



ASSE NEWS



American Society of Safety Engineers – Colorado Chapter – January, 2005

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NEXT MEETING:

DATE: **TUESDAY – January 10, 2005**

PLACE: **Garcia's Mexican Restaurant**
5050 S. Syracuse St., Denver, CO 80237

TIME: 11:00 Registration
11:30 a.m. Lunch
12:00 - 1:00 Program

DIRECTIONS:
I-25 to Belleview Rd. Exit
East on Belleview Rd. to Syracuse
North on Syracuse to Garcia's.

COST: **\$15.00** with reservation by **5:00 P.M. Friday, January 6th. \$20.00** at the door without a reservation.
For Reservations call: 303-615-7588
Or Email: SemonisckMF@TREXPROJECT.com

PROGRAM: The Art of Selling Safety
PRESENTER: Doug Perryman, P.E., CSP

In this presentation, Doug Perryman of DP Safety presents an entertaining discussion about the how's and why's of selling safety programs. He explores the topic by discussing:

- How to keep the audience interested.
- How to keep the target engaged and involved.
- Why there is resistance to safety.
- How to overcome culture issues.
- Why some people can not sell safety and how they can overcome it.
- Why selling safety is a must for every safety professional.

Doug is a currently a safety consultant with Suncor Energy USA working on a multimillion dollar upgrade of the Commerce City Refinery. He has over 30 years of experience in the manufacturing, construction, product/services, oil/gas, forensic engineering and transportation industries. He specializes in program development and training for safety awareness/accident prevention and case management. He is the author and trainer of "How to Reduce Your OSHA Incidence Rates from 10-30 to 50%".

Be sure to join us for this presentation and come away with a motivational message that you can use to help you discuss safety issues in your organization.

NOCO NEWS:

The Northern Colorado chapter will be holding a quarterly meeting on February 8, 2006 at the Johnson's Corner Truck Stop. The topic of the meeting will be Control of Methamphetamine Laboratories, which will be presented by Sgt. David Burns of the Larimer County Sheriff's Department. He will be discussing the history of meth labs in Colorado and Larimer County, reviewing the latest statistics, and evaluating the impact on our citizens. Please contact Brian Moore at mooreb@ci.loveland.co.us or Bonnie King at bonnie.king@ars.usda.gov for more information about the NOCO Section.

ASSE NEWS:

FUTURE SAFETY LEADERS CONFERENCE

In November, ASSE held the 2005 National Future Safety Leaders Conference in Cleveland. More than 100 students from across the country were invited to attend the conference, which was sponsored by the ASSE Foundation with support from Liberty Mutual Group. The conference offered classes, breakout sessions and keynote speakers that focused on learning essential leadership and career development skills. "You hold the key to your future," ASSE President Jack H. Dobson Jr., CSP, told the students. "SH&E professionals are needed now more than ever."

PROFESSIONAL DEVELOPMENT OPPORTUNITIES:

SeminarFest 2006

Jan. 22-28, 2006 — Las Vegas, Nevada

SeminarFest 2006 is rapidly approaching. Attend one or several seminars—each is individually priced, and discounts increase the more seminars you attend. Register online today to make sure you won't miss out.

SAFETY 2006

Early Online Registration for SAFETY 2006 is Open!

SAFETY 2006, June 11-14 in Seattle, WA.

Register early and save.



June 11-14, 2006 — Seattle, Washington

Early registration for ASSE's annual Professional Development Conference opens December 15th, 2005. For more information, the special "SAFETY 2006" website link is: <http://www.safety2006.org>

REGULATORY NEWS:

OSHA TOP 12 LISTS FOR 2005

The Occupational Safety and Health Administration (OSHA) issued more than 105,000 citations in fiscal year 2005 (Oct. 1, 2004 – Sept. 30, 2005). In the General Industry category, violations of the Hazard Communication (1910.1200) standard topped the list. In the Construction category, violations of the Scaffolding (1926.451) standard were highest. Here are the twelve most cited OSHA violations in the general industry and construction categories for fiscal year 2005.

