

Safety Lines

Construction safety and health partnerships revised, renewed

The Minnesota Department of Labor and Industry (DLI) has signed newly revised construction safety and health partnerships with the Minnesota Chapter of Associated Builders and Contractors (MN ABC) and with Associated General Contractors (AGC) of Minnesota. The partnerships are designed to reduce the number of injuries, illnesses and fatalities at participant construction industry employers.

The partnership program that was originally agreed upon by DLI's Minnesota OSHA (MNOSHA) and MN ABC began in March 2006. The original partnership between MNOSHA and AGC of Minnesota was agreed to in 2003.

"These revised partnerships are designed to have an even greater impact on improving employee safety and health within the Minnesota construction industry," said Cindy Valentine, Minnesota OSHA workplace safety manager. "In the past, we have seen far too many fatalities in this industry and needed to identify what more could be done."

Each partnership, has three levels. Level 1 requires the employer maintain the minimum requirements of a safety and health program. Level 2 requires a more comprehensive safety and health program. Level 3 is MNOSHA's Cooperative Compliance Partnership (CCP) program where MNOSHA Compliance will provide compliance assistance for a specific project. To qualify, contractors must be at Level 2 for a minimum of one year and can then apply for participation in the CCP program for construction projects projected to last at least six months, but fewer than 18 months.

To begin this process, DLI representatives met with 14 construction industry stakeholders nearly a year ago. The group included representatives from Minnesota OSHA, large and small construction contractors from throughout the state, and loss-control insurers. View the agreements at www.dli.mn.gov/OSHA/Partnerships.asp.

Associated Builders and Contractors is the largest open shop construction trade association in the United States. Its membership was founded on the belief of the free enterprise system and its members continue to support sound legislation for workers' compensation, safety and employment.

Associated General Contractors of Minnesota is a nonprofit professional trade association dedicated to promoting opportunity and excellence in the building and highway construction industry throughout Minnesota.



Representatives from DLI and MN ABC sign a safety and health partnership agreement Sept. 7. Seated (left to right): Roger Gertken, MN ABC; Ken Peterson, DLI commissioner; Bob Heise, MN ABC president. Standing (left to right): Donny Hines, MN ABC; Cindy Valentine, MNOSHA workplace safety manager; Jim Krueger, MNOSHA director; Heather Planting, MN ABC; Sandy Gertken, MN ABC; Jeff Isakson, MNOSHA supervisor.



Representatives from DLI and AGC of Minnesota sign a safety and health partnership agreement Sept. 13. Seated (left to right): Terry Hukriede, Adolfsen & Peterson safety director; Chris Tschida, M.A. Mortenson Company safety director; Ken Peterson, DLI commissioner; Abby Ferri, AGC of Minnesota safety and health director. Standing (left to right): Jeff Isakson, MNOSHA supervisor; Jim Krueger, MNOSHA director; Cindy Valentine, MNOSHA workplace safety manager; Dave Semarad, AGC of Minnesota chief executive officer.

