

Safety Lines

Grain entrapment: A perennial threat

By Diane Amell, MNOSHA Training Officer

During just one week last June, four workers in different states were engulfed by grain in a grain bin. Three of the workers died; the fourth worker was rescued. All four of these accidents may have been prevented had the employers followed the requirements of the OSHA grain handling standard, 29 CFR 1910.272. As a result, federal OSHA issued a hazard alert, *Dangers of engulfment and suffocation in grain bins*, that itemizes four main causes of engulfment and suffocation:



- standing on moving grain;
- standing on or below a “bridging” condition that collapses, burying the worker;
- cave-ins where a wall of grain collapses onto the worker; and
- atmospheric conditions, such as a lack of oxygen or the presence of hazardous gases.

One alarming fact is many of these victims are in their teens. Nationally, during 2010, six workers younger than 16 were victims of grain bin accidents; only one teen survived. This happened despite child labor laws that forbid anyone younger than 16 from working in grain bins.

There are many measures grain handlers can take to reduce the risk of suffocation in grain bins:

- require lockout/tagout of all grain-moving and other equipment while entry is made;
- prohibit employees from walking on the grain surface in an attempt to make it flow (“walking down grain”);
- prohibit employees from entering the bin to knock grain down from the sides or from “bridges”;
- train all workers about the hazards of working in grain bins;
- require all employees entering the bin to wear a safety harness with attached lifeline;
- provide employees with rescue equipment;
- equip an observer outside the bin to perform rescue operations;
- maintain communication between those inside the bin and those outside the bin;
- test the atmosphere inside the bin before entry;
- ventilate the bin to remove toxic gases and assure there is adequate oxygen inside; and
- create and implement a confined-space entry program to confirm that the above measures have been taken prior to entry

The federal OSHA hazard alert references *Suffocation hazards in grain bins* by the University of Arkansas extension service, which contains illustrations of safe and unsafe bin entry and lists six rules about how to reduce the risk to employees entering grain bins. It is available at on the university’s website at www.uaex.edu/Other_Areas/publications/PDF/FSA-1010.pdf.

When MNOSHA is denied entry

By Diane Amell, MNOSHA Training Officer

By law, Minnesota OSHA is “authorized to enter without delay and at reasonable times any place of employment; and to inspect and investigate during regular working hours and at other reasonable times.”

Most employers, while not necessarily happy to see OSHA at their door, will allow an investigator to come into the facility and conduct an inspection in accordance with the statute. However, a 1989 U.S. Supreme Court decision does allow employers to require OSHA to obtain a court order to gain access.

Denial of entry also includes not permitting or interfering with the inspection. Interference can take many forms, including refusal to allow the investigator to take photos, review relevant written records, inspect a particular area in a facility or interview employees privately.

When a denial is made, the inspector asks the employer the reason for the denial. The investigator then contacts his or her supervisor to advise the supervisor of the situation. After the investigator returns to the office, a warrant is sought from the court having jurisdiction. When it is obtained, Minnesota OSHA reschedules an inspection as soon as possible, without notifying the employer.

In situations where the employer has a history of denying entry or interfering with an inspection, an anticipatory warrant will be sought before the inspector initially attempts to conduct the inspection.

Learn more about the MNOSHA investigation process at www.dli.mn.gov/MnOsha.asp.

MNOSHA STANDARDS UPDATE:

Shipyard employment; new improvement project phase

By Shelly Techar, MNOSHA Management Analyst

Federal adoptions by reference

- **General working conditions in shipyard employment:** On May 2, 2011, federal OSHA published in the *Federal Register* the final rule for general working conditions in shipyard employment. These revisions update existing requirements to reflect advances in industry practices and technology, consolidate some general safety and health requirements into a single subpart, and provide protection from hazards not addressed by existing standards, including the control of hazardous energy. The final rule became enforceable at the federal level Aug. 1, except for the provisions in 1915.88, which become effective and enforceable Oct. 31.

