

TRANSNEWS



Volume 42

W.F. Clayton offers unsurpassed resources to assist in your commitment to safety and loss control. If there are any questions please contact us.

OSHA's Top 10 Most Cited Violations for 2013

On the journey to safety excellence, the goal is to go beyond compliance to provide the safest environment for your employees. However, we know that compliance with regulatory agencies is important as well.

Every year, the Occupational Safety and Health Administration (OSHA) releases the top 10 most frequently cited standards as a result of workplace inspections.

This listing is meant to inform employers of the commonly cited standards so they can be aware and take preventative measures to fix any hazards that

may be present before any injuries occur.

This year, Fall Protection once again tops the list.

It is interesting to note that three of the top ten standards are fall-related. Falls remain a leading cause of unintentional workplace death and disabling injury.

While this list is not much different from 2012, it reminds us that it's very important to learn from the past and address these top violations to help make our workplaces safer in the future.

Here are the top 10 OSHA violations for the 2013 fiscal year.

1. Fall Protection – General Requirements (1926.51)

There were 8,739 violations. Many of these violations were due to unprotected sides and edges, holes and steep roofs.

2. Hazard Communications (1910.1200)

There were 6,556 violations. The citations that were issued for this standard covered many different industries and many different types of violations. Example: unlabeled chemical

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Quick Tips

Nine Values of a Safety Culture

- Leadership.** Leaders must demonstrate a commitment to safety.
- Problem identification and resolution.** Identify, evaluate and address safety problems promptly.
- Personal accountability.** Each person must be responsible for safety.
- Work processes.** Plan and control work activities to maintain safety.
- Continuous learning.** Safety must keep pace with a dynamic and evolving work environment.
- An environment for raising concerns.** All employees should feel empowered to raise safety concerns.
- Effective communication.** Communication is critical within a company and with any industry.
- Trust and respect.** Every company should strive to permeate these values.
- An inquiring attitude.** Such an attitude can help prevent complacency and eliminate human errors.

Marijuana Laws and Workplace Drug Policies

A growing number of states are legalizing the sale of medicinal and recreational marijuana. So how should employers cope with the likelihood that a growing number of employees may be doping, and doing so with impunity under state law?

Can you discipline for legal off-hours use?

As of January 1, 2014, adults in Colorado can legally buy recreational marijuana. Now Washington state is poised to start selling

recreational weed in the next few months, adding yet more confusion for workplace safety.

For many employers, the biggest question is actually pretty simple: Can you fire a worker who tests positive for marijuana, even if it's legal in the state? The short answer in Colorado: Yes.

Under the law that legalized recreational cannabis use in Colorado, employers can still draft the same kinds of drug use poli-

cies – and terminate workers for breaking those rules. It doesn't matter if a worker used pot on or off the job. If a company has a zero-tolerance policy, it can terminate a worker who fails a drug test.

In states with legalized medical marijuana, most courts are saying the same thing: If a worker violated a drug policy, he or she can be terminated, even if the weed was prescribed.

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containers, lack of written hazard communication program, unavailable safety data sheets for all chemicals and no chemical inventory list.

3. Scaffolding (1926.451)

There were 5,724 violations. The types of businesses hit the most with this standard include masonry, roofing, siding and plastering. Transportation operations may not use scaffolding at the same frequency as these industries, but we still use scaffolding for cleaning, painting, repairs, etc.

4. Respiratory Protection (1910.134)

There were 4,153 violations. A big reason for violations of this standard: Companies lack written respiratory protection programs. Vehicle painting is a common practice where respiratory protection is required.

5. Electrical – Wiring Methods (1910.305)

There were 3,709 violations. Many

industries, including stores, face OSHA's wrath over this standard because they use cords as permanent wiring. These violations typically occur when using flexible cords as a substitute for the fixed wiring of a structure, where they are run through holes in walls, ceilings and floors or through doorways, windows and similar openings, and where attached to building surfaces or concealed behind walls, ceilings and floors.