Grain bins

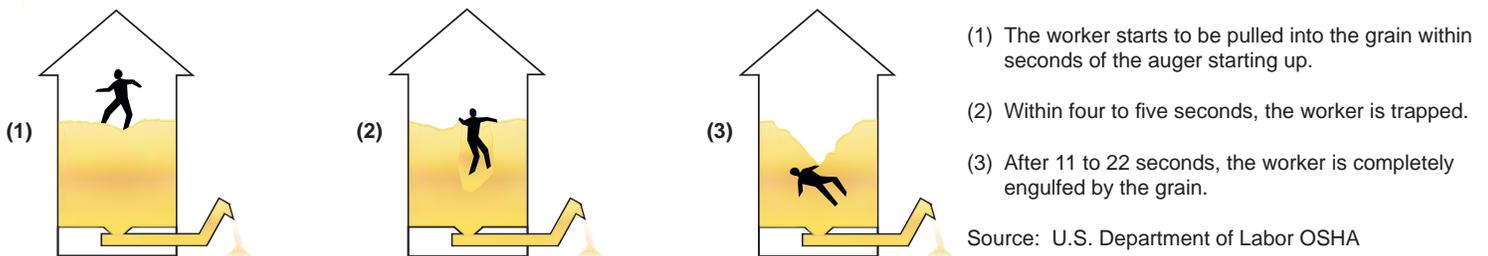
Initiative

Every year, there are Minnesota workers who lose their lives in grain bins due to suffocation. Suffocation is a leading cause of death in grain storage bins. In 2010, Minnesota was second only to Illinois in the number of fatal and nonfatal grain entrapment incidents according to Purdue University research.

The purpose of this Minnesota OSHA Safety Hazard Alert is to heighten public awareness of the danger of entering grain bins without proper precautions.

Description of the hazard

Grain stored in a grain bin might appear harmless, but it behaves similarly to quicksand, engulfing and burying the worker in as little as 30 seconds. Getting out of a pile of grain can be extremely difficult without assistance because of the weight and nature of the grain.



Workers should not: stand on moving or flowing grain; stand near or try to loosen grain packed on the side of the bin, which can collapse unexpectedly; or stand on or below a bridge of grain – bridging occurs when grain clumps together because of moisture or mold, creating an empty space beneath the grain, which can collapse.

Similarly, grain that has started to spoil produces carbon dioxide and other hazardous gases. As the gas is generated, it first collects at the surface of the grain, displacing the oxygen. A worker entering the bin can be quickly overcome by the toxic gases or the lack of oxygen and die or suffer serious injury.

Controlling and eliminating the hazard

Grain bins should never be entered unless absolutely necessary and then only with the proper precautions and procedures. Practices such as “walking down” grain are prohibited.

When entry cannot be avoided, the following precautions must be taken.

- Turn off and lock out all powered equipment, especially augers and other grain moving equipment.
 - Grain must not be emptied or moved into or out of the bin while workers are inside.
- Test the air within a bin for oxygen content and the presence of hazardous gases before entry.
 - Provide and continue ventilation until any unsafe atmospheric conditions are eliminated.
- Provide each worker a body harness with lifeline or a boatswain’s chair when entering a bin from a level at or above the level of stored grain, or whenever a worker walks or stands on or in stored grain of a depth that poses an engulfment hazard.
 - Ensure the lifeline is positioned and of sufficient length to prevent a worker from sinking further than waist-deep in grain.
- Provide workers with rescue equipment specifically suited for rescue from the bin.
- Station an observer who is equipped to provide assistance and perform rescue operations outside the bin. Communications shall be maintained between the observer and employee entering the bin.
 - This observer should be trained about rescue procedures and assigned no duties other than monitoring the worker inside of the bin.
- Train all workers for the specific hazardous work operations they are to perform when entering and working inside of grain bins.
- Issue a permit each time a worker enters a bin, unless the employer (who would otherwise authorize the permit) is present during the entire entry operation.
 - The permit must certify all safety precautions have been implemented before workers enter the bin.

For more information

Employers and employees with questions and concerns about this hazard may consult 1910.272 Grain Handling Facilities, the federal OSHA Grain Handling Web page at www.osha.gov/SLTC/grainhandling, the MNOSHA Compliance grain-handling information Web page at www.dli.mn.gov/OSHA/GrainHandling.asp or contact MNOSHA Compliance at (651) 284-5050 or 1-877-470-6742.

MNOSHA standards update

Hazard Communications adopted, revision of standards referenced in Acetylene

By Shelly Techar, MNOSHA Management Analyst

Hazard Communication standard

On March 26, 2012, federal OSHA published in the *Federal Register* the final rule for Hazard Communication, to conform with the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS). Minnesota OSHA (MNOSHA) adopted the federal Hazard Communication standard with minor exceptions, as published in the *State Register* Sept. 10, 2012.

