

Health and Safety

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RESOURCE



*Oregon*OSHA
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Photo: George Graham

Fall protection continues to be a top Oregon OSHA violation.

On the cover: The scaffolding at this site was missing guardrails, putting the worker at risk of a fall. Photo: George Graham

RESOURCE

Oregon Health and Safety Resource

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Collecting the penalties we cite

By Michael Wood



In various discussions, particularly those with federal OSHA, I spend a lot of time defending Oregon OSHA's relatively modest approach to most workplace health and safety penalties. Year in and year out, the average penalty for a first-time serious violation in Oregon is lower than it is anywhere else in the country.

There are good reasons for that. It reflects our higher enforcement presence, as well as our understanding that modest penalties are sufficient "reminders" of the importance of workplace health and safety in most contexts. And we do have the tools to address repeat and willful violations when they occur – as well as a penalty approach that focuses on those violations most likely to cause death in the workplace.

But our penalty approach is difficult to defend if the penalties are not paid and the employers who owe them continue to conduct business with little regard to the safety and health issues we have raised. Unfortunately, for some – too many – that appears to be exactly the approach that they take. This is a particular issue for small employers in those industries that do not require a significant "brick and mortar" presence – several prime examples can be found in residential construction. In many cases, the biggest asset those

employers may have is their name. And they can maintain that asset through various identities, with a small change of spelling or even punctuation.

Several years ago, the legislative assembly gave us the ability to pursue "successor" employers in such situations, as well as to cite repeat violations based on the history of their predecessors. And we have done that in those cases where we have been able to demonstrate the continuity of ownership and other criteria provided for in the rules. But even when we pursue successors, we can face challenges collecting past penalties. And that's not fair to the responsible businesses that pay the penalties they owe – or that simply follow the rules in the first place.

One tool that we have not used the way we should is the ability to make referrals to the Construction Contractors Board (CCB). The CCB will consider nonpayment of money owed to Oregon OSHA (among others) as a basis for withdrawing or withholding a contractor's license. And that should get the attention of those who are continuing to do business without paying their debts. We also have the authority to make referrals based on the most egregious situations – multiple repeat or willful violations.

These are tools that we have not been using, but that is changing. We will begin routinely referring those construction employers who are not paying their penalties to the CCB for appropriate action. And we will evaluate those who receive multiple repeat or willful violations to determine whether we should ask for a license suspension or withdrawal in those cases as well.

Oregon OSHA's purpose is the reduction of those hazards that can cause injury, illness or death. And one of the approaches we use is enforcement – we need to do everything we can to make sure that enforcement remains a credible and meaningful tool.

A handwritten signature in black ink, which appears to be "M. Wood". The signature is written in a cursive, flowing style.

Oregon OSHA's top 10 violations of 2013

Safety committees, fall hazards among top issues

By Melanie Mesaros

Safety committee and safety meeting violations topped the list of the most cited Oregon OSHA standards in 2013, followed by hazard communication and fall protection violations.

"There are aspects of the list that are disappointing," said Oregon OSHA Administrator Michael Wood. "We've had a safety committee rule for more than two decades. We provide resources and training and yet, it's still the No. 1 issue we cite."

Fall protection violations continue to be the top citation for the construction industry, with 431 violations in 2013 that ranged from use of

Continued on page 5

Oregon OSHA's top 10 violations of 2013

- 1. Safety committees and safety meetings**
 - 2. Hazard communication**
 - 3. Fall protection (including ladder violations) (C)**
 - 4. Electrical: wiring**
 - 5. Fire extinguishers**
 - 6. Machine guarding**
 - 7. Powered industrial trucks**
 - 8. Lockout/tagout**
 - 9. Eyewash station**
 - 10. Respiratory protection**
- (C) = Construction standard

In this photo: The worker was exposed to a fall when he hopped on this lift and rode it down.

Photo: Joe Hawkins

Oregon OSHA's top 10 violations of 2013 *continued*

ladders to failure to protect against injury near holes, wall openings, and rooftops. The first-time penalty for a fall violation averaged more than \$1,000 (even with a majority of small employers) because of the potential for serious injury or death. Fall violations also account for the most frequent source of repeat violations on the list.

