

# SAFETY / OSHA UPDATE

A Newsletter from High Safety Consulting Services, Ltd.

Information on Safety & Health in Your Workplace



## “SUMMERY”

We are coming up on the tail-end of summer and heading into fall. So this is a ‘summery’ – a review of the activities and events preceding fall.

As I started to put this update together I realized that I have more to share than I can reasonably put into a single e-mail message. I’ll provide additional updates as time permits.

## SHOULD WE HAVE NATIONAL PERSONAL SAFETY RECORDS?

Recently Engineering News Record (ENR) ran several articles on the concept of creating individual Personal Safety Records (PSRs) for employees in construction. These records could be accessed and reviewed by organizations to help in making hiring decisions. The idea on the surface sounds intriguing. In fact, DOT requires the companies do background checks on CDL drivers prior to hire to determine their “driving record”: We have a system in place to record not only accidents but also violations of these drivers, why not take a similar approach with construction employees?

I am dead-set against this concept. Many of the reasons for not implementing this type of system have been discussed in the ENR articles. I was asked to comment on this recently and my response follows....

The system required to administer and track employee injury statistics would need to be established. This would require a huge effort to effectively collect, record and report the individual work histories of 1 million workers. I am not in favor of expending more tax payer money to support this type of system for several reasons....

1) This initiative would result in significant under-reporting of incidents in construction. If workers know that their ability to work hinges on their personal injury record, it is reasonable to expect that significant under-reporting will occur. This is similar to significant under-reporting in those organizations who utilize significant incentive programs based on injury avoidance only. The lack of reporting will result in our national system of injury reporting through the BLS to be severely compromised. Future epidemiological analyses of data will be flawed as a result, leading to inaccurate decisions in the realm of injury prevention in the realm of public health policy.

2) An injury event on an isolated basis is a random outcome selection of a defined risk. That is to say, that because an individual takes a risk at work, it does not necessarily mean they become injured as a result of that risk or that their injury is significant enough to be counted. Accidents are a rather poor surrogate measure of risk. Consider the employee who sets out an extension cord and then trips on a cord and falls. He has a serious lost-time injury...and now a poor work record. Another employee does the exact same task and trips on the cord and gets back up with little impact. Both were equally "unsafe"....One will find job securement more difficult.

What employers really want to know is: "Does this employee avoid risk-taking", not "Has this employee ever experienced an accident". Safe employees may have accidents and unsafe employees may never have one. The problem here is one of basic statistics, often referred to as the law of large numbers. Because accidents are infrequent events (generally), measuring accidents at an individual level is inherently inaccurate. I worked with a construction company that wanted to give a reward to each employee that worked for a year without an accident. Fine -- Good, but the incident rate for this particular industry was around 6.0. This means that if the employee (individually) works for 16.7 years with 1 incident, this would be the industry average...In other words, it takes a lot of hours (and exposure) to have a measurable exposure base that is reliable. When small exposure bases are used, we have a statistic that is highly variable and unreliable as a measurement. I suggest that companies don't consider accident rates as a performance measure for groups less than 100 employees unless multiple years are considered to amass a large enough exposure base to create a reliable statistic. Driving this measure to an individual level is simply bad science.

Today I was driving home from work. I was stopped at a stop sign...at the stop line. Another vehicle turned and was headed directly for me -- head-on. I sounded my horn. I had nowhere to go. Luckily this young driver swerved out of the way and avoided destroying my car and perhaps me. Had I been struck, I would now also perhaps be unemployable. I had little control over the environment in which I was at the time. I would have been a victim. It is these types of scenarios that make tracking accident more problematic. In many incidents there is contributory negligence by the employee. The degree of

contribution can vary greatly...."from the other guy did it"...."to I made the decision to take a risk".....The accountability aspect in these incidents is important...and this line is not black and white -- it is definitely gray....establishing a system of metrics that is binary (accident / no accident) is not adequate to fully define the allocation of contribution....and doing so would be near impossible....not doing so would be inaccurate and unfair to workers.

3) There is another basic flaw in using individual metrics around accident counts....is just that they are counts ONLY. This is a statistical flaw of "a missing denominator". That is, counts are generally meaningless unless they have some reference. In the proposed system, I have not heard anyone discuss the denominator....or in this case, the exposure base. When accidents are measured in companies we use a base of 100 employees working full-time and the work hours are used to adjust to the base measurement (N/H x 200,000). In this system there is a presumption that the exposure base is the same for all workers, which is likely not true. For me to have an equal "opportunity" for an accident, I need to have an equal exposure period....Consider the school teacher who works three months in the summer in general construction. Over five years of this activity he has one accident. Another construction worker is working all five years with heavy overtime hours and in the same period experiences an accident.

Without an exposure base, these two workers would rank identical with equal safety records (1 event in 5 yrs)....This is not an accurate system of measure as the second employee had much more opportunity for injury and more risk exposure. These same considerations would need to be made between industries (landscaping vs. steel erection) where risk is different.