The intent of GHS is to standardize, on a worldwide basis, how chemicals are classified and labeled and, thus, communicated to users. When fully implemented, it will end more than 30 years of enforcement of the Minnesota Employee Right to Know Act (MN ERTK) for hazardous chemicals.

Part 1910.1200 contains language indicating that ionizing and nonionizing radiation and biological agents are not covered. MNOSHA concurs, but to avoid confusion did not adopt the federal exceptions because they are covered under MN ERTK. In addition, while the new 1910.1200 requires retraining, MNOSHA retained its annual training requirements under MN ERTK for all chemicals, physical agents and infectious agents.

Until all effective dates of the standard are reached, Minnesota employers may comply with the revised Part 1910.1200 or the current MN ERTK Act. The first effective date for all employers is to provide training about the new data sheet format and the new pictograms for labels, which must be done by Dec. 1, 2013, and could be included in the company's next scheduled annual training. Labels and safety data sheets must conform to the changes by June 1, 2015 (Dec. 1, 2015, for distributors). Finally, written programs and signs must be in compliance by June 1, 2016.

By 2016, material safety data sheets (MSDSs) will be known as safety data sheets (SDSs), the content will be presented in a unified manner, the descriptions and hazard warnings will be standardized, and employees



will need to be retrained about these changes and new labeling pictograms.

Additional information is available online.

- The federal OSHA Hazard Communication page is at www.osha.gov/dsg/hazcom.
- The full text of federal OSHA's final rule is at www.osha.gov/dsg/hazcom/ghs-final-rule.html.
- A side-by-side comparison of old versus new is at www.osha.gov/dsg/hazcom/side-by-side.html.

Revising standards referenced in the Acetylene standard: 1) direct final rule, request for comments; and 2) final rule, confirmation of effective date

Federal OSHA published the Acetylene standard direct final rule and request for comments Dec. 5, 2011. In the direct final rule, federal OSHA revised its Acetylene standard for general industry by updating a reference to a standard published by a standards-developing organization. Federal OSHA subsequently withdrew the companion proposed rule and confirmed the effective date of the direct final rule March 8, 2012, because no significant adverse comments were received.

MNOSHA adopted the direct final rule and final rule/confirmation of effective date, as published in the *State Register* Sept. 10, 2012.

The proposal notice and adoption notice can be accessed at www.comm.media.state.mn.us/bookstore/mnbookstore.asp?page=register.

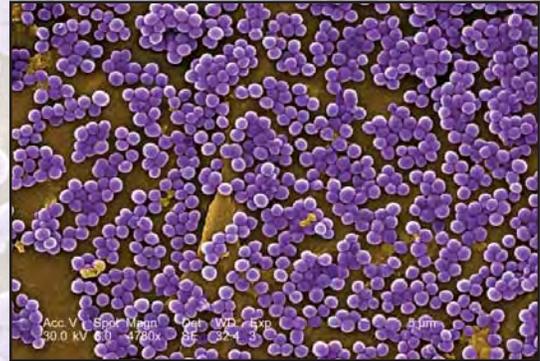
An emerging workplace threat: MRSA

By Terry Osterbauer, Senior Industrial Hygienist

A few months ago, Minnesota OSHA received a telephone inquiry from a construction contractor who wondered whether he had to record a first-aid type of injury that had become infected, on his OSHA Form 300 Log of Work-related Injuries and Illnesses. One of his employees had incurred a first-aid type of cut, but the wound would not heal. The worker did not go to the doctor until his arm swelled; at that point, the worker's arm had to be amputated to save his life because a methicillin-resistant staphylococcus aureus (MRSA) infection had developed in the small cut.

MRSA is a type of staph bacteria that has resistance to methicillin and other related antibiotics such as oxacillin, penicillin and amoxicillin. Quite often, humans carry the MRSA bug in the nasal passages and, as long as it stays in the nasal passages, it is not a problem. However, if MRSA gets into even a minor wound, the microorganism can be life-threatening. If a wound won't heal – especially if the wound holds pus – see a doctor immediately. Strong antibiotics can stop a MRSA infection.