6. Powered Industrial Trucks (1910.178) [a.k.a. Forklifts]

There were 3,544 violations. Some of the common reasons for these violations include: Lack of training, not removing vehicles from service that are in need of repair, and failure to conduct pre-use or pre-shift inspections before the trucks are used.

7. Ladders (1926.1053)

There were 3,524 violations. Common hazards companies don't correct: damaged side rails, workers using the top

step, and ladders used for wrong purposes.

8. Lockout/Tagout (1910.147)

There were 3,505 violations. Training workers, failure to document procedures, and conducting periodic inspections are significant reasons why companies face violations of this standard. If you operate a garage you should know this applies to you!

9. Electrical – General Requirements (1910.303)

There were 2,932 violations. Violations of this standard center around installation and use of electrical equipment.

10. Machine Guarding (1910.212)

There were 2,852 violations. Industrial and commercial machinery are both subject to this standard. Examples: missing or damaged machine guards (saw blades, flywheels, belts) and tool rest or tongue guards on bench grinders not properly adjusted.

For CMV drivers, the USDOT has given clear guidance: Pot use is still not permitted.

Easing medical marijuana rules

Employers in New York will have to worry about that soon. The state recently softened its medical marijuana restrictions, becoming the 22nd state (counting the District of Columbia) that allows doctors to prescribe marijuana.

Only 20 hospitals will be allowed to prescribe it for specific conditions set by the state – no weed prescriptions for “back pain” like in California.

Still, as the third most populous state in the U.S., legalized medical marijuana in New York adds a lot more potential users in the workforce.

Avoid confusion, protect workers

There's still plenty of confusion over how

recreational – or medical – pot rules will intersect with safety when it comes to hiring practices, workers' comp and accommodating disabilities. Not to mention the fact that marijuana is still very much illegal in the eyes of the federal government. These grey areas are frustrating for safety pros, but protecting workers from substance abuse is still a top priority at most organizations.

A few ideas for a smart drug policy:

- **Spell it out.** Make sure workers have access to your policy and understand it. If you operate in a state with legalized marijuana you will want and need a company policy.
- **Be consistent.** Rules covering drug tests and incident investigations should be the same for all workers.
- **Focus on all workers.** Make sure all workers understand drug use is a hazard to themselves and their co-

workers.

- **Get with HR.** With so much confusion on the issue, make sure you keep HR in the loop.

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Defeating Distracted Driving

We live in a 24 hour-a-day, information driven society in which instant communications are an accepted part of life.

Data shows that 91% of Americans have a cell phone, and text messaging has increased over 2,200% in the last five years.

Instant communications can make businesses more efficient, increase productivity and bring other benefits to society, including rapid response to emergencies. However, the use of communication devices in moving vehicles can distract the driver's attention from the

primary task of driving and lead to crashes as critical and as devastating as those caused by impaired driving or other dangerous driving behaviors.

Distracted driving may now be the single largest contributing factor to traffic crashes. According to the U.S. Department of Transportation, **distracted driving resulted in nearly 6,000 deaths and more than a half million injuries in 2008.**

A study done by the Virginia Tech Transportation Institute indicated that by far the most dangerous distraction observed

while operating a commercial vehicle was texting. The study revealed that drivers who texted while driving had 23 times the risk of being involved in a crash or a near-crash incident.

Laws that prohibit cell phone use and texting can have an impact on safety, but stopping the senseless crashes and deaths that distractions can cause is best accomplished by changing driver behavior.

To manage or eliminate distractions, it's important to understand the three distinct types:

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Driving and Fatigue

Being fatigued significantly raises the risk of a crash. It makes us less alert to what is happening on the road, and less able to react quickly and safely if a dangerous situation arises. Driver fatigue contributes to more than 25% of road crashes.

Are you at risk?

The two main causes of fatigue are lack of quality sleep and driving at times when you would normally sleep. By not getting enough sleep you will build up a sleep debt.

Sleep Debt

If you don't get enough sleep you go into debt – you "owe" yourself more sleep – and the only way to repay this debt is by sleeping. Until you catch up on your sleep, you have a greater risk of having a fatigue-related crash.