4) My last concern about this proposal is that it is the EMPLOYER who is responsible to assure a safe job site. While employees have a very definite role to play....We can see companies that have few accidents and those that have many....it is less about the individuals they employ than it is about how they manage the individuals they employ.....This approach is missing the other half (THE BIGGER HALF!) -- of the equation for a safe workplace!

### **STAFF MEMBER IS IN THE MINORITY**

Lisa Bolin passed her examination and is now a Certified Industrial Hygienist (CIH). This is one of the most difficult exams in the realm of occupational safety and health. To sit for the exam, one must hold a BS in Chemistry, Biology, Safety, Physics, or Engineering. Other degrees must show significant credit-hours in the sciences. Applicants must show at least 180 hours of course work specifically in industrial hygiene. In 2010, new applicants will need 2 hrs of coursework in ethics. Four years of work experience in Industrial Hygiene and the successful completion of the full-day exam (which had a pass rate of just 36.7% in 2008) is required. Those passing this exam are in the minority! Lisa

holds BS degrees in Biology and Safety. She is also a Certified Indoor Air Quality Professional. When she's not busy preventing pulmonary disease, she is treating it as a respiratory therapist working at a local hospital on weekends!

### **TRAINING OPPORTUNITIES ABOUND!**

We have a lot of courses brewing and some new information to share with you regarding training opportunities.

We have provided links to the brochures for our cornerstone classes ([OSHA 30-hour Construction Course](#) and [OSHA 30-hour General Industry Course](#)). These programs provide the basis of an education in OSHA. The OSHA 30 Hour classes provide a comprehensive education in OSHA. In the current turmoil of layoffs and job re-definition we are seeing many individuals being assigned the "safety hat". These programs are IDEAL for this situation. These programs are also great for anyone who would like to brush up on existing requirements as well as get updated on what's new with OSHA. We look forward to seeing you in class! You may register on-line at: [www.highsafety.com](http://www.highsafety.com) or by calling 1-877-285-1129 or by mail or fax using the registration form on the brochure.

### **E-TRAINING OPTION AVAILABLE**

I am a strong believer that classroom, hands-on training is the very best method for individuals to learn new materials. That said, I have taken advantage of a wide array of computer-based training programs recently. Some have been well run and worthwhile, while others were disappointing. We have recently launched a new website [www.oshacoursesonline.com](http://www.oshacoursesonline.com) which will serve a portal to e-training options. We have partnered with the American Safety Council to offer these programs. I've found them to be better than some of the other options in the market. At this site you will be able to complete the OSHA 30-hour programs as well as the OSHA 10-hour Courses. We are also offering the 511 and the 510 programs on-line – the prerequisites to the instructor courses. Again, I would strongly encourage everyone to take advantage of in-person training whenever possible, but when this is not an option, e-training can fill the void. If you are the type of individual who likes to pick up a textbook and study on your own, e-training will probably work for you. (I am currently working my way through a chemistry text).

### **CORRUPTION IN NEW YORK**

Shortly after New York City made it mandatory for construction workers to hold OSHA 30-hour Course cards, the class completion cards became available on the black market. Stories of trainers providing 30-hour OSHA cards following a

2-hour session, while sitting at a bar generated concerns. OSHA is now investigating these instructors for criminal sanctions. This also resulted in the OSHA Training Institute establishing new guidelines for instructors. The requirement to become an instructor included five years of experience, the completion of 30 hours of OSHA training and the completion of an instructor course (500 or 501).

OSHA holds the outreach centers accountable for generating numbers of trained students. The higher the number of students and classes, the better ranked the contracted outreach center becomes. This drove some groups to bend the rules, admitting students into the instructor classes who really didn't meet the qualifications. I am currently affiliated with the Mid-Atlantic Outreach Training center and this has not been an issue with this group.

In order to clamp-down on the OSHA course instructors, OSHA now requires that anyone attending an instructor class to have completed either OSHA 510 or OSHA 511. These courses can ONLY be offered by an OSHA training institute outreach center.

### **OSHA TRAINING INSTITUTE COURSES AVAILABLE**

We will be assisting the Mid-Atlantic Outreach Center in providing an OSHA 501 (General Industry Trainer Course), from October 12 to October 15 in Allentown. You must have the 511 course completed and five years of safety experience to sign-up for this program.

We will also be running an OSHA 510 (Construction Course) from November 3 to November 6 in Lancaster, PA. If you want to be able to teach the OSHA construction course, this class is now the prerequisite for the trainer course (OSHA 500).

If you need to update your construction instructor authorization, you can do that November 16th to 18<sup>th</sup> at the OSHA 502 course here in Lancaster, PA. For a complete list of trainer and update classes see:

<http://www.oshamidatlantic.org/Courses/Dates/Default.aspx>

**NOTE: All of our prior newsletters are archived on our website under the "Contact Us" Tab**