Minnesota OSHA published a notice in the *State Register* Sept. 26 proposing to adopt these revisions.

- **Standards Improvement Project – Phase III:** On June 8, 2011, federal OSHA published in the *Federal Register* Phase III of the Standards Improvement Project. The project removes or revises individual requirements within rules that are confusing, outdated, duplicative or inconsistent. This final rule became effective at the federal level July 8.

Minnesota OSHA published a notice in the *State Register* Sept. 26 proposing to adopt these revisions.

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

Grants for fall-protection guidelines available

Contractors can apply for up to \$10,000 to help with new safety rules

Contractors can apply now for a safety grant of up to \$10,000 to help them comply with Minnesota OSHA's new residential fall-protection guidelines.

In June, Minnesota OSHA Compliance began enforcing 29 CFR 1926.501(b)(13). The standard states each employee engaged in residential construction activities six feet (1.8 m) or more above lower levels shall be protected by a guardrail system, safety net system or personal fall-arrest system unless another provision in paragraph (b) of the section provides for an alternate fall-protection measure.

The Safety Grant Program, administered by Minnesota OSHA Workplace Safety Consultation, awards matching funds up to \$10,000 to qualifying employers for projects designed to reduce the risk of injury and illness to their workers.

More information, how to apply

For further information about safety grants, visit www.dli.mn.gov/WSC/Grants.asp. Interested applicants can also contact the safety grants administrator at (651) 284-5162, 1-800-731-7232 or dli.grants@state.mn.us.

Information about the new residential fall-protection guidelines is available online at www.dli.mn.gov/OSHA/ResFallProtect.asp.

Projects are judged according to criteria established by law. Qualified projects having the greatest impact and feasibility are given priority.

Grant applications are reviewed on an ongoing basis and grants are awarded six times each year. The next grant application deadline is Oct. 15; grant contracts or denial letters will be issued Dec. 15.

Safety grants at-a-glance:

Jan. 1, 2010 through Aug. 19, 2011

Industry granted	Number of grants awarded	Amount awarded
Commercial.....	13	\$ 103,635
Construction	41	\$ 268,470
Logging	8	\$ 66,500
Manufacturing	38	\$ 244,550
Service	60	\$ 364,341
Total.....	160	\$1,047,496

- Fifty-two grants were specifically related to patient handling, totaling \$310,174.
- Ten grants were specifically related to ergonomics (not patient handling), totaling \$49,556.
- Private employers received 143 of the grants awarded and public employers received 38.



Changes to exemption terms; increase to construction partnering

Minnesota OSHA's (MNOSHA's) mission is to ensure every worker in Minnesota has a safe and healthful workplace. To accomplish this mission, MNOSHA has established a goal of reducing occupational hazards through compliance inspections and direct interventions.

Since 2005, employers that have scheduled a MNOSHA Workplace Safety Consultation visit have been exempt from MNOSHA Compliance inspections for 60 business days, or 12 weeks. This extended period has resulted in more exposure to unsafe practices than originally anticipated. Therefore, effective Oct. 3, the exemption period will be reduced to 10 business days.

Also, because of the dangers inherent in construction, MNOSHA has allocated significant resources to construction activities and has worked with the industry to develop partnerships and two exemption programs, the Minnesota Safety and Health Achievement Recognition Program (MNSHARP) and the Minnesota Star (MNSTAR) Program. This collaboration has resulted in the state of Minnesota having a lower rate of days away, restricted or transferred (DART) in the construction industry than the national average.

To continue this success, Minnesota OSHA will expand its MNSHARP and partnership programs in construction. The number of construction sites supported through MNSHARP will increase from two to a maximum of 12. A key member of the MNOSHA management team will work with Associated General Contractors (AGC) of Minnesota and the Minnesota Chapter of Associated Builders and Contractors (MN ABC) to expand the partnership agreements.