Other Risk Factors

You also put yourself at risk of a fatigue-related crash if you:

- Drive in the early morning (1 a.m. – 6 a.m.), as for most of

use this is the time that we would normally be sleeping. Also driving in the "afternoon lull" (1 p.m. – 5 p.m.), when our biological time clock makes most of us sleepy.

- Start a trip after a long day's work
- Have a sleep disorder such as sleep apnea. Symptoms of sleep apnea include heavy snoring broken by sudden periods of silence,

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Driving and Fatigue **1**

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- **Visual distractions** that cause the driver to look away from the road and view something unrelated to driving, such as billboards, accident scenes, street signs and other external stimuli, such as a poorly positioned GPS device.
- **Manual distractions** in which the driver removes one or both hands from the steering wheel or other driving control to perform a non-driving task; such as eating, drinking, adjusting the mirrors, tuning the radio or programming a GPS.
- **Cognitive distractions** in which mental thoughts and feelings (anger, anxiety, worry, etc.) distract the driver and divert attention from the road.

And while the news media and regulators have focused primarily on the dangers of texting and hand-held cell phone use in moving vehicles, other types of distractions are equally dangerous.

Nearly all accidents involve a combination of two or even all three types of distractions.

Glancing away from the road for periods of time – for any reason – can be extremely dangerous. At 55 miles per hour, a three-second glance at a cell phone, messaging device or instrument panel will result in the vehicle moving nearly 250 feet down the road – almost the length of a football field!

Short glances at vehicle instrumentation, mirrors, installed communication devices, or other technology can be done safely if these scans are limited to less than one second and scanning of the road is incorporated in any sequence of checking such instrumentation.

In the rush to be on time for a pick up or stop, or to get ahead of traffic congestion, don't make the sometimes-fatal mistake of attempting to multi-task behind the wheel. And never forget that far too many of the drivers sharing the road with

you are driving distracted themselves!

Don't make the sometimes-fatal mistake of attempting to multi-task behind the wheel.

Managing Other Distractions

Sometimes even very common actions can cause distractions and increase the chance of accidents. Before you start your trip, remember to:

- Adjust mirrors and instrument panel lighting before operating the vehicle.
- Eat a healthy meal before you get on the road or during your break. Do not eat or drink while the vehicle is in motion.
- Turn off your cell phone and do not send or receive calls, text or email while operating the vehicle.

**NEVER
Text or Email
while driving!**

Fatigue (Continued from Page 1)

restless sleep and constantly being tired during the day.

What are the danger signs?

Signs of fatigue include:

- Constant yawning
- Drifting in the lane
- Sore or heavy eyes
- Trouble keeping your head up
- Delayed reactions
- Daydreaming
- Difficulty remembering the last few miles
- Variations in driving speed

How to avoid driver fatigue

To protect yourself from having a fatigue-related crash:

- Make sure you regularly get enough sleep

- Be aware of your biological clock, namely that you are at an increased accident risk when driving between 1 a.m. – 6 a.m. and 1 p.m. – 5 p.m.
- Don't start a long trip after a long day's work

Once you're on the road

- Whenever possible take short breaks to help avoid the onset of fatigue. However, be aware that these short breaks by itself are only a short-term benefit.
- Eat proper and well-balanced meals, preferably at your normal meal times.

Don't be fooled by myths about fatigue

The following common beliefs about fatigue are untrue.

- Having a short break will keep me safe. Having regular breaks might help delay the onset of fatigue, but once you are fatigued, sleep is the

only cure.

- Coffee is the best way to combat fatigue. Coffee only provides short-term benefits; once its effects wear off, you suffer from sleep rebound, which is a major cause of accidents.
- Playing music will help keep me alert. This provides only short-term benefits.

Drowsy driving is like drunk driving

Research has shown that going without sleep for 17 hours has the same effect on driving ability as a Blood Alcohol Concentration (BAC) of .05. Going without sleep for 24 hours has the same effect as a BAC of .1.

