

OSHA Slams Concrete Plant with Batch of Citations, Fines

Arrow Concrete Co. of Parkersburg, West Virginia, is facing one of the largest fines proposed by OSHA in recent months.

The safety agency issued citations and proposed fines of \$476,000, claiming that the employer exposed workers to excessive noise and inadequate respiratory protection at seven locations in the state.

According to OSHA, Arrow Concrete:

- Willfully failed to provide audiometric testing to employees exposed to excessive noise,
- Did not provide required medical evaluation, fit testing, and training to workers who had to use respirators, *and*
- Failed to ensure that employees using respirators are clean-shaven.

In response to a variety of other alleged violations, OSHA issued serious citations, including for failure to cover floor openings, unsuitable eyewash facilities, and lack of lockout/tagout training to ensure that machinery remains inoperable while being repaired and maintained.

The inspections that led to the citations and fines were part of a local emphasis program by the Charleston area office to protect workers from the hazards of silica in concrete manufacturing and ready-mix operations. ^[48]

McWane, Execs Sentenced for Environmental Crimes

McWane Inc. and three of its executives were sentenced recently in federal court for environmental crimes connected with the operation of McWane Cast Iron Pipe Company in Birmingham, Alabama.

Over the past several years, the company has garnered considerable attention for wrongdoings related to worker safety.

In September 2005, Union Foundry Company, a division of McWane, was sentenced to pay \$4.25 million in criminal fines and community service for worker safety and hazardous waste violations that resulted in the death of an employee.

In December 2003, another division, Atlantic States of Birmingham, and several managers were charged with conspiracy to violate workplace safety and environmental laws, as well as obstruction of investigations by OSHA and EPA. That case is currently in the midst of a jury trial in New Jersey.

In this most recent legal development, McWane was sentenced to pay \$5 million and serve a period of probation for 5 years.

The company also must undertake a community service project valued at \$2.7 million.

After a 6-week trial last spring, McWane and executives James Delk, a former vice president, and Mike Devine, a former plant manager and current employee, were found guilty in June of conspiracy to violate the Clean Water Act. Charles Robison, vice president for environmental affairs, was convicted of making a false statement to EPA.

At the recent sentencing, which resulted in probation, fines, and community service for the three men, Assistant Attorney General Sue Ellen Wooldridge stated, "The evidence at trial depicted years of illegal discharges and concerted efforts by company officials to hide those discharges from state and federal regulators.

The Department of Justice takes seriously its responsibility to enforce the nation's environmental laws and to prosecute to the fullest extent those who seek to break them." ^[34, 48, 49, 51]

New Offering from OSHA to Assist Construction Firms

Earlier this month, OSHA introduced a new construction module for its Compliance Assistance Quick Start Web Tool.

The Web-based tool introduces employers and employees, especially those at new or small businesses, to the compliance-assistance resources on OSHA's website.

According to OSHA, the construction module provides a step-by-step guide to help those in construction businesses comply with OSHA standards.

Visitors to the page can generate a set of compliance-assistance materials tailored to their jobsites.

The module introduces users to OSHA standards that address top hazards at construction sites, such as falls and electrical hazards.

As well, it provides links to the relevant compliance-assistance resources, including OSHA quick cards, fact sheets, booklets, posters, and Web pages. And it includes information on training, recordkeeping, and developing a worksite safety and health program.

In addition, it features a collection of OSHA's Spanish-language materials for the construction industry.

To access these materials, click on http://www.osha.gov/dcsp/compliance_assistance/quickstarts/index.html.

BLR, publisher of this newsletter, also has safety compliance and training resources available for the construction industry.

For more information, visit www.blr.com or call 800-727-5257. ^[29, 98, 140]

Group Says Government Is Withholding Employee Info

A lawsuit filed in U.S. District Court in New York claims that the federal government is unlawfully withholding information it normally provides the public about 900,000 of its civilian employees, including those working for OSHA, EPA, and the Federal Emergency Management Agency.

The action was brought by the Transaction Records Access Clearinghouse (TRAC) against the government's Office of Personnel Management (OPM). It charges that OPM violated the Freedom of Information Act by failing to provide requested information.

And it maintains the agency failed to explain the grounds under which it is withholding data about employees working in more than 250 federal agencies. The suit is *Susan B. Long and David Burnham v. Office of Personnel Management*.

