



The Safety Frontline

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See You in Toronto or San Antonio?

Two of the major professional development conferences for safety folks are occurring in the next 5 weeks. AIHA's event is in Toronto from May 29th- June 3rd and ASSE's is in San Antonio from June 27th-July 1st. Pam Ferrante will be busy at both, presenting Seminars, Round Tables and General Conference Sessions. Catch her at one of the following:

- Sunday May 30th – 8-hour Pre-Conference Seminar titled "Developing a Successful OEHS Consulting Practice"

-Monday June 1st – EHS Crossover Session from 2:00-3:00 - "Communicating Risk and Dealing with Crisis Communications"

- Tuesday June 2nd – 2-hour Round Table from 10:30-12:30 - "Ageless Wonders: Real Trends on the Aging of Our Workforce"

-Tuesday June 30th – General Conference Session from 4:30-5:30 PM – "Communicating Risk and Dealing with Crisis Communications"

**The sessions on Risk and Crisis Communication will feature an evaluation of how we handled the recent H1N1 flu outbreak through an in-depth case study format.*

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Will Summer Ever Get Started?

I think we all need a break both in the weather and the economy. Here in Pittsburgh we have four seasons so we are in the middle of spring, but it's still too cold to plant our tender young tomato plants. A few weeks ago I heard an economist say he saw some green shoots pushing up. Last week the same economist said the shoots were looking a little brown and withered. What?!?! While we don't mean to poke fun at our friends and colleagues who are suffering right now, sometimes you have to smile and maintain a sense of humor.

We're still working hard every day to help you keep safety out front so don't hesitate to let us know how we can help you. Send an email (info@icsafety.com) or call 412.414.4769.

Keeping it Safe!
Pam Ferrante, CSP, CHMM
President

We have a New Assistant Secretary of Labor...Almost

In our last issue we wrote about the recent confirmation of Hilda Soltis as the new Secretary of Labor and commented on her background and the possible direction of her tenure. Shortly after the issue was published, a new Assistant Secretary of Labor, Jordan Barab, was nominated by President Obama to head up OSHA under DOL. While no confirmation hearings have been scheduled at the time of this issue, there are no indications that his confirmation is troubled.

Those who have expressed opinions on Barab's nomination say it provides a clear indication of the Obama Administration's intention to be seen as worker-friendly. His predecessor's career (Edwin Foulke) prior to becoming Assistant Secretary of Labor involved working for big business and his policies were seen as employer-friendly. But in some of his public comments since his nomination, Barab has made it clear he intends to increase enforcement of OSHA Standards through various activities, including additional inspection of those industries with high hazards and higher than average rates of injuries.

Further evidence of the future of OSHA is revealed in a review of Barab's background in organized labor, which is similar to Secretary Solits. He has held positions with the AFL-CIO and AFSCME. (The ALF-CIO blog calls Barab an "activist". He also spent some time on the Chemical Safety and Hazard Investigation Board. Most recently he was a staff person for the House Education and Labor Committee.

Want to know more about Barab? Visit his Facebook page, his LinkedIn profile and an older blog he wrote called "Confined Space"

<http://www.facebook.com/people/Jordan-Barab/575048409>

<http://www.linkedin.com/pub/jordan-barab/8/21/81b>

<http://spewingforth.blogspot.com/>

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Our Take on the H1N1 Flu Outbreak

In recent weeks we have sent you a document listing some basic steps we believe you should have taken to deal with the H1N1 flu outbreak and the potential pandemic it presented. (You can read the document on our website; the link is on our home page – www.jcsafety.com.) We also presented a 90-minute audioconference for Bongarde Media on May 14, 2009.

While the outbreak seems to have peaked both in Mexico and the United States, a second wave is expected in the fall. While it is likely that a vaccine will be available by then, large stockpiles of it will not be, leaving us vulnerable if the virus mutates substantially and/or mimics the 1918 Spanish flu's second wave outbreak, which was the outbreak that wreaked havoc and death globally.