"There has been some real success when it comes to fall protection, but there hasn't been enough," said Wood. "We need to change the culture that accepts rule violations and occasional penalties. Unfortunately, that culture still exists on some job sites."

Overall, Wood said the list represents a range of issues – some fundamental and some that involve an enforcement of expectations on the part of employers.

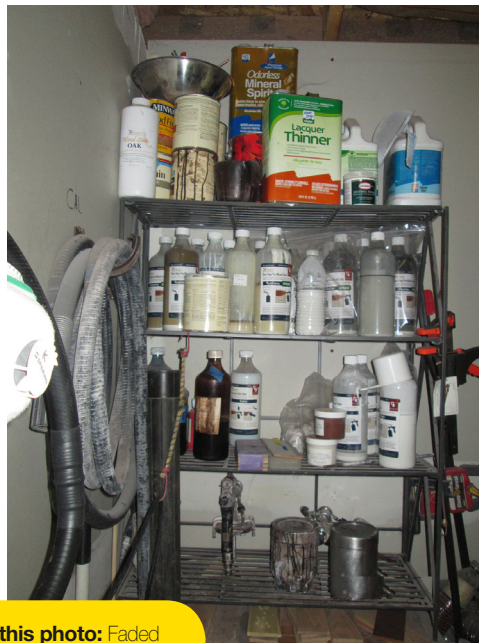
"These aren't paperwork violations or trivial. They are protective measures that keep people from dying on the job," he said.

Continued on page 6



In this photo: A worker in Baker City pulls dough off an unguarded machine. Since the machine is automated, once a hand is caught, there is no way to reach the emergency stop.

Photo: Leilani Monson



In this photo: Faded and missing labels are a violation of the hazard communication standard.

Photo: George Graham



In this photo: Workers on this site in West Linn were exposed to a fall through the skylight.

Photo: Tim Marcum



In this photo: A worker in The Dalles drank from this container thinking it was water. It actually contained epoxy and he had to be hospitalized for four days.

Photo: Leilani Monson

Oregon OSHA's top 10 violations of 2013 continued



In this photo: The workers on this site in Bend were exposed to silica dust because they weren't wearing respirators.

Photo: Leilani Monson

Also notable is the fact that the safety committee standard and hazard communication rule, which requires employers to properly label, store, and assess chemical hazards, are designed to help employees better protect themselves.

"They are important rules, even though in most cases we don't cite them with a penalty," said Wood.

Wood said the list highlights the need for a multi-faceted approach to safety and health in the workplace. He said Oregon OSHA will continue to cite violations that put workers at the most risk.

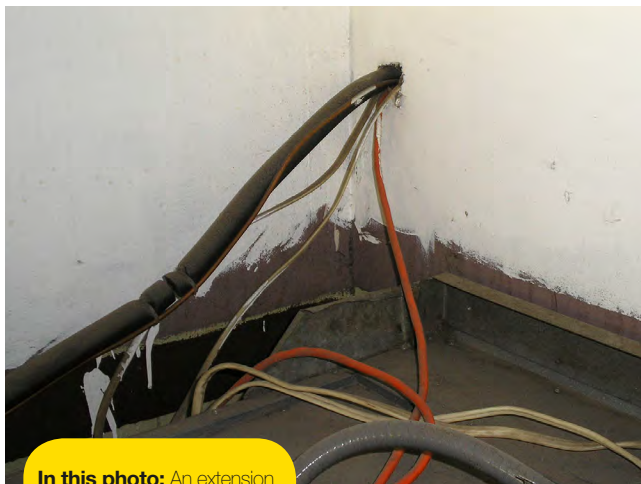
"We are going to focus on the things that can not only injure, but kill people," he said. ■

Federal OSHA's top 10 violations of 2013

1. Fall protection (C)
2. Hazard communication
3. Scaffolding (C)
4. Respiratory protection
5. Electrical: wiring
6. Powered industrial trucks
7. Ladders (C)
8. Lockout/tagout
9. Electrical: systems design
10. Machine guarding

C = Construction standard

* **Note:** Federal OSHA does not have a standard that covers safety committee requirements.