For more information about these changes: contact MNOSHA Workplace Safety Consultation Director Patricia Todd, at patricia.todd@state.mn.us or (651) 284-5372; contact MNOSHA Compliance Director James Krueger, at jim.krueger@state.mn.us or (651) 284-5462; or visit www.dli.mn.gov/Mnosha.asp.



Letter to beverage distributors warns of industry-specific injuries

Editor's note: The following is a letter from Minnesota OSHA Director James Krueger that was sent Aug. 15 to beverage distribution companies in the state.

The purpose of this letter is to alert you to an important issue and provide you with information that may be used to protect the safety and health of your workers. Occupational Safety and Health Administration (OSHA) inspection activity at some beverage distribution operations initiated an analysis of the injury and illness rates for workers involved in the beverage distribution industry. These inspections, along with the U.S. Bureau of Labor Statistics¹ data, indicate these workers have a significantly higher rate of musculoskeletal injuries than workers in most other industries. Typical beverage delivery activities often involve forceful exertions, repetitive motions and awkward postures for prolonged durations, which can cause serious injuries of the back, shoulders, arms, wrists, hands and legs.

In an effort to prevent these injuries, I would like to call your attention to well-known and easily available control technology and techniques to address these hazards. To help you control and recognize the ergonomic hazards that may be present at your workplace, I would like to make you aware of the following report that can assist you: *Ergonomic Intervention for the Soft Drink Beverage Delivery Industry*, published by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health. This reference is available on the CDC website at www.cdc.gov/niosh/96-109.html. I encourage you to review this information and take steps to eliminate or reduce potentially serious injuries.

As indicated in the report, a comprehensive ergonomics program designed to eliminate or reduce musculoskeletal injuries should include the following elements.

- 1) Beverage delivery task analysis and customer site evaluations should be done to determine whether ergonomic hazards are present.
- 2) Initiate worker and management site-specific ergonomics training to ensure workers and managers are aware of ergonomic hazards and control methods.
- 3) Implement hazard controls to reduce ergonomic hazards causing musculoskeletal injuries, by using:
 - a. engineering controls –
 - i. delivery vehicle pull-out step-on platforms, exterior grab handles on all bays and drop down bay shelves;
 - ii. appropriate delivery equipment, such as hand trucks, stair climbers, conveyors and hoists, and lightweight plastic pallets; and
 - iii. product modifications, such as optimizing beverage packaging and contents to reduce package weight and improve grip;
 - b. administrative controls –
 - i. repair and maintenance programs for vehicles and equipment used by delivery drivers; and



¹*Nonfatal Occupational Injuries and Illnesses Requiring Days Away from Work, 2009*; available at www.bls.gov/news.release/osh2.nr0.htm

- c. work organization controls –
 - i. pre-planned unloading for the driver route, including route-specific loading diagrams to reduce multiple manual product handling.
- 4) Enact an ergonomics program evaluation to determine if the ongoing process is effective:
 - a. evaluation and trending of the injury logs to ensure reduction in the incidence and severity rates of musculoskeletal disorders; and
 - b. worker feedback about the effectiveness of controls.



In addition to the noted publication, there are various other resources available to help you evaluate and control the hazards of your particular worksite. The Minnesota OSHA Area Office closest to you is available to answer questions. Information is available on the federal OSHA website at www.osha.gov. Minnesota OSHA Workplace Safety Consultation, which is separate from MNOSHA Compliance and is designed primarily for small employers (companies of 250 or fewer workers), is a free and confidential service that can help you identify and then find effective solutions for eliminating or controlling ergonomic hazards. The MNOSHA consultant can assist you in developing and implementing a safety and health management system for your workplace that includes the control of ergonomic hazards. You may also visit its Web pages at www.dli.mn.gov/WSC/BestPractices.asp.

I hope you will be able to use this information to prevent these needless ergonomic injuries from occurring. If you have any questions, call Minnesota OSHA at (651) 284-5050.

Valentine to manage MNOSHA programs, DLI information services

Cindy Valentine has been named the manager of Workplace Safety and Technology for the Minnesota Department of Labor and Industry (DLI).