OSHA Violations in General Industry		
Standard	Subject	Violations
1910.1200(e)(1)	Written hazard communication program	2,413
1910.212(a)(1)	Machine guarding to be provided (types)	1,683
1910.1200(h)(1)	Training on new chemical hazards	1,154
1910.212(a)(3)(ii)	Machine guarding – point of operation	847
191.151(c)	First aid – corrosives – eye wash facilities	804
1910.215(b)(9)	Abrasive wheel exposure adjustment	761
1910.147(c)(i)	Compulsory lockout-tagout program	744
1910.23(c)(1)	Protect open-sided floors, runways, etc.	727
1910.147(c)(4)(1)	Documenting energy control procedure	716
1910.1200(g)(1)	Material safety data sheets available	705
1910.305(b)(1)	Conductors must be protected	702
1910.134(c)(1)	Written respiratory protection program	675

OSHA Violations in Construction		
Standard	Subject	Violations
1926.501(b)(1)	Fall protection at 6 feet above level	2,020
1926.501(b)(13)	Fall protection for residential construction	1,834
1926.100(a)	Head protection – helmets	1,595
1926.451(g)(1)	Protection – scaffolds over 10 feet	1,408
1926.453(b)(2)(v)	Aerial lifts: body belt and lanyard required	1,274
1926.503(a)(1)	Training for all exposed to fall hazards	1,199
1926.652(a)(1)	Cave-in protection for employees	1,144
1926.451(e)(1)	Access: scaffold platform over 2 feet up/down	1,133
1926.1053(b)(1)	Portable ladders accessing upper landing	1,122
1926.451(b)(1)	Scaffold platforms: planking / decking	1,013
1926.21(b)(2)	Safety training: employer responsibility	994
1926.454(a)	Training of scaffold workers	830

WILL ENZI'S OSHA REFORM BILLS SEE THE LIGHT OF DAY

Sen. Mike Enzi, R-Wyo., has been promising OSHA reform since the late 1990s. On Nov. 18, he introduced three bills that would make a number of changes to the Occupational Safety and Health Act of 1970, from expanding the review commission to fining workers who violate PPE standards.

The question is: Does Enzi's latest opus have a better chance of survival than his previous legislation?

The new legislation – which incorporates some remnants from his SAFE acts as well as from a Rep. Charlie Norwood-sponsored OSHA reform bill that passed in this House earlier this year – has been met with mixed reactions from stakeholders, mostly along business and labor lines.

The U.S. Chamber of Commerce quickly expressed its support for the measures, while AFL-CIO Director of Safety and Health Peg Seminario pledged that the union "will be vigorously opposing" the legislation.

Attorney Lynn Bergeson of Washington-based Bergeson & Campbell PC took a more neutral stance toward the legislation's proposals. However, when Bergeson looks at the political climate, she believes Enzi's bills could be viewed as too business-friendly, "rightly or wrongly," and, as such, might not inspire a "groundswell of support."

"Are these sleepers that are making their way through or is there something else that has caused these legislative proposals to not enjoy a lot of visibility?" Bergeson said. "The answer is OSHA reform is not a high priority in this Congress and is not expected to be next year."

From a political perspective, Bergeson said the bills have several things going against them, such as their provisions that would strengthen the hand of businesses in dealing with OSHA. For example, the bills contain a proposal to allow small businesses to recover attorney fees if they successfully challenge an OSHA claim – a provision that was included in Norwood's bill.

"In many respects, these bills – some could argue – could weaken OSHA enforcement," Bergeson said, "and as a result that's probably not an issue that would bode well in an election year, particularly in those jurisdictions where unions are prominent."

Bergeson lauded elements of the legislation that encourage and expand OSHA's voluntary compliance and technical assistance initiatives such as the agency's successful Voluntary Protection Program, and noted that such measures could garner widespread support.

But other "bells and whistles" in the legislation – such as the proposal to allow employers to fine workers up to \$50 for PPE violations – could face fierce resistance, she added. That kind of intense debate might not be welcome in the Senate right now.

"The Senate is very polarized on a number of issues, not the least of which has to do with provisions relating to worker health and safety," she said. "The closer we get to mid-term elections, the less likely it is that these issues are going to be openly debated."

Splitting Package into Three Bills Was Wise

Frank White, vice president of New York-based consulting firm ORC Worldwide, believes "there are some very good proposals and some proposals that are going to be more controversial."