What does it all mean? No absolute answers here, but what we want this incident to remind you of is the importance of planning for emergencies in your organizations - all kinds of emergencies, not just fires and hazardous materials releases. Business Continuity Planning is an essential part of running any organization and we strongly encourage all of our readers to dust off their most recent plan and make sure it also addresses pandemics. And if your organization doesn't even have a Business Continuity Plan, we suggest you start with NFPA 1600 – Standard on Emergency Management and Business Continuity Planning.

(<http://www.nfpa.org/assets/files/pdf/nfpa1600.pdf>) Unlike most NFPA Standards, this document is available to download for free. It is an excellent tool to help you begin to ask the right questions and guide you to develop a Plan that is comprehensive and specific to your organization's operations.

If you would also like to consult other reference documents for emergency planning and more specifically pandemic planning, we suggest the following:

- <http://www.ready.gov/business/index.html>
A Federal Government website that provides general guidance and assistance in emergency planning. While this site does not give as much detail of the planning process as NFPA's document, it does help get you started in thinking about those areas where your organization is vulnerable and includes a section on pandemic planning.
- <http://www.pandemicflu.gov/plan/pdf/businesschecklist.pdf>
A CDC document that provides excellent emergency planning guidance in a simple checklist format. It is easy to complete and can help focus your efforts to those areas that are most important in your planning process.
- <http://www.osha.gov/Publications/OSHA3327pandemic.pdf>
The following link takes you to one of the two major OSHA emergency planning documents. Some of the material is specific to certain industries, but there are some useful ideas here.

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Frontline's Fast Facts

In these tough economic times it may be difficult to sell Workplace Wellness Programs but here's some quick facts that may help you make your case to management for the expenditures:

-87.5% of health care claims result from "lifestyle choices" – poor eating, lack of exercise or mismanagement of chronic medical conditions.

-Studies have shown that Workplace Wellness Programs provide a ROI of \$3,481:1 through reduced medical costs and \$5.82:1 through reduced rates of absenteeism.

-Some companies are realizing savings of as much as \$71.41 per employee as a result of reduced doctor and emergency room visits.

-Other large corporation have found as much as a 60% decrease in DART rates following the introduction of Wellness Programs

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OSHA Multi-Employer Citation Policy Upheld

In a court case we have been watching for some time, the 8th Circuit U.S. Court of Appeals issued a decision agreeing with the Secretary of Labor's policy on citing contractors on multi-employer worksites. This case has its roots in a 2003 citation issued by OSHA against Summit Contractors, Inc. (Summit) out of Florida. An OSHA CHSO cited a subcontractor on a Summit project site for violations of the fall protection standard while performing masonry work on a scaffold. The CHSO also cited Summit as a controlling employer. Summit sought relief from the courts saying that its obligation extended only to the protection of its own workers, not those of a subcontractor.

Although Summit won its appeal of the citation when it presented its arguments to the Occupational Safety and Health Review Commission (OSHRC) in 2004, the Secretary of Labor under former President Bush decided to pursue the case. Arguments were heard in 2008 under the previous administration.

The lone dissenting judge in the U.S Circuit Court's opinion suggested that the policy was inherently unfair to general contractors, many of whom employ large subcontractors to perform complex and technical work, the hazards of which the general contractor could not possibly be expected to completely understand and control for. The judge's ruling in support of DOL agreed in part that the burden placed on general contractors is high, but suggested that resolution for this rests with Congress and the Secretary of Labor.

Not surprisingly many organizations representing contractors are disappointed in the ruling. Summit may still appeal their specific citation and the ruling from the courts does remand the issue back to OSHRC for review of the specific Summit citation.

FRONTLINE'S FAST FREEBIES



Who says you can't get something for nothing? In every issue we will bring you two freebies. Go get 'em!

1. When we go to You Tube, we always seem to find something interesting...and free. The Fire Equipment Manufacturer's Association has posted a video showing how to properly use a portable fire extinguisher. We've all done this training over and over again – next time try showing this video for a change of pace.
<http://www.youtube.com/watch?v=BLjoWjCrDgg>
2. We've posted a links before to free reports before from Circadian. They provide excellent and in-depth papers on shift work and the problems it creates for the safety of employees. This paper examines ways in which we can help shift workers by providing lifestyle training so they work with schedule in their personal lives and not against it.
http://www.circadian.com/pages/825_shiftwork_lifestyle_training_sfdc.cfm

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