In this role, Valentine will manage the activities of Minnesota OSHA's two work units, Compliance and Workplace Safety Consultation, as well as serving as DLI's liaison with the Minnesota Office of Technology, as that agency begins assuming responsibility for the information technology functions of the department and other state agencies.

Valentine has previously been the director of DLI's Information Technology Services unit; she also has served as deputy commissioner for the agency.



Cindy Valentine

Handling patients safely:

Success of first facilitated discussion with hospitals leads to a second

By Breca Tschida, MNOSHA Workplace Safety Consultation, Ergonomic Program Coordinator

Minnesota OSHA Workplace Safety Consultation (WSC) had its first facilitated hospitals meeting June 29 at the Department of Labor and Industry. Thirty representatives from large metro hospitals and small outstate hospitals attended with a goal of developing best-practices for Minnesota hospitals and providing an ongoing forum for discussion.

The meeting, facilitated by Breca Tschida, WSC ergonomics program coordinator, provided an opportunity for safe-patient-handling practitioners in hospitals to come together to discuss the impact of patient-handling issues on budgeting, ICU, operating rooms, bariatrics, clinics and even carpeting choices.

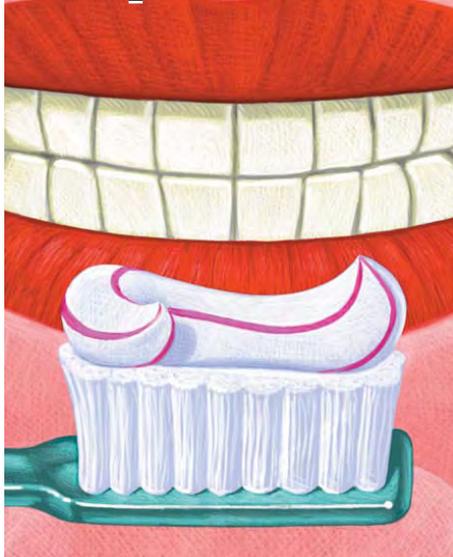


Breca Tschida, MNOSHA Workplace Safety Consultation ergonomics program coordinator, leads the facilitated discussion with hospital practitioners meeting about the safe handling of patients, on June 29 at the Department of Labor and Industry in St. Paul, Minn.

Alden Hoffman, MNOSHA Compliance management team director, and Ryan Nosan, WSC MNSTAR Program coordinator, answered specific health and safety questions from the participants.

There will be a second facilitated hospital meeting Wed., Nov. 9, from 1 to 4 p.m., at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155. For more information, contact Breca Tschida at breca.tschida@state.mn.us or (651) 284-5343.

Safe patient handling myths, facts in dental practices



To help dental professionals better understand safe patient handling requirements and achieve compliance by Jan. 1, 2012, Minnesota OSHA Workplace Safety Consultation worked in collaboration with the Minnesota Dental Association's Elderly and Special Needs Adults (ESNA) Committee to shed light on the myths and facts surrounding the issues.

Drilling into the history

In 2007, the Minnesota Legislature passed a safe patient handling statute (Minnesota Statutes 182.6553) to protect the health and comfort of patients and staff members when patients required assistance for movement in clinical care settings such as hospitals, nursing homes and outpatient surgical centers. In 2009, this statute was amended to also include medical and dental clinics (M.S. 182.6554).

Brushing up on the facts

Northwest Dentistry published the myths and facts information in its July/August 2011 edition, online at www.mndental.org/newsletter. More information about safe patient handling in is on the Department of Labor and Industry website at www.dli.mn.gov/Wsc/SPHLegislation.asp.

CDC offers **STOP STICKS** campaign

By Jeff Wasvick, MNOSHA Workplace Safety Consultation

In response to the Needlestick Safety and Prevention Act of 2000 (Public Law 106-430), federal OSHA incorporated mandated changes in revisions to its Bloodborne Pathogens Standard – 1910.1030. The changes were published in the *Federal Register* on Jan. 18, 2001; Minnesota OSHA (MNOSHA) adopted the revised standard Oct. 1 of that year.