According to the group Public Citizen, whose attorneys are representing TRAC, the refusal to turn over information came after a routine request made by TRAC for names and workstations of most civilian employees working for the government in the second quarter of 2004.

The information, which Public Citizen says had been regularly provided for many years, is needed for a university-based project that supplies information about the operations of federal government.

In this case, however, the government failed to provide facts about 40 percent of its workers, the lawsuit claims. Stated the co-directors of TRAC, "Basic information about the employees who carry out the day-to-day actions of government is critical for meaningful public oversight."

In a press release, Public Citizen explained that names of government workers and information about their worksites are frequently used by reporters and watchdog groups to identify fraud, waste, and other concerns.

For example, some years ago a Rhode Island reporter compared a list of bus drivers in Providence against court records to determine which drivers has been convicted of drunk driving.

In response to a request for information in October 2004, TRAC was told by OPM that the agency was reviewing its policy on disclosing information about employees.

Stated Public Citizen Attorney Adina Rosenbaum, "Citizens have a right to know who is working for the government. The fact that the government is refusing to release this data and refusing to tell us why is untenable."^[58, 107]

Railroad on Board For OSH; UP Wins Annual Koop Award

Union Pacific (UP) has received the 2005 C. Everett Koop Award for innovative health improvement programs. At a ceremony to present the honor, the railroad was praised for its world-class integrated health, productivity, and safety management program.

Among components of the successful initiative are a health-index report card that provides feedback to managers related to their support of company health and safety efforts.

Also, Union Pacific has introduced aggressive intervention programs to reduce accidents and improve worker health.

For example, an expanded smoking policy includes not hiring smokers in states where that is a legal process.

Nutrition policies have led to healthy foods in cafeterias and vending machines. Food vendors are selected in part based on their ability to offer more healthful choices.

And a network of regional health coordinators and on-site occupational health nurses helps make wellness part of workers' daily lives.

This year, UP began offering a consumer-driven health plan under which it provides financial incentives if managers do not smoke (or take a

smoking-cessation course) and complete a wellness assessment to identify possible risks.

The plan also encourages employees to become better consumers of health care by researching health topics to prepare for office visits, asking questions of their physicians, and determining which healthcare sites have the best outcomes for specific procedures.

Union Pacific has received the Koop award three times in the past and is the only railroad to have earned it.^[14, 188, 202]

Dates Set for 2006 Observance of North American Safety Week

OSHA, the American Society of Safety Engineers (ASSE), and the Canadian Society of Safety Engineering announce that North American Occupational Safety and Health Week (NAOSH) will kick off May 1, 2006, in Washington, DC, at the U.S. Department of Labor.

The annual observance helps increase understanding of the benefits of investing in safety and health.

It is also aimed at raising awareness of the role and contribution of safety professionals, and reducing incidents by encouraging new initiatives.

The NAOSH week 2006 theme is "Prevention Is the Cure."

Commented ASSE President Jack Dobson, "The workplace fatality rates are not just numbers. They are people. They are co-workers and colleagues, friends and family. Every injury avoided and every fatality prevented means one more person returns home to their family at the end of the day."

There's more information about NAOSH week and how to participate at <http://www.asse.org/naosh06>.^[13, 25, 97, 140, 164]

From the States

ILLINOIS

Employee Fatality Case Yields Maximum Fines For Contractor

Electrical contractor L.E. Myers was sentenced December 8 following the company's conviction in May for violating five OSHA standards that caused the death of a young employee on the job for just 2 days when he was killed in 1999.

A federal judge imposed a fine of \$500,000, the maximum penalty provided under the law. In addition, the judge sentenced the Rolling Meadows business to a 3-year probationary period during which, among other things, it must permit OSHA to inspect worksites without a warrant and must brief OSHA annually regarding the safety and health of its employees.

In response to the sentencing, Labor Secretary Elaine Chao commented, "We are pleased that the judge in this case imposed the maximum penalty, and it should send a loud and clear message that this department will continue to aggressively enforce the law to protect workers."

Blake Lane, 20, had just begun training in power-line construction when he was jolted by 2,400 volts of electricity atop a 120-foot steel tower in Mt. Prospect, Illinois, on December 28, 1999.

The *Chicago Tribune* quoted Assistant U.S. Attorney Eric Sussman, who criticized the contractor for its poor safety record and for continuing to describe the worker's death as an accident. "We've proven beyond a reasonable doubt to 12 jurors that this was not an accident. This was the intentional disregard of five separate statutes that caused the death of Blake Lane."