In this photo: An extension cord was used as permanent wiring through the wall at this Southern Oregon business.

Photo: George Graham



In this photo: This eyewash station is blocked by the funnel system created to catch water from a leaking shower.

Photo: Brian Hauck



In this photo: A fire extinguisher was stored in a cabinet at this Eugene-area business. The location of the extinguisher was not marked.

Photo: Raef Parmelee

How a top 10 violations list can *improve* your safety program

By Ellis Brasch





What makes numbered lists so appealing is that they seemingly express everything you need to know about a topic in neat, ordered, numerical headlines. Lists can be short and compact or they can expand to limits set only by your desire to stop counting. For example:

- **Top 3 causes of death**
- **Top 25 country songs**
- **Top 1,000 baby names**
- **Top 1 million Twitter users**

A numbered list can even improve your workplace safety program. Here's how.

Consider Oregon OSHA's "top 10 violations" for 2013. Most businesses in Oregon are required to have safety committees or safety meetings. And many – if not most – businesses are affected by the requirements in Oregon OSHA's hazard communication standard. Yet these rules rank No. 1 and No. 2 on the top 10 violations list, which suggests that employers' safety programs are missing some of the required elements. What are those missing elements? Let's take a look.

Safety committees and safety meetings

-  Does your workplace have a safety committee or hold safety meetings? No? Are you sure that your workplace doesn't need one? You might want to check the requirements in [437-001-0765\(1\)](#).
-  Have the members of your safety committee been trained in the principles of accident investigation and hazard identification? No? Check the requirements for safety committee members in [437-001-0765\(4\)](#).
-  Is your workplace holding safety meetings at the proper intervals? You can have quarterly meetings if your employees do mostly office work. Monthly meetings are required for most other businesses. How often should your employees meet? Check the requirements in [437-001-0765\(11\)](#).
-  Is someone taking minutes at your safety meetings? If your employees do construction, utility work, or manufacturing, you must keep minutes of all your safety meetings for three years. Find out if the requirements apply to your workplace in [437-1-765\(13\)](#).

Hazard communication



Does your workplace need a written hazard communication program? If your employees use or may be exposed to hazardous chemicals, you probably need to prepare one. You'll find the requirements in [1910.1200\(e\)](#).

If you have a written hazard communication program, make sure that you don't come short on the following key requirements. They're among the most frequently cited violations in the hazard communication standard.



Labels and other forms of warning. Every container of hazardous chemicals at your workplace must have a label that identifies the chemical and includes information about its hazards. You need to describe in your written program how you will ensure that all the containers are properly labeled. You'll find the requirements in [1910.1200\(f\)](#).



Safety data sheets. Your workplace must have a safety data sheet for each chemical on your list of hazardous chemicals. Keep safety data sheets where they are readily available for all employees and make sure they know how to find them in an emergency. You'll find the requirements in [1910.1200\(g\)](#).



Employee information and training. In your plan, describe the training employees will receive so that they know how to protect themselves from chemical hazards and understand the information on product labels and safety data sheets. You'll find the requirements in [1910.1200\(h\)](#).

What are the top 25 violations in your industry?

- ▶ You can get current lists of Oregon OSHA's 25 most-violated rules in your own industry with the Oregon OSHA top violations report. The report lets you to search for the most-violated rules by calendar year and by NAICS codes or by industry groups such as construction and manufacturing.
- ▶ You'll find the report on the DCBS Information Management Division's Workplace Safety and Health page under "Oregon OSHA Activities." Click on [Oregon OSHA top 25 violations report](#).
- ▶ Do an audit to ensure that your business is complying with the frequently violated rules in your industry. It's easy do and will help strengthen your safety program in 2014.

Accident Report

Incident | Auto accident

Business | Equipment rental company

Employee | Rental service employee



An employee for an equipment rental dealer was helping a customer hitch a rental trailer to the customer's pickup truck. The employee was standing behind the truck using hand signals to help the customer back up the truck to the trailer hitch.