The revised standard requires employers to use engineering and work practice controls to eliminate or minimize employee exposure to bloodborne pathogens, including HIV, hepatitis B and hepatitis C. Employers are required annually to evaluate (with employee-user input), select and implement the use of sharps with engineered sharps injury protections where feasible. Documentation of the annual process in the facility's exposure control plan is also required. Such use of safe medical devices had a goal of reducing the number of sharps injuries in the occupational setting.

Sharps are instruments that can puncture, cut or scrape body parts, such as syringes, needles, scalpels, razor blades and wires.

Although sharps-related injuries in nonsurgical hospital settings decreased following the Needlestick Safety and Prevention Act of 2000, sharps-related injuries in surgical hospital settings continued to increase. The Centers for Disease Control and Prevention (CDC) estimates about 385,000 sharps-related injuries still occur annually among health care workers in hospitals.

In an effort to further reduce the occurrence of sharps injuries in the occupational setting, the CDC recently launched a "STOP STICKS" campaign (www.cdc.gov/niosh/stopsticks) to raise awareness about the risk of exposure to bloodborne pathogens and motivate health care workers to make needed changes. The campaign is a community-based information and education program.



The National Institute for Occupational Safety and Health (NIOSH), part of the CDC, developed the materials available on the website in conjunction with a variety of other partners.

The "STOP STICKS" campaign recommends a communication blitz approach and features posters, newsletters, health and safety fairs, exhibits and videos to accomplish the overall goal. The website includes guidance about how to prepare, implement and evaluate such a blitz, plus offers poster templates with tips about how to customize the images, text and data.

While the campaign materials were developed mainly with operating rooms and emergency department audiences, the target audience includes clinical and nonclinical health care workers and health care administrators in hospitals, doctor's offices, nursing homes and home health care agencies.

State's fatal work-injuries increase in 2010

Sixty-nine fatal work-injuries were recorded in Minnesota in 2010, an increase of nine cases from 2009, but three fewer cases than in 2007. The 2010 total is below the average of 73 cases a year for 2005 through 2009. These and other workplace fatality statistics come from the annual Census of Fatal Occupational Injuries (CFOI), conducted by the Bureau of Labor Statistics, U.S. Department of Labor. The CFOI also provided the following statistics for Minnesota's workplace fatalities during 2010.

Industries

- Agriculture, forestry, fishing and hunting had the highest number of fatalities, with 27 cases, compared to 20 cases in 2009, 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 nine cases, up from seven cases in 2009, but below the 13 cases in 2008.
- Retail trade had the third-highest number of fatalities, with seven cases.

Types of incidents

- Transportation incidents accounted for 25 fatalities and continued to be the most frequent fatal work-injury event. Fatalities resulting from transportation incidents increased from 22 cases in 2009, but remained below the 28 cases in 2008.
- Contact with objects and equipment continued to be the second-highest event category, with 17 fatalities, an increase from 14 cases in 2009, but well below the 26 cases in 2008. The most common incidents in this category were being struck by a falling object and getting caught in or crushed in collapsing materials.
- Fatalities due to assaults and violent acts increased from three cases in 2008, to 10 cases in 2009 and to 13 cases in 2010.
- There were 10 fatalities resulting from falls in 2010, compared to nine fall fatalities in 2009.