In other words, driving when fatigued may not be illegal, but it's just as dangerous as drunk driving.

Remember – the only cure for fatigue is sleep.



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Ladders have been around for hundreds if not thousands of years. Most people start climbing them as children and, sometimes, continue to take some of the same risks as adults. Two facts about ladders: We all use them occasionally and they are a significant source of injury. Consider these 10 steps to ladder safety.

Step 1: Select the right ladder for the job. Using the wrong ladder for the job leads to many ladder-related injuries. Four factors come into play when selecting a ladder for a job.

- 1) Determine the correct style of ladder (e.g., stepladder,

extension, staircase). Never lead a stepladder against a wall and climb it like an extension ladder. Do not use a stepladder to access the roof of a home.

- 2) Make sure the combined weight of the worker and his/her tools and materials do not exceed a ladders ANSI weight rating.
- 3) Use the right material for the job. For example, always use a fiberglass ladder when working around live electrical circuits.
- 4) Use the right size ladder for

the task. The ladder must be long enough to safely reach the task – a worker should never stand on the top rung or top cap of a stepladder, or the top three rungs of an extension ladder. Breaking this rule leads to many injuries every year.

Step 2: Inspect the ladder. Check the ladder for loose rungs, rivets, bolts and welds. Do not use a ladder that has broken or defective parts. Clean any foreign materials, grease, paint or dirt from the ladder to ensure safe, stable footing.

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Ladder Safety

Habits

Most people develop the habits they have by performing a particular task over and over in a certain way. Some of these habits are good and can lead to successful execution of particular activities in an efficient and safe manner.

However, some of the habits we develop are poor and can cause us to perform tasks in an inefficient manner with more risks that can lead to potential injuries. Habits are not changed overnight. The methods people

choose to lift, sit, stand, move and perform work are the results of years of practice. That's why it requires so much additional practice to change these behaviors.

Making Changes

The best way to change is to first recognize that a change is necessary, and then to acknowledge that the process takes time. If change is attempted to fast, people can get frustrated and return to

doing things "the same old way."

If there is a poor habit you have or if you aren't performing a particular work activity in a precise manner that is safe and efficient, those activities should be identified and a conscious effort should be made to perform those actions in a less demanding, more efficient and safe manner. You should allow it to be the only thing you try to change until it becomes a more natural behavior.

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Ladders (Continued from Page 1)

Step 3: Safely handle and transport the ladder. Shoulder, neck and back injuries caused by carrying heavy traditional ladders are a common and costly occurrence. When carrying a large extension ladder, ensure that it is well balanced and that the front is slightly raised.

Step 4: Setup the ladder safely. Place the ladder on solid, level ground that is free of debris. Avoid unsafe leveling techniques and always test the stability of the setup from the lower rungs before climbing higher.

Step 5: Check for hazards. Avoid hazards such as overhead wires, light fixtures and power lines. Make sure the setup area is free of hazards such as slick surfaces and

debris. Avoid setting up a ladder near blind corners where it is not visible to others. Never setup a ladder in front of a door.

Step 6: Remember the 4-to-1 ratio. Always setup an extension ladder at a 75 degree angle or 4-to-1 ratio (horizontal feet from the upper contact point for every 4 feet of height). In other words, for every 4 feet in height, the ladder base should be 1 foot from the wall.

Step 7: Recognize that lashing is bad. Two ladders are not better than one. Lashing is the practice of tying two ladders together to reach greater heights. This is an unsafe practice. Ladders are not designed to be used in this manner.

Step 8: Get on the roof the right way. Accessing an upper landing roof can be

tricky. Make sure the ladder is extended 3 feet above the roofline. Never climb up over the top rung. Instead, step carefully to the side onto the roof or landing. Take care not to rush.

Step 9: Remember the belt-buckle rule. This is a rule many break at some point. Do not overreach. A worker should keep the center of his/her body (the belt buckle) between the side rails of the ladder. If some object cannot be reached without overreaching, climb down and move the ladder closer.