Because the employee was standing directly behind the truck, the customer turned his head to look out the cab's rear window as he backed up the truck. As he was backing up, his foot slipped off the brake and unintentionally hit the accelerator. The truck accelerated quickly in reverse and struck the employee.

Continued on page 10

The store manager heard the customer calling for help and called 911. An ambulance took the employee, who had serious injuries, to the hospital.

Findings

- The employer had not instructed employees on safe procedures to follow when backing up vehicles to trailers.
- The employee stood directly behind the truck, between the truck and trailer, instead of to the side of the truck.
- The employer, who had seven employees at the site, did not hold monthly safety meetings.

Applicable standards

437-001-0760(1)(a): Employees must be properly instructed in the safe operation of any machinery, tools, equipment, process, or practice that they are authorized to use or apply.

437-001-0765(2)(a): The employer must develop and implement a safety committee or safety meetings.



Roseburg Forest Products' Engineered Wood Products facility in Riddle was recognized as a Merit site during a ceremony on Dec. 13, 2013.



Oregon OSHA warns of scams around posters, consultation



Some businesses in Oregon have been contacted recently by someone claiming to be representing Oregon OSHA, offering help with compliance, selling "kits" and posters for a fee.

"While we do have a requirement for all workplaces to display the 'Safety and Health' poster, they are always free and available on the Oregon OSHA website or by calling us," said Melanie Mesaros, Oregon OSHA public information officer.

Oregon OSHA also offers free and confidential consultations at the request of an employer. The consultant will schedule a time to visit and assess company hazards but never charge for the service.

"If they threaten that OSHA will do an inspection, they aren't legitimate," Mesaros said. "Businesses by law are never given prior notice for routine inspections."

There have also been reports of someone calling employers and informing them they had signed up for an "OSHA" type service and they have not paid for it.

If you feel you were the target of an OSHA scam, you can file a complaint with the Oregon Attorney General's Office at <http://www.doj.state.or.us/finfraud/engexplanation.shtml> or call the consumer hotline at 1-877-877-9392 (toll-free).



Employers encouraged to share prevention message as flu activity increases

Oregon OSHA is reminding employers to focus on prevention efforts as reports of flu cases continue to rise statewide.

Effective hand washing (at least 30 seconds) and getting vaccinated with the flu shot are some of the best ways to stop the virus from spreading, said Penny Wolf-McCormick, Oregon OSHA's health enforcement manager in Portland. She stresses the importance of encouraging sick employees to stay home.

"If someone is sick and contagious, it's not going to help your work product if germs are spread to others in the workplace," Wolf-McCormick said.

Employers can also be proactive by putting up posters or flyers that reinforce ways to manage flu prevention. For more information or to download flu season resources, go to www.flu.gov or www.flu.oregon.gov.

DHS: PUBLIC HEALTH DIVISION

Only YOU can STOP the FLU!

- Get a flu shot
- Cover your cough
- Wash your hands
- Stay home when you're sick.

flu.oregon.gov • 1-800-978-3040

DHS | Independent. Healthy. Safe.

Employers invited to celebrate Safety Break for Oregon

11TH ANNUAL



WEDNESDAY
MAY 14, 2014

Oregon OSHA is encouraging employers across Oregon to promote safety and health in their workplace during Safety Break for Oregon on Wednesday, May 14, 2014. Employers can participate by hosting a safety training, award recognition event, or hands-on demonstrations.

The one-day event is designed to raise awareness and promote the value of safety and health in preventing on-the-job injuries and illnesses. Participation is voluntary and the event is flexible so employers can determine what activities are beneficial to their workforce.

“Employers can use this day to have an impact on the future of their workers’ safety and health,” said Michael Wood, Oregon OSHA administrator. “It’s a great time to

celebrate safety achievements, have fun with training, or start a conversation about safety and health goals.”

Safety Break encourages employees and management to work together on identifying safety and health concerns. The result of this cooperation can lead to fewer injuries and reduced workers’ compensation costs for employers.

Companies planning to participate will be entered to win one of three \$100 pizza luncheons when they sign up online by Friday, May 9. The prizes will be given to participating companies as part of a random drawing. The Oregon SHARP Alliance is sponsoring the contest.