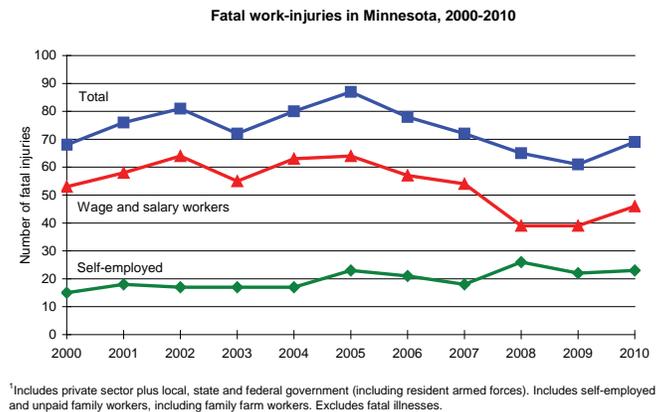
Worker characteristics

- Men accounted for 63 of the 69 fatally injured workers in 2010.
- Workers age 55 and older accounted for 24 fatalities. Twelve of these fatalities were in the agriculture, forestry, fishing and hunting industry division.
- Self-employed workers accounted for 23 fatalities, including 18 fatalities to workers in agriculture, forestry, fishing and hunting. There were 21 fatalities to self-employed workers in 2009.

The Census of Fatal Occupational Injuries, part of the Bureau of Labor Statistics' occupational safety and health statistics program, provides the most complete count of fatal work-injuries available. Workplace fatalities due to illnesses are not included.

The program uses diverse data sources to identify, verify and profile fatal work-injuries. Information about each workplace fatality (occupation and other worker characteristics, equipment being used and circumstances of the event) is obtained by cross-referencing source documents, such as death certificates, workers' compensation records, and reports to federal and state agencies. This method assures counts are as complete and accurate as possible. The Minnesota Department of Labor and Industry collects the information about Minnesota's workplace fatalities for the CFOI.

Minnesota CFOI tables are available at www.dli.mn.gov/RS/StatFatal.asp. National data from the CFOI program is available at www.bls.gov/iif/oshcfoi1.htm.

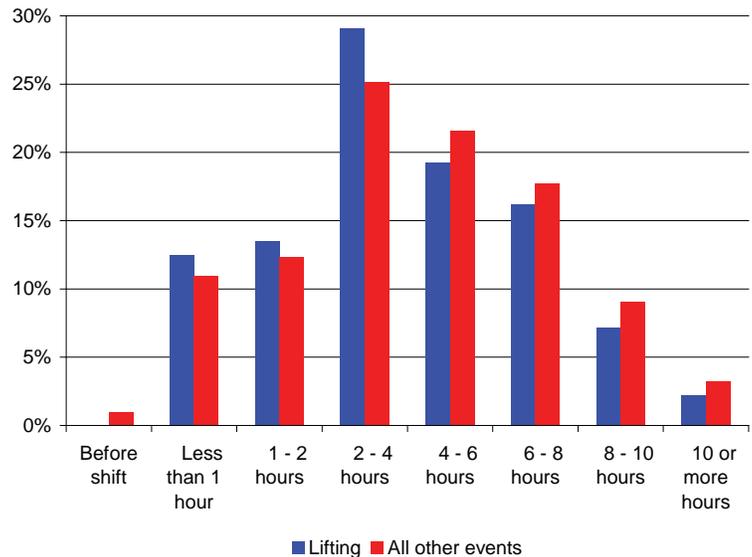


Lifting objects and other people is one of the most common events leading to injuries that result in time away from work.

In 2009, overexertion due to lifting was responsible for 16 percent of the days-away-from-work (DAFW) cases in private industry. In recent years, some companies have instituted pre-shift stretching programs to get their employees limber at the start of the workday.

As shown in the chart at right, it's those lifts early in a shift that often lead to disabling injuries. The chart compares the distributions of private industry DAFW overexertion cases due to lifting and cases due to all other events by the number of hours the workers were at work. The chart shows that lifting cases are more likely to occur during the first four hours at work than are cases caused by the combination of all other types of events.

Distribution of injuries due to lifting and to all other events and exposures by hours worked, cases with one or more days away from work, Minnesota, 2003 through 2009



Source: Annual Survey of Occupational Injuries and Illnesses, Bureau of Labor Statistics

An unnamed source suggests you should first stretch your body and lift your spirits, and then lift a box.