The National Institute for Occupational Safety and Health (NIOSH) has a very informative Web page about MRSA in the workplace at www.cdc.gov/niosh/topics/mrsa. The Minnesota Department of Health also has MRSA information at www.health.state.mn.us/divs/depc/diseases/mrsa/basics.html.



This 2005 colorized scanning electron micrograph (SEM) depicts numerous clumps of methicillin-resistant staphylococcus aureus (MRSA) bacteria. Photo credit: Janice Carr, Centers for Disease Control and Prevention.

How to report an *accident*

Reporting to OSHA

Employers are required by law to report occupational accidents – in which an employee is killed or three or more are hospitalized – to OSHA **within eight hours**.

- **During business hours** – 8 a.m. to 4:30 p.m., Monday through Friday – contact Minnesota OSHA by phone at (651) 284-5050 or 1-877-470-6742 or email osha.compliance@state.mn.us.
- **After business hours** call the federal OSHA 24-hour toll-free phone number at 1-800-321-6742.

For more information about Minnesota OSHA, visit www.dli.mn.gov/MnOsha.asp.

Reporting for workers' compensation

Employers are required to report a workers' compensation claim to their insurer whenever anyone believes a work-related injury or illness that requires medical care or lost time from work has occurred. If the claimed injury wholly or partially incapacitates the employee for more than three calendar-days, the claim must be made on the First Report of Injury (FROI) form – www.dli.mn.gov/WC/Wcforms.asp – and reported to the insurer within 10 days.

- **If the claim involves death or serious injury**, the employer must notify the Department of Labor and Industry and their insurer within 48 hours of the occurrence. The claim may be reported to the Department of Labor and Industry by phone at (651) 284-5041, fax at (651) 284-5731) or personal notice. The initial notice must be followed by the filing of the FROI form within seven days of the occurrence.

'UnderConstruction Program' offers career counseling, safety training to young workers

The “UnderConstruction Program” (UCP) in St. Paul, Minn., exposes high school students – with an emphasis on female students and students of color – to hands-on careers in the building trades, along with career counseling and safety training.

Department of Labor and Industry (DLI) staff members Andy Smoka (in photo at right), from Minnesota OSHA Workplace Safety Consultation, and Mary DesJarlais (photo below), from Apprenticeship, visited a UCP worksite July 3, 2012, in St. Paul to review the young workers’ progress on a garage they were building. Smoka also taught them about how to properly wear fall protection when they began work on the garage roof.

The program provides high school students a learning opportunity to those who have an interest in a trades career. It teaches work-readiness skills to this emerging workforce, such as timeliness, respect and pride in craftsmanship.

UCP partners with local community-based programs to provide a “build project” that can be completed in six weeks. For the past two years, it has partnered with the St. Paul nonprofit group

Frogtown Community Development Corporation to build storage sheds and garages. The nonprofit group has provided the site project and the materials, and the UCP team provides the labor. The students are paid an hourly rate provided by the St. Paul Youth Job Corps Program.

Mary DesJarlais, new to DLI’s Apprenticeship unit, has worked with the program since 2007, providing help with recruiting, interviewing and selecting the student interns and trainers. She also coordinates the OSHA 10 safety certification taught by Smoka, Bob Durkee and Mike Seliga from MNOSHA Workplace Safety Consultation.

UCP emphasizes safety practices; it is mandatory all UCP students wear personal protective equipment at all times when on the worksite.