White asserted that expanding the Occupational Safety and Health Review Commission from three to five members is a "no-brainer" and could garner widespread support.

However, that same bill – S. 2066, titled the Occupational Safety Fairness Act – also contains the most controversial proposals, White added, such as fining workers for PPE violations and allowing employers variances from adhering to OSHA standards if they have alternative methods that are demonstrated to keep workers safe.

White also noted that S. 2066 excludes a proposal in the most recent SAFE Act that would have made it a felony punishable by up to 18 months in prison if a worker dies as a result of a willful violation of OSHA standards. While many stakeholders believe the existing criminal provisions in the OSH Act are "inadequate," White said, "from a political perspective it's probably smart to avoid that."

"Sen. Enzi realizes, from a political perspective, that it's going to be harder to take that on," White said.

White said it was just as wise to break the legislation into three bills, as the chances of the entire package passing "are pretty slim" right now. Individually, one or more of the bills might enjoy better prospects.

Overall, White praised Enzi for introducing "an ambitious and diverse set of proposals" and for "getting these issues out on the table."

"I think it's good to review the law from time to time and look at whether some changes might be appropriate," White said. "Sen. Enzi has really given us a broad set of provisions to look at. What it does is forms a good platform for discussion about the [OSH] Act and some of its key provisions."

- Josh Cable

ITEMS OF INTEREST:

SPIRALING OUT OF CONTROL: 5 WAYS TO REDUCE WORKERS COMPENSATION CLAIMS

by Rob Wilson

One of the biggest expenses affecting small businesses is workers' compensation insurance, which covers expenses associated with injuries to employees while on the job. In fact, 33 percent of small business owners identified workers' compensation as a critical problem in 2004, according to the National Federation of Independent Businesses (NFIB).

Workers' compensation includes medical bills, as well as payment for lost time and for any permanency of injuries. Coverage is required by all states and rates vary.

In 2004, rates ranged from 5 percent to 40 percent of payroll, depending on the state where coverage is provided. Average premiums continue to rise in most states – just behind labor costs and health insurance – while coverage availability decreases. In most cases, the rate is charged against all payroll, including double time. This is a fast-growing expense across industries, and one that cannot be ignored.

So what can a company do to protect itself? Keep your claims to a minimum and be diligent about your policy's coverage.

Make Safety a Priority

If you have not done so already, develop a written safety control program. Better workplace safety leads to fewer claims, and fewer claims directly affect your workers' compensation rate.

A disciplinary program also should be incorporated into the safety program, one that holds employees accountable for breaking the rules or rewards them for correctly following safety procedures.

A critical component to success is that the program needs to be endorsed by top management to ensure proper execution. Managers and lead workers should be assigned various responsibilities for safety enforcement in each work area.

Holding regularly scheduled safety meetings and/or discussions about specific issues related to the work environment will convey the importance of safety at the company and the expectations to comply.

Take Action When a Claim Occurs

When an employee experiences an injury on the job, complete an accident report with as much detail as possible. Take photographs of the scene and talk to any potential witnesses about what happened. The first report of injury should be sent within 24 hours to the insurance company to ensure prompt handling and to help fight fraudulent claims.

A drug test should be required of the employee. While a positive drug test will not allow you to deny a claim in most states, it will certainly help. (You also might consider conducting random drug testing for all employees. Be upfront about telling all potential employees that submitting to random drug tests is a requirement for employment, which should decrease any potentially drug-related claims.)

Be Aware of Possible Fraud

If you suspect fraud, immediately inform the insurance company. Review your policy for accuracy of the claim. Realize that sometimes it pays to investigate what you suspect is a fraudulent claim.

For example, a worker who filed a claim for a bad back was later photographed digging out a tree stump. It's unlikely the employer could have won the suit without the photographic evidence.

Take Action Behind the Scenes

It's a good idea to review your current workers' compensation policy for accuracy and ensure the claimant is not a repeat offender. Is the payroll correct? Are the class codes correct?