For more information, ideas on how to host an event, or to download graphics, go the Safety Break for Oregon website at <http://www.orosha.org/subjects/safetybreak.html>.

- Celebrate safety and health
- Involve employees
- Win a pizza luncheon

SIGN UP ONLINE:
www.orosha.org/subjects/safetybreak.html



Oregon
OSHA

English and Spanish GHS training tools now available

Oregon OSHA has added new training on the Globally Harmonized System (GHS) for chemical hazard communication to its online offerings.

A PESO training module, in which the text is identical in English and Spanish (English text on the left-facing page with the Spanish text on the mirroring page), is one of several new trainings in the GHS category. The bilingual training module is designed as a 30- to 60-minute program that can easily be taught on site.

“This module includes the first-of-its-kind glossary of over 300 GHS terms in English and Spanish,”



said Tomas Schwabe, Oregon OSHA's public education instructor. “We included terms such as ‘Target Organ Toxicity’ – ‘Toxicidad Especifica de Organos Diana,’ which can be tricky to translate.”

Tailgate sheets summarize key points for quick reference on the job and overhead slides accompany the module.

Oregon OSHA also has an interactive app that provides information about the new formats for labels, pictograms, and safety data sheets. It's intended primarily for employees who use smartphones and other mobile devices. Employees who may be exposed to chemicals were to be trained on the new GHS requirements (label elements and safety data sheet format) by Dec. 1, 2013. Other rule requirements will be carried out through 2016.

Download the PESO GHS, other training modules, videos, and the app at http://www.orosha.org/subjects/globally_harmonized_system.html.



Annual pulp, paper, and forest products industry safety conference held in Portland

Northwest pulp and paper industry workers and managers attended a conference Dec. 3-6, 2013, in Jantzen Beach designed to tackle the safety and health issues specific to their industries.

The keynote speaker was Georgia Pacific CEO and President Jim Hannan who presented "Making Safety a Value" on Tuesday, Dec. 3. Hannan talked about the company's ongoing safety focus and the importance of Georgia Pacific's culture and employee training.

"We've got a long way to go and nothing makes it clearer than people getting hurt in our facilities," Hannan said of the company's improvement journey.

Hannan told attendees the health and safety of employees has to become a key value and go beyond just being compliant. He offered these tips to achieving that goal:

- **Company culture:** Safety values can't just exist at a company's headquarters, but need to permeate all levels
- **Leadership commitment and employee engagement:** Support your safety programs with resources and actions
- **Risk management:** Perform safety audits and bring in fresh eyes to review processes

The conference featured four days of workshops, covering topics such as combustible dust, near-miss best practices, lockout/tagout, and machine guarding.



Pulp, Paper, & Forest Products safety conference attendees filled the ballroom at the Red Lion in Jantzen Beach.



Right: Exhibitors at the event showcased the latest safety products.

Q:
A:

Under what work circumstances is an employer required to provide gloves to employees?

The employer must do a hazard assessment of the worksite – taking into account all of the tasks that employees are required to do – and identify what personal protective equipment (including gloves) is necessary to protect the employees from the hazards. The employer must provide, at no cost to the employee, personal protective equipment identified through a hazard assessment, or required by another Oregon OSHA rule. There are some exceptions, but gloves are not one of them.

For example, if an employee needs hand protection from the effects of a corrosive chemical, the employer must provide the employee with a glove that protects against the chemical's corrosive effects at no cost to the employee. If the employee also needs voltage-rated gloves to work on electrically charged lines, the employer must provide them and pay for them as well.

An employer must also replace worn-out gloves, but does not have to pay for replacement gloves when an employee loses them or deliberately damages them.

The employer does not have to pay for gloves when they are not required for hazard protection. However, an employee who prefers to wear gloves anyway can purchase them. In some cases – if the employee is working around machines with moving parts, for example – an employee must not wear gloves under any circumstances.

For more information, see **437-002-0134 Personal Protective Equipment**.



