



**CompTrustAGC**  
Worker's Comp From People You Know.

# SAFETY: Assess Your Way to Success

September 2011

## Are you OSHA Compliant? *Introduction to this newsletter*

This is the first installment of a series presented by AGC in Tennessee that is designed to help you assess OSHA compliance, hazard identification and abatement, provide workers compensation information and address some current lessons learned. The main focus of this document will be an OSHA compliance self assessment provided in each issue, with a focus on recent OSHA citation trends. The goal of the self assessment will be a way for you to quickly focus your attention on one aspect of your Safety and Health Program and identify deficiencies that may exist in areas such as training, program elements, documentation, etc. If you identify deficiencies during the self assessment, we hope you will make necessary changes a priority so you can be ready to tackle issues that may need to be addressed as identified in the next assessment. If you need help making changes to your program, we hope you will turn to AGC for assistance. We want your program to be the best it can be and we have qualified staff across the state ready to lend a helping hand!

## DID YOU KNOW?

OSHA requires that employees have **ANNUAL** fire extinguisher training!

Fire extinguishers are also required to have current annual inspections which are typically performed by your local fire extinguisher supply company.

Monthly inspections by designated employees in the field are also required and can be documented on the tag attached to the extinguisher during the annual inspection.

**Suggestion: Pick a month and do a tool box talk on fire extinguishers annually to document this training!**



**A fire extinguisher tool box talk will be posted on our website for your use!**  
[www.tnagc.org](http://www.tnagc.org)

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**Updated OSHA 29 CFR Regulations**  
 (contact local offices)

**State and Federal posters in both English and Spanish\***

**TAPS hard hat stickers for identifying those who have had background checks on school projects\***

**\*Contact Marisa at 800-341-8242**

## OSHA: A New Sheriff is in Town.

*Are you really ready for TOSHA to knock on your door?*

OSHA is really beefing up compliance efforts across the country and you are not immune.

**Here are some alarming facts:**

- **Willful citations are up 217%**
- **Average penalties have almost doubled in the last year**
- **Multi-employer citations are on the rise.**
- **OSHA is now looking at a 5 year history rather than a 3 year history when writing repeat citations.**
- **Over 60% of OSHA's new Severe Violators Enforcement Program is made up of contractors.**

Commit to taking each of the self-assessments we publish in the coming months and making the necessary changes to your program. These incremental improvements will not only improve the safety and health of your employees, but also protect you from the costs and liabilities associated with OSHA citations.

### This Issue's Self-Assessment:

#### HAZARD COMMUNICATION

The Hazard Communication Standard continues to be the most cited regulation by OSHA. The premise of the standard is that employees have both a need and a right to know about the chemicals they work with as well as how to protect themselves from those chemicals. To meet this need, have you done the following?

1. Assessed the hazards of chemicals in your workplace
2. Communicated those hazards to employees

This means that you should do more than just obtain a copy of a MSDS for a product you use and stick it into a binder in a job site trailer. An employee, for example, cutting concrete or block should be fully aware of the impact of silica on his body and be trained in controls such as the proper use of PPE, wet methods, etc. Many times, this just isn't carried out.

### Program Requirements include:

#### Chemical Inventory (Site Specific)

Have you included both containerized AND non-containerized chemicals such as welding fumes, wood dust, exhaust fumes?

Have you developed a Hazardous Chemical Inventory as part of your written program?

Do you have site specific Hazardous Chemical Inventories on each job site?

#### Written Hazard Communication Program

Is your written program site specific rather than generic?

Have you identified roles and responsibilities of individuals within your organization?

#### Chemical Labeling

Do you have labels available on each jobsite to label portable containers such as spray bottles, garden sprayers, fuel containers, etc? The label must have both the identity of the chemical and hazard warnings. Are manufacturer's labels legible?

Are signs posted warning of the hazard of non-containerized chemicals like carbon monoxide, welding fumes, etc.? (Think about welders, forklifts and other equipment used indoors.)

#### Material Safety Data Sheets (MSDS)

Have you designated someone the responsibility of maintaining MSDS?

Do you have MSDS for each chemical used or generated? (Don't forget carbon monoxide, etc.)

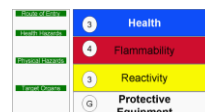
Are they readily available to employees?

#### Training

Do you have documented training for all employees ANNUALLY? (within 12 months of previous training) Do you train employees upon hire (before exposure) on chemicals they will be using?

Does your training documentation include identify of those trained, date and brief description of training?

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OSHA evaluates the effectiveness of training based on an employee's ability to verbally recall information. They do this through employee interviews conducted during the course of an inspection.

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### **7 questions that TOSHA inspectors expect employees to be able to answer:**

1. What are the requirements of the hazard communication standard?
2. What hazardous chemicals are you exposed to?
3. Where are these chemicals present?
4. What are the short and long term effects?
5. How can you detect if you are overexposed?
6. How can you protect yourself?
7. Where are the MSDS and written program?

Evaluate the effectiveness of your training. Randomly select a few employees and ask them the 7 questions from above. Can they answer your questions? If not, you need to perform additional employee training. Remember to keep training as simple as possible. One suggestion is to perform training on an MSDS each week in conjunction with your regular tool box talks. Make sure the training is focused on the 7 items listed above.

### **Records Retention**

Do you maintain training hazard communication training records for the period of employment plus 5 years?

Do you maintain the MSDS as long as the chemical is used or stored?

Do you maintain your hazardous chemical inventory list for 30 years?

Employers must submit chemical inventory list to TOSHA within 72 hrs of their request.

Additional reference material on the topic of Hazard Communication will be posted on our website at [www.tnagc.org](http://www.tnagc.org).

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***OSHA is currently working to pass regulations that would adopt the UN's new Globally Harmonized System of Hazard Communication.***

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## ***Safety Funnies***

**THE HAZCOM SONG:**

<http://www.youtube.com/watch?v=eeyA4Z6aDCw>

## **I2P2: A New Star Wars Character?**

We should be so lucky! I2P2 stands for Injury and Illness Prevention Programs. It is a new initiative that is at the top of OSHA's Assistant Secretary of Labor, Dr. David Michael's agenda. Most employers already manage safety using I2P2, especially since the requirement to have a written safety and health program has been an emphasis of insurance companies for years. How this new standard, which has been estimated to go into effect this fall, will impact employers is still to be determined. AGC of America is not opposed to the concept of written programs, as that is the norm, but they are very concerned this new regulation will make it very easy for OSHA to issue citations. You can find an I2P2 Frequently Asked Question & Answer Link on our website.

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