Step 10: Remember training. Many incidents occur because one of the nine previous guidelines was ignored. Remember to stay vigilant and focused while using a ladder.

Habits (Continued from Page 1)

Soon you will be able to do these activities, which you have spent time correcting, in a manner that is better for your body and without needing to think about it. Once you develop these better habits, there is a good chance that they will carry over into other activities.

We understand the concept of practice as it relates to athletes. Basketball players shoot 100 free throws before they leave practice. This lets the skill become automatic so they don't have to think about it in a high-pressure situation. This concept of practice is the same in the area of safety. Using the body in ways that reduce, rather than increase the physical demands of work becomes habit with practice. While most people don't go home and practice their lifting techniques, safer work habits can be developed by practicing them on the job.

Change is rarely easy, but change before pain is a choice. Change after pain is "no choice."

Injury Recovery Process

Recovery from injury is a natural process. As we age, the healing process gets slower, so it is critical to make sure we work along with the healing process rather than fight it.

It is important following an injury, such as a strain or sprain, that we follow guidelines that encourage the healing process. For a sprained ankle, the common treatment is to first ice the injured area for 24 to 48 hours and then switch to mild heat. Placing cold on the ankle slows down the flow of fluids to the area and minimizing swelling. Swelling puts pressure on the tissues and can delay healing. 24 to 48 hours after the "acute" injury, mild heat can be used to increase blood flow and nutrition to the injured area.

As with any injury, it is important to follow the instructions of the treating doctor or physician and to be sure to follow the procedures dictated by company policies. If you are ever unsure about a course of action to take, contact or notify a supervisor and they will help get you the information you need.

If an injury requires a visit to a doctor or therapist, it is important that people get answers to the questions that help them participate in the healing process. The majority of the healing is going to happen while they are on their own. This means that the activity choices they make will either speed up the healing process or slow it down.

Good Questions to ask a health care provider include:

1. What are you going to do to me in this treatment, and why?
2. What activities away from treatment may aggravate this injury?
3. What are my restrictions?
4. If I need to do a specific activity, what is the best method?
5. What exercises would help the healing process and reduce the risk of this happening again?

Remember: The body wants to heal. Work with it – not against it.

When to fight the fire...

Fight the fire only if all of the following are true:

- Everyone has left or is leaving the building.
- The fire department is being called.
- The fire is small and confined to the immediate area where it started.
- You can fight the fire with your back to a safe escape route.
- Your extinguisher is rated for the type of fire you are fighting and is in good working order.
- You are trained to use the extinguisher and know you can operate it effectively.

If you have the slightest doubt about whether you should fight the fire—DON'T! Instead, get out and close the door behind you.

Protect Yourself At All Times!

Stay low. Avoid breathing the heated smoke and fumes or the extinguishing agent.

If the fire starts to spread or threatens your escape route, get out immediately!

Remember:

If you are called on to use an extinguisher, just think of the word “P.A.S.S.”

Pull

the safety pin at the top of the extinguisher.

Aim

the nozzle or hose at the base of the flames with the extinguisher upright. Stay approximately 8 feet away from the flames.

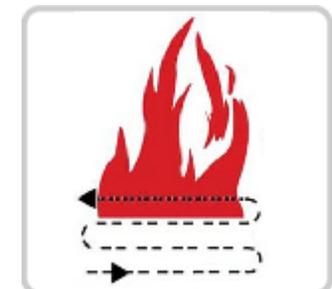
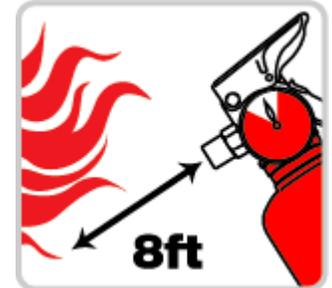
Squeeze

or press the handle.

Sweep

from side to side at the base of the fire until it goes out.

By following these procedures, a fire can be extinguished in the quickest and safest manner possible.





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Insuring the industry that moves America