A 2003 investigation by the newspaper suggested that L.E. Myers had had 35 occupational fatalities and 200 violations of federal and state

safety laws since 1972. In 2002, the company agreed to hire a safety vice president and implement a comprehensive safety and health program following the electrocution of an employee in Tennessee. [43, 48, 56, 89]

TEXAS

BP Completes Investigation, Will Invest Heavily in Safety

BP Products North America will invest \$1 billion to improve and maintain safety at its Texas City Refinery, site of an explosion and fire that killed 15 workers and injured many more last March.

BP says it is implementing the recommendations of an incident investigation team, including a modernization program at the refinery.

According to site manager Colin Maclean, some of the actions recommended by the investigation team have been completed and many more are ongoing. Company officials plan to:

- Install modern process-control systems on major units,
- Transition to a more powerful maintenance management system,
- Improve worker training,
- Remove "blow down" processing units, *and*
- Implement other recommendations.

"The result will be a safe, reliable, and highly efficient refinery capable of producing clean fuels that consumers are demanding," added Maclean.

According to BP, its investigators "found no evidence of anyone consciously or intentionally taking actions or decisions that put others at risk."

However, the team did identify "many areas where procedures, policies, and expected behaviors were not met."

The report described underlying causes including the fact that: "Over the years, the working environment had eroded to one characterized by resistance to change, and lacking of trust, motivation, and a sense of purpose. Coupled with unclear expectations ... this meant that rules were not consistently followed, rigor was lacking, and individuals felt disempowered from suggesting or initiating improvements."

Last fall, BP paid a record OSHA fine of \$21.3 million and agreed to a number of corrective actions. Under its agreement with the agency, BP did not admit the alleged violations or agree with the way OSHA characterized them. [48, 56, 186]

WASHINGTON

Conference on Pesticide Risk Scheduled for Late February

A conference on agricultural safety and health with the focus on pesticide issues will be held February 26, 2006, at the DoubleTree Hotel in Yakima. Among sponsors of the event are Washington State University, the University of Washington, and the Northwest Center for Occupational Safety and Health.

Organizers say the conference will have three main areas of focus:

- The issue of cholinesterase monitoring for exposure to organophosphate and carbamate insecticides. The Washington State Supreme Court has ruled the state must evaluate its position on monitoring, and the Department of Labor and Industries has initiated rulemaking.
- Issues related to pesticide drift and agricultural exposures, including risk to employees or people living near areas of pesticide application.
- Exposure that occurs after a pesticide application. Data will be presented on illness related to

post-application exposures and the challenges of training affected workers.

The conference is aimed at growers, foresters, regulators, educators, and members of the medical community, among others.

For more information, call 509-335-2830. [4, 144, 187, 201]

CALIFORNIA

Supervisors' Sexual Harassment Training Deadline Approaches

California employers with 50 or more employees working in or outside the state are facing a January 1 deadline to train supervisory personnel in the prevention of sexual harassment.

Assembly Bill (AB) 1825 requires that any supervisors employed on July 1, 2005, must be trained by the first of the new year. Those hired or promoted after that date must be trained within 6 months of it.

Although sexual harassment often falls more typically under human resources than safety and health, there are significant connections between sexual harassment and worker protection. Among them:

- Increased stress for victims, which can lead to various physical ailments
- Inability of victims to focus on working safely due to distractions
- Intimidation that causes victims to be reluctant to raise legitimate safety issues for fear of being ridiculed
- Workplace violence, if harassment takes the form of actual or threatened physical contact

According to California's Fair Employment and Housing Act, sexual harassment includes but is not limited to: unwanted sexual advances; employment benefits offered in return for sexual favors; harassment by superiors, co-workers, or others not employed by the same company; silent harassment such as posting offensive pictures; verbal sexual advances or abuse; and unwanted physical contact.

There's information about the provision of AB 1825 at <http://www.leginfo.ca.gov>. Click on Bill Information and search under 2003-2004 session. [19, 180, 187]

LOUISIANA

Watchdog Groups Say Many Health Hazards Are Unresolved

Some health and safety advocates say the government "still can't get it right" when it comes to protecting those working on Hurricane Katrina relief efforts.