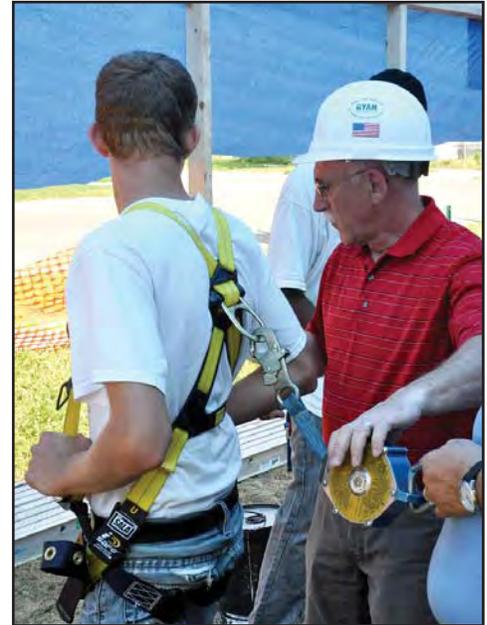


Mary DesJarlais

DesJarlais encourages construction trades apprenticeship coordinators to visit the site to talk about individual programs, the admission process and the duties each trade performs.

The program, in its eighth summer, has trained and mentored more than 200 students and has placed graduating interns directly into apprenticeships or internships. Additionally, some UCP students have gone on to pursue college degrees in project management, civil engineering and architecture.

As the construction industry begins its recovery from the recession, these young, work-ready individuals are poised to enter apprenticeship and DesJarlais hopes to help connect these individual with contractors that wish to diversify their workforce.



2011 workplace fatality statistics released; injury, illness rates coming soon

By Brian Zaidman, Research Analyst



Statistics from the Census of Fatal Occupational Injuries (CFOI) are now available on the Department of Labor and Industry (DLI) and U.S. Department of Labor websites. Minnesota 2011 CFOI tables are on the DLI website at www.dli.mn.gov/RS/StatFatal.asp. National fatality figures from the CFOI program are available at www.bls.gov/iif/oshcfoi1.htm.

The 2011 estimated numbers and rates of nonfatal work-related injuries and illnesses by industry are scheduled to be released Oct. 25. These will be followed by the Nov. 8 scheduled release of the case and demographic statistics for cases with days away from work. Minnesota statistics will be available on the DLI website at www.dli.mn.gov/RS/StatWSH.asp.

The CFOI program shows a preliminary total of 60 fatal work-injuries in Minnesota in 2011, a decrease of 10 cases from the final count of 70 fatal work-injuries in 2010. The 2011 total is below the average of 69 cases a year for 2006 through 2010. Final 2011 data from the CFOI program will be released in spring 2013.

The CFOI also provided the following statistics for Minnesota's workplace fatalities during 2011.

Industries

- Agriculture, forestry, fishing and hunting had the highest number of fatalities, with 19 cases, compared to 29 cases in 2010, which was also the highest number of fatalities. Most of the fatalities were caused by either contact with objects and equipment or transportation incidents.
- Construction recorded the second-highest number of worker fatalities, with 16 cases, an increase from nine cases in 2010.

Types of incidents

- Contact with objects and equipment was the most frequent fatal work-injury event in 2011, with 19 fatalities. Most of these cases involved the worker being struck by an object or equipment.
- Transportation incidents accounted for 16 fatalities. Half of these fatalities occurred in the agriculture, forestry, fishing and hunting industry sector.
- There were 14 fatalities resulting from falls in 2011.
- Five fatalities were caused by violence, including three homicides, all by shooting.

Worker characteristics

- Men accounted for 57 of the 60 fatally injured workers in 2011.
- Workers age 55 and older accounted for 20 fatalities, with most of these fatalities in the agriculture, forestry, fishing and hunting industry division.
- Self-employed workers accounted for 25 fatalities, including 16 fatalities to workers in agriculture, forestry, fishing and hunting and five in construction. There were 24 fatalities to self-employed workers in 2010.

A WSC ROUNDTABLE DISCUSSION

Workplace violence prevention in health care settings

Expert presentations, plus open discussion

– **Thurs., Nov. 1, 2012, from 1 to 4 p.m.** –

Join Minnesota OSHA Workplace Safety Consultation as it hosts a free meeting about preventing workplace violence in health care settings, featuring expert presentations and an open discussion about violence issues being faced in today's workplaces.