Second, check your experience modification factors (or "experience mods"). Every business that spends more than \$5,000 on workers' compensation has an experience mod. Each company starts at 1.00 and it goes up or down depending on its claim experience. The lower your claims, the lower your experience mod. Your rate is typically multiplied by your experience mod to arrive at the final rate. For example, if your rate is \$10 and your experience mod is .8; your rate becomes \$8. Make sure your experience mod is correct. Are the claims listed actually yours? The "mistake" ratio in the insurance industry is higher than 27 percent, so review everything carefully. Errors that go unnoticed can cost you big money.

Third, explore a deductible. Most deductibles vary from \$1,000 to \$500,000 per claim and are charged from the first dollar incurred. Premium is typically reduced by 4 percent for a \$1,000 deductible per claim.

Consider a PEO

With all this to worry about, it is not difficult to understand that there is a growing trend in small businesses to outsource these functions to a professional employer organization (PEO). Advantages for the business owner include reduced premiums, safety and loss control expertise, nationwide coverage and professional payroll processing and tax filing.

By outsourcing to a PEO, a company becomes part of a much larger purchasing entity and thereby receives the benefits of its buying power. PEOs handle payroll processing and payroll tax filings, and are experts on the latest updates and changes in this arena. Additionally, they provide human resources services.

Since the majority of small businesses do not have a full-time human resources professional in staff, they often need advice on issues ranging from loss control and safety, to hiring and firing, employment practices, performance appraisals and wage issues. A good PEO will be able to provide you coverage and assistance in any state where you do business. This way, you can concentrate on what you do best: running your business.

FYI: CARBON MONOXIDE REMINDER

With the heating season underway, the risks of carbon monoxide (CO) poisoning increase. Because CO is odorless, colorless and invisible it is often referred to as the "silent killer." It is a by-product of incompletely burned fuels: gasoline, wood, coal, natural gas, propane and oil.

The symptoms of CO poisoning are similar to those of food poisoning or the flu: severe headaches, dizziness, mental confusion and nausea or faintness. Tragically, every winter seems to produce stories of people who went to bed and never woke up, poisoned by CO, but the risk of CO poisoning can be reduced and controlled. Start by following these safety tips:

- Install CO alarms in your home in central locations outside sleeping areas.
- Post your fire department's non-emergency number near the phone so you can call immediately to report an activated CO alarm.
- Test your alarm at least once a month (follow manufacturer's instructions).
- Move your car outside to warm it up. Never run vehicles in a closed garage.
- Check outside vents for dryers, furnaces, stoves or fireplaces to make sure they are clear of snow or other obstructions.
- Have your heating equipment and appliances checked annually.
- Avoid using portable kerosene or gas heaters indoors. If you must use them, open a window for ventilation.

- Never use gas or charcoal grills indoors.

CO alarms are not a substitute for smoke alarms; one detects a specific asphyxiating agent (CO), the other warns of fire by detecting smoke. Every home should have and use both. Test both so that everyone in the household recognizes the difference between the sounds of the two alarms.

NEW - JOB POSTINGS:

Safety & Industrial Hygiene Administrator (12-19-05)

Pay Grade 810-A, Salary \$4,325 to \$6,901, Written Exam 100%

Note: If you have applied for this position you need not apply a second time.

Denver International Airport (DIA) has an opening for a Safety and Industrial Hygiene Administrator. The duties are to direct, develop and implement goals, objectives, and policies for a comprehensive safety and health plan to increase safety, save lives and create a safe work environment and ensures compliance with federal, state, local and city safety and health regulations.

This position is for a generalist, Chief Safety Officer that will:

- Perform professional level and supervisory work over safety staff that performs accident and property damage investigations, hazardous exposures and other safety and health concerns and issues.
- Develop, modify and implement policies and procedures for safety and health programs such as Hazardous Materials, Commercial Driver's License, Indoor Air Quality, Personal Protection Equipment and Blood Borne Pathogens.
- Use scientific principles to recognize, evaluate, and control workplace conditions that may cause injury.
- Use environmental monitoring and analytical methods to detect the extent of worker exposure.
- Serve as the technical expert to senior management regarding safety, security and health issues
- Direct the development and implementation of training programs for a wide variety of safety and health programs.
- Act as a communication and safety liaison to emergency response agencies, agency committees, community groups and special programs and projects.
The ideal candidate will have working knowledge of workmen's compensation and work place accommodations.