According to the publication *The New Standard*, some critics believe that "By downplaying environmental threats and failing to provide protective equipment ... government authorities are risking public health."

Among groups critical of the response of OSHA and EPA to health issues facing Gulf-region response workers is the New York Committee for Occupational Safety and Health (NYCOSH). It has been especially concerned about employee exposure to asbestos-containing materials.

NYCOSH has also stated that federal authorities are failing to enforce mandatory worker protections, including job safety assessments and use of protective equipment to control asbestos exposures.

According to *The New Standard*, about 100 OSHA specialists are deployed in the hurricane-affected areas. They are charged primarily with guiding employers in safe practices, rather than enforcement. That's because in the aftermath of a disaster, the government's National Response Plan relegates the safety agency to "technical assistance mode."

Although it's been recommended that respirators be used to guard against airborne mold and other contaminants, those critical of cleanup response say there has been no large-scale government effort to supply workers or residents with respiratory protection. [12, 58, 87, 6, 110]

OREGON

Vintners' Auction Raises Record Funds for Seasonal Workers

A unique program to benefit seasonal workers and their families has raised more than \$700,000, an increase of nearly 50 percent over the 2004 total. The 14-year-old program, known as Salud!, targets producers of Pinot Noir wines in the state. Workers who harvest the grapes move from crop to crop, rarely remaining with one employer long enough to qualify for health insurance. To assist them, vintners and volunteers associated with Tuality Healthcare Foundation created the program, named for the traditional Spanish toast that means "to your health."

Through Salud! seasonal vineyard workers and families receive education, cholesterol and diabetes screenings, dental care, and assistance with medical paperwork, among other benefits. Referrals are made for various types of medical care that is beyond the financial means of most workers, including prenatal care, hospitalizations, and surgeries. In 2005, Salud! identified more than 2,000 workers and family members who qualified for the medical services and assistance.

Commented event co-chair Ken Wright, "The number of participating wineries recognizes not only the growing ranks of outstanding Pinot Noir producers in Oregon, but also our shared mission to support the growing needs of seasonal workers."

To learn more, visit <http://www.saludauction.org>. [96, 116.5, 138]

FEDERAL REGISTER DIGEST

The issues of the Federal Register received between the press dates of the last Advisor and this current one contained no items appropriate for inclusion in this digest.

to the employee, but sometimes individual plans can be purchased for considerably less per person.

Observes Chapman, "Smart small business owners who involve employees in controlling health insurance inflation earn employees' respect and reduce turnover...." [96]

Two Well-Known Health Groups Take Antismoking Steps

The CDC and the World Health Organization (WHO) have come down hard on workplace smoking. At Atlanta-based CDC, a tobacco-free campus policy has been instituted. It bans the use of all tobacco products at CDC-owned facilities and grounds and in government vehicles. The initiative is in keeping, says CDC, with its public health goals, including achieving healthy workplaces by promoting health and preventing illnesses and fatalities.

At WHO, a United Nations entity, a new hiring policy rejects all applicants who smoke. WHO's director of immunization, Jean Marie Okwo Bele, explained, "All applicants to any of our offices across the globe are being asked whether they smoke. If they qualify for the job, they are being asked to quit smoking. Only on agreeing are they recruited."

The WHO policy, which reportedly does not affect existing staff, was criticized by the *Boston Globe*. The newspaper editorialized that WHO has been smoke-free for many years, but the change involves using tobacco products in private life. "We deplore smoking too, but there is an important distinction to be made between an action and an individual. The WHO policy conflates the two in a worrisome way, aiming not just at smoking, but at smokers." [22, 97, 175]

Health and Productivity Practices Gain Favor

Ninety-four percent of large companies offered an employee assistance program (EAP) in 2005 or will offer one in 2006. That's up from 88 percent in 2003, according to a survey examining workplace health and productivity practices. The survey, conducted by Watson Wyatt Worldwide and the National Business Group on Health, included findings from 275 employers.

Respondents indicated that issues most affecting employee productivity include stress, personal/family issues, chronic medical conditions, and unscheduled absences. Copies of the 2005 Staying@Work Survey Report are available at <http://www.watsonwyatt.com/research/resrender.asp?id=W-875&page=1>. [80, 157]

Coming Up

- Heightened Security Needs for Industries
- 'Not Your Father's EAP' — Best Practices
- Corporate Culture: What Is It and Why Do You Want It?

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