Details, registration information at www.dli.mn.gov/Wsc/Wvp.asp

Free Construction Seminars:

MNOSHA reviews standard, stakeholder discusses compliance practices

During Minnesota OSHA's free Construction Seminars, staff members from MNOSHA Compliance discuss and clarify construction-related regulations, plus each seminar features someone from the construction industry who shows the compliance practices used in the field and teaches attendees real-world examples of how to comply.

The two-hour sessions are a great time for attendees to join the discussion, give their perspective, ask questions and connect with Minnesota OSHA Compliance on neutral ground. Besides the topic of the day, MNOSHA also explains current issues being found in workplaces throughout the state and where it is focusing its attention for special emphasis programs.



Terry Hukriede (right), safety director, Adolfson & Peterson, answers a participant's question during the Sept. 24 Construction Seminar, as Scott Richert, regional director construction risk control, St. Paul Travelers looks on.

Mark your calendars now

- Nov. 20, 2012 – Residential fall-protection, focusing on roofs and trusses
- Jan. 15, 2013 – Globally Harmonized System of Classification and Labeling (GHS) of chemicals
- March 12, 2013 – The new crane standard
- May 14, 2013 – Electrical worksite safety

Stay tuned to *Safety Lines* and MNOSHA's Web page – at www.dli.mn.gov/OSHA/ConstructionSeminars.asp – for more complete descriptions about the topics and the presenting speakers.

OSHA answers

frequently asked questions

As part of its continual effort to improve customer service and provide needed information to employers and employees, Minnesota OSHA (MNOSHA) answers the most frequently asked questions from the previous quarter.

Q I have bent a prong on an extension cord. Can I replace the plug on the existing cord?

A Yes, provided the repairs restore the cord to its approved condition. Electrical equipment and conductors, including extension cords, must be approved by a nationally recognized testing laboratory, such as Underwriters Laboratories (UL). If a cord is repaired, it must be able to meet the same performance and safety standards as it did originally.

Cords that are No. 12 American Wire Gauge (AWG) or less cannot be repaired and must be disposed of.

Q Does MNOSHA accept online training instead of traditional classroom?

A Yes, with qualifiers. The training content must be designed to reflect the actual conditions and hazards within the specific workplace. Most software packages are “canned” programs and, while they may do a good job of covering general terms or providing an overview of the topic at hand, the employee also needs to be trained about the specific hazards to which they are exposed and the safety equipment they will use in the workplace. Some OSHA standards, such as HAZWOPER and Permit-Required Confined Space Entry, require hands-on training that would not be possible through computerized training only.

Q When is the use of consumer or household chemicals exempt under Employee Right-to-Know (ERTK)?

A A consumer or retail product is exempt *if used in a manner that is comparable to the typical consumer use*. If the product is used with greater frequency, in stronger concentrations or for longer duration than would be expected in normal consumer use, it must be included in the ERTK program.

Q If a personal care assistant uses chemicals to clean up blood in a client’s home, can the home health care agency provide training about Employee Right-to-Know to the personal care assistant on-site at the client’s home at the time of assignment?

A Yes, the location of training is not prescribed, only that it be done prior to exposure.

Q Does the home health care employer have to complete a personal protective equipment (PPE) hazard assessment for using a consumer or household chemical product supplied by the homeowner?

A Yes, the source of the product is not the determining factor; it is the process and potential hazard. For example, household bleach is just as irritating or damaging to the skin and eyes whether used in the workplace as a disinfectant or in the home for laundry. The differences are the use of the bleach and the amount used.

Do you have a question for Minnesota OSHA? To get an answer, call (651) 284-5050 or send an email message to osha.compliance@state.mn.us. We may feature your question here.