GOING THE DISTANCE – Meet a leading Oregon health and safety professional

Company: Timber Products Company

Safety manager: Michael Hill

Workforce: 900 nationally (300 at the Medford complex)

Common Hazards: Strains and sprains, forklifts, machine hazards, slip/trips/falls, splinters, and noise

What is your background and safety philosophy?

I have been with Timber Products Company for 18 years, gaining a wealth of skills and experiences in roles such as laborer, dryer feeder, and hardwood veneer grader before moving on to a supervisory position at our Spectrum laminating facility.

At Spectrum, I was a part of the team that led our division to achieve entry into the Voluntary Protection Program (VPP) and to become injury free in 2003. An opportunity arose to take on the safety coordinator duties at Spectrum and I knew that a full-time career in safety was for me. We consequently achieved recordable injury-free years in 2006 and in 2009 and completed nine years without a lost-time injury. Because of the encouragement of safety leaders (Mark Hurliman, VPP/SHARP program manager at Oregon OSHA, and Jim McNeil, our safety director at that time), I learned

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GOING THE DISTANCE - Continued

that injury-free workplaces were not only possible, but I could help reduce the risks that lead to injuries. I began to work on a degree in occupational safety and health.

For the past three years, I have held my dream job as safety director, and I continue to work diligently promoting what I call "The Fundamentals of Safety" at our nine industrial facilities: good housekeeping, effective personal protective equipment, incident and hazard reporting, corrective action and follow-up, and high-quality training that leads to employee ownership and involvement. We conduct semiannual audits based on these fundamentals.



Describe some of the unique safety challenges you face at your facilities?

Hardwood plywood, for the most part, is still manufactured the same way it has been for about 100 years, with a lot of manual assembly and finishing. While this produces a beautifully crafted, high-quality product, it does pose obvious ergonomic challenges. Forklifts, heavy equipment, and other machine hazards are always present, and we continually work to keep operators trained in safe operation, detailed hazardous energy control procedures up to date, and guarding and other safeguards in place.

Above: Mike Hill (left) and Tony Okonek, a plant superintendent, work together regularly on ways to reduce injuries.

Bottom left: Ken Chesnut (left) and Ignacio Sanchez use an adjustable table to feed unfinished plywood into a hot press.

Continued on page 18

GOING THE DISTANCE - Continued

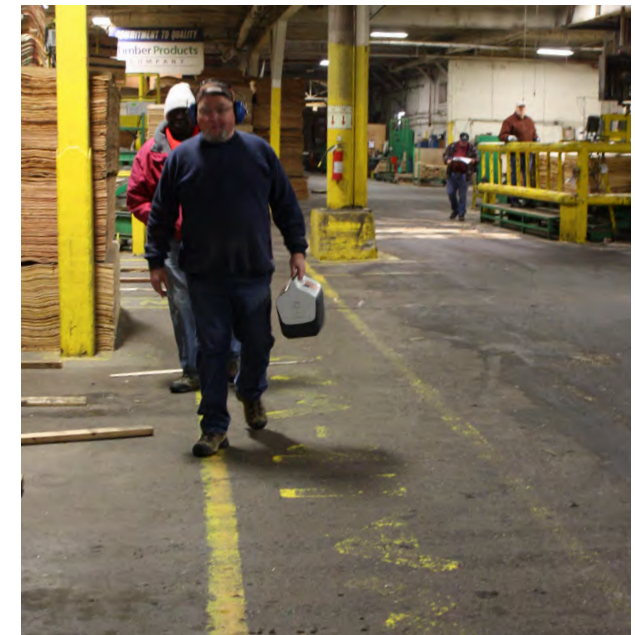
One of your plant locations is a VPP participant. What are some things you have learned after going through the rigorous safety program?

In my view, VPP is the Super Bowl of safety. Not every team believes that they can get there, and they won't. Only the teams that are fully committed to doing whatever it takes to prevent worker injury or illness will achieve a world-class safety program. It is important to have a champion of safety keeping everyone on task, but one "safety guy" cannot do it all. Ultimately, it takes everyone getting involved on some level. We like to break down the workload into micro-jobs and share the responsibility. "Many hands make work light" is a motto that works in my family and safety is no different. Some people shy away from the workload of maintaining a robust safety and health management system, but by assigning key programs such as fire safety, confined space, or forklift safety to team members, they develop an ownership, pride, and a proficiency at their role of responsibility. The whole system functions at a very high level.