Requirements: Baccalaureate Degree in Safety Engineering, Industrial or Environmental Health and Safety, Physical Science or a closely related field, PLUS three years of professional level experience developing and implementing safety and health procedures, applying technological and scientific methods towards reducing worker exposure to hazardous conditions and environments, and performing accident investigations and prevention. A combination of appropriate education and experience may be substituted for the minimum education and experience requirements. You will have to complete the Career Service Authority supervisory training course prior to completion of the probationary period. Possession of a valid driver's license at the time of application. Requires FBI fingerprinting.

Career Service Authority (CSA) prefers that applications be submitted via internet, www.denvergov.org/jobs but will accept paper applications. You can deliver, or mail applications to CSA, 201 West Colfax, Dept. 412, Denver, CO 80202 or e-mail to apps@ci.denver.co.us If you have any questions call Joe Boyersmith at DIA 303-342-2113

HSE Specialist – Wyoming

Immediate opportunity to join the booming oilfield services industry in the Northern Rockies with one of the industry's leading companies.

EDUCATION/EXPERIENCE REQUIREMENTS

Education - Bachelor of Science Degree (BS) or an equivalent experience based expertise

Experience – Minimum of 3-5 years experience in HSE

RESPONSIBILITIES

- Conduct facility audits to assist management in the implementation of the HS&E Management.
- Provide requested technical support to resolve or respond to compliance issues identified during company and/or corporate audits; local, state or federal regulatory agency audits; or any resulting legal claim(s), hearings or actions (civil or criminal).
- Maintain current knowledge of industry HS&E standards through participation of various associations and professional groups.
- Conduct formal investigations of incidents and/or instances of non-compliance. Report findings and appropriate alerts.
- When required, develop programs/systems and training to prevent or lessen future occurrences.
- Review hazards found at multiple work locations or recurrent non-compliance practices.
- Interact with clients, responding to requested HS&E information for tenders or survey questionnaires and developing interfaces for improved communication.
- Develop recommendations for appropriate modifications or additions in facilities, procedures and/or equipment/products to reduce hazards or environmental exposure. This includes conducting hazard analysis and assisting with concurrent product development and introduction.
- Review and respond to analyses of HS&E statistics and trends developed quarterly.
- Monitor and support regulatory compliance with established HS&E guidelines and regulations through developing global programs/systems and training. This includes providing regulatory positions and interpretations in all areas of HS&E regulatory compliance.
- Assist in the development and implementation of management training for HS&E related issues.
- Periodically update affected management personnel on developing HS&E requirements and possible company responses.
- Provide training and instructional modules to selected company trainers within each area or location.
- Coordinate environmental remediation projects.
- Assist in acquisition and compliance issues regarding permitting and required plans.

COMPENSATION

Includes competitive salary, benefits and vehicle.

Travel Required – approximately 30-35%

CONTACT

Fred Perry

Fred Perry Associates

281-350-2809

RESUMES TO: Fred@fperry.com

PART TIME SAFETY INSTRUCTORS

Condor Geotechnical Services, Inc., established in 1986, is looking for part time safety instructors. Part time work may increase into full time. Courses offered: OSHA safety courses including: HAZWOPER, emergency response, confined space entry, excavation safety and OSHA Construction Safety. Condor also provides MSHA training.

Qualifications: Training experience or aptitude and interest. Condor will provide opportunity for applicants to interview/provide training during a real training session. Work experience on hazardous waste sites a plus. This does not need to be as part of a safety team, but familiarity with hazardous waste operations will be a plus. Work experience on construction/mining sites a plus, again, this does not need to be as part of a safety team.

Successful applicant(s) will have:

- Basic knowledge of OSHA/MSHA regulations. Be able to read and interpret regulations.
- Training skills: including the ability to keep students of all educational levels interested.
- Course development skills a plus.
- Work experience on hazardous waste sites and/or construction/mining sites a plus.
- A "can do!" attitude.

Please mail resume to:

Marian S. Fournier
Condor Geotechnical Services, Inc.
PO Box 149
Wheat Ridge, CO 80034

Changing Your Contact Information

If you have a change of address, e-mail or telephone number and you want your ASSE friends to find you, please call the National office of ASSE at 847-699-2929 or e-mail them at customerservice@asse.org.