New system helps health care providers benchmark injury rates, patterns

By Brian Zaidman, Research and Statistics, and Breca Tschida, Workplace Safety Consultation

The National Institute for Occupational Safety and Health (NIOSH), part of the Centers for Disease Control and Prevention, is launching a voluntary and secure electronic occupational safety and health surveillance system for the health care industry. The first component of the Occupational Health Safety Network (OHSN) focuses on non-infectious occupational safety and health issues among health care personnel, called the HCP Traumatic Injury Module.

Participants in this project will use a Web-based module to track three types of events that can lead to injuries or musculoskeletal disorders among health care personnel:

1. patient handling and working in awkward postures;
2. slips, trips and falls; and
3. workplace violence.

The Web module will transmit injury information to NIOSH, which will use the data to benefit the participants by:

1. developing size-specific benchmarks so facilities can compare their rates and trends with data from similar facilities;
2. identifying patterns of injuries;
3. identifying effective intervention strategies;
4. assessing the impact of prevention efforts on injuries; and
5. tracking data to meet OSHA and Joint Commission reporting requirements.

To learn more and to participate in this project, contact the OHSN team at niosahohn@cdc.gov or visit www.cdc.gov/niosh/topics/OHSN.



Minnesota OSHA participates in annual safety day event in Duluth



Minnesota OSHA staff members took part Sept. 25 at the Northern Area Safety and Health Network/MSC Safety Day event at Spirit Mountain in Duluth, Minn.

At left, MNOSHA Supervisor Jeff Isakson speaks to the group about the work Minnesota OSHA does throughout the state.



OSHA

WORKPLACE SAFETY CONSULTATION



PARTNERS IN SAFETY AND HEALTH



WWW.DLI.MN.GOV/WSC.ASP

Free on-site assistance

Workplace Safety Consultation (WSC) provides free voluntary and confidential workplace safety and health assistance to Minnesota businesses, with a priority to small businesses.

WSC provides a wide variety of free services, including on-site consultation, training, education and outreach in general industry and in construction settings.

Services are provided by safety and health experts who are highly qualified occupational safety and health professionals.

WSC's services are separate from Minnesota OSHA Compliance. No citations or fines are issued, provided the employer agrees to correct all serious hazards identified by WSC.

Benefits of WSC's services

Consultation helps employers:

- lower worker injury and illness rates;
- decrease workers' compensation costs;
- reduce lost workdays;
- improve employee morale;
- limit equipment damage and product loss; and
- comply with state and federal safety and health regulations.

Key services offered

- Helps recognize hazards
- Suggests solutions
- Identifies helpful sources for any further assistance needed
- Provides a written findings report
- Assists in developing an effective safety and health program
- Offers training and education at or away from the worksite

Contact information

- www.dli.mn.gov/Wsc.asp
- (651) 284-5060, 1-800-657-3776
- osha.consultation@state.mn.us

Minnesota's newest **MNSHARP** worksites



Johnson Memorial Health Services (top photo), in Dawson, Minn., was recognized Sept. 6 by the Minnesota Department of Labor and Industry for its achievement as a Minnesota Safety and Health Achievement Recognition Program (MNSHARP).

J.E. Dunn (lower photo) was recognized Oct. 8 by the Minnesota Department of Labor and Industry for its achievement as a MNSHARP Construction worksite at the University of Minnesota's Recreation and Wellness Center project in Minneapolis.



Johnson Memorial Health Services, Dawson, Minn.

Both MNSHARP and MNSHARP Construction are Minnesota Occupational Safety and Health Administration programs that recognize companies where managers and employees work together to develop safety and health programs that go beyond basic compliance with all applicable OSHA standards and result in immediate and long-term prevention of job-related injuries and illnesses. Only construction projects at least 18 months in duration are eligible for MNSHARP Construction.

Learn more about MNSHARP and MNSHARP Construction on the Department of Labor and Industry's website at www.dli.mn.gov/Wsc/Mnsharp.asp.



J.E. Dunn, Minneapolis, at University of Minnesota Recreation and Wellness Center project