Continued on page 19



Above: Waist-height tables help with ergonomics and repetitive tasks.



Left: A forklift operator moves a load in the veneer department. Middle: Rodolfo Lujano Perez patches a panel with putty. Right: New markings identify walkways in the plant and help with busy forklift traffic.

GOING THE DISTANCE - Continued

How do you keep your crews engaged in safety issues day to day?

Constant communication is one way of keeping people engaged. Between mill managers, site safety coordinators, supervisors, safety committee members, and myself, we have an army of eyes and ears and voices speaking the same language.

The other way we keep people engaged is by building trust. Once we give a member of the team a safety job to do, we let them do it. Nobody likes being micro-managed. We help them succeed and heap recognition upon them for the job well done, regardless of the fact that it may not be the way we would have done it - as long as it gets the job done and meets the intent of the rules.

Lastly, we utilize subcommittees to get the nuts and bolts done. Ergonomics, combustible dust, pedestrian safety, lockout/tagout, and forklift safety are all subcommittees that work hard during the month then report back to the central safety committee.

What advice do you have for other safety and health managers hoping to make a difference?

Safety and health managers must depend on their peers to stay abreast of current trends in safety. I could not do what I do without the knowledge, support, and guidance from my friends in safety. Whether it is the American Society of Safety Professionals, SAIF Corporation, or Oregon OSHA consultation, collaboration is a must. We have a core group of safety pros in southern Oregon that I network with for questions, rule change clarification, and best practices to improve our program.

It's also easy to run the risk of getting overwhelmed and bogged down in the details. With 3,198 pages of Oregon OSHA Division 2 Rules, there is a lot to keep track of. Take a step back and look at the systems in place. Are they functioning the way you would like them to? Is there a team member that can help manage a system for you? Sometimes it can be even small tasks. Many years ago, I had a machine operator criticize me for not keeping the safety



statistics board up to date. I thanked him and asked him if he could do it for me and that board never got missed again. Don't be afraid to share the workload. The hardest part is giving it away, but once you do, your safety culture will thrive and you will be glad you did. ■

Above: Forklift driver Michael Drake moves pallets in the warehouse.

Below Left: Efen Calderon (left) patches wood panels as part of the finishing process. **Middle:** A rotating table allows Godofredo Juarez (left) to avoid strains as he grades veneer coming out of the dryer. **Right:** Mike Hill looks on as a control barrier prevents wood dust from spreading.



April 2014

16th Biennial



CASCADE
Occupational Safety & Health Conference
April 2 & 3, 2014

Topics include:

- Emergency and Disaster Preparedness
- Revive Your Hazard Communication Program
- Safety Committee Basics
- Electrical Safety
- Ergonomics: Next Steps
- Wellness Programs
- Team Building and Leadership
- Confined Space
- Fatigue Management
- Safety Training Tips



Keynote:
Corrie Pitzer
Founder and CEO,
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June 2014



**NORTHWEST
SAFETY & HEALTH**

SUMMIT

May 13-15, 2014
Anchorage, Alaska

Join us! This summit is designed for all industries and worksites, even if they are not in the Voluntary Protection Program (VPP). All safety managers/coordinators and safety committee members will benefit from this world-class workplace safety training and networking.

Tuesday, May 13

Pre-conference workshops on continuous improvement, leadership, communication, wellness, and soft tissue injury prevention; including the VPP Application Workshop™.

– Plus, special off-site workshop on Aviation Safety.

Wednesday and Thursday, May 14 & 15

Tracks:

- Best practices in safety and health
- Emergency preparedness
- Safety leadership
- Technical
- Wellness
- VPP fundamentals
- Safety Trained Supervisor series

Keynote speaker:
Jim Wetherbee

VP, Safety & Operational Risk
BP Corporation North America, Inc.

*Former NASA astronaut
and the first American to command
five space missions*



For more information about the Northwest Safety & Health Summit and VPP, visit the Region X VPPPA website www.regionxvpppa.org