Children may not operate, assist with power-driven hoists/lifts

The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for administering the Fair Labor Standards Act (FLSA), the federal law of most general application concerning wages, hours of work and child labor. The child labor provisions of FLSA were enacted to ensure that when children work, the work is safe and does not jeopardize their health, well-being or education. To protect children from hazardous employment, FLSA provides for a minimum age of 18 years in occupations found and declared to be particularly hazardous or detrimental to the health or well-being of children 16 and 17 years of age. Hazardous Occupations Orders are the means by which certain occupations are declared to be particularly hazardous for children.

Effective July 19, 2010, Child Hazardous Occupations Order No. 7, prohibits children under the age of 18 years from operating or assisting in the operation of power-driven hoists/lifts in any setting. This prohibition includes power-driven hoists/lifts used to elevate and transport patients/residents in hospitals, nursing homes and residences. Prohibited equipment includes floor-based vertical powered patient/resident lift devices; ceiling-mounted vertical powered patient/resident lift devices; and powered sit-to-stand patient/resident lift devices.

Complete information is available online in WHD's Field Assistance Bulletin No. 2011-3 at www.dol.gov/whd/FieldBulletins.

Federal government warns of defective safety equipment

By Diane Amell, MNOSHA Training Officer

People depend on safety equipment and personal protective equipment (PPE) to keep them and their employees safe on the job. However, on occasion, these safety devices can be defective and endanger workers without warning. Minnesota OSHA is alerting employers of two current examples.

Circuit breakers

Federal OSHA has issued a hazard alert concerning rebuilt Eaton/Cutler-Hammer molded-case circuit breakers. A third-party rebuilder has apparently been refurbishing the breakers incorrectly. The breakers, originally rated for 600 and 1000 VAC, were changed from their original approved state by the rebuilder, that may have changed the frame, cover or other parts. This includes incorrectly labeling 600 VAC breakers as being rated for 1000 VAC. As a result of the rework, the circuit breakers may fail to operate correctly, resulting in arc flash, electrical shock, fire, burns and explosions.

The models in question are the Eaton E²K, rated at 600 VAC, and the E²KM, rated at 1000 VAC or 250 VDC. The circuit breaker labels and frames may also be missing the mark of a Nationally Recognized Testing Laboratory (NRTL).

The breakers are marketed primarily for use in mines, but it is possible they could be sold by the third-party rebuilder for tunneling or other industrial applications. If these defective breakers are in service, they must be removed from service by a *qualified* person.

For more information about the Eaton circuit breakers, contact the OSHA NRTL program at (202) 693-2300 or nrtlprogram@dol.gov. To return a defective breaker to Eaton, contact Tom Grace at (412) 418-2169 or tomagrace@eaton.com.

Safety lanyards

On July 12, the U.S. Consumer Products Safety Council (CPSC) announced a voluntary recall of Absorbica and Scorpio shock absorbing safety



The arrow points to an area on the frame of a suspected modified breaker, which can indicate it may be rebuilt. The Mine Safety and Health Administration suggests that if a fingernail is rubbed down this portion and it is very smooth, it is likely to be a rebuilt breaker and should be safely removed from service.



A Petzl Scorpio L60 lanyard, sold 2002 to 2005.

lanyards used as part of fall arrest systems or positioning devices. The lanyards are manufactured and distributed by Petzl. Some of the lanyards are missing a safety stitch on the attachment loop, which can cause the lanyard to be disconnected from a climbing harness, creating a fall hazard. The Absorbica lanyards are used in industrial and commercial applications, while the Scorpio brand is marketed for sport and recreational use.

The recall covers all Absorbica and Scorpio lanyards manufactured before May 2011. Absorbica models affected include: L70150 I, L70150 IM, L70150 Y, L70150 YM, L57, L58, L58 MGO, L59 and L59 MGO. The Scorpio models include the L60, L60 CK, L60 2, L60 2CK, L60 H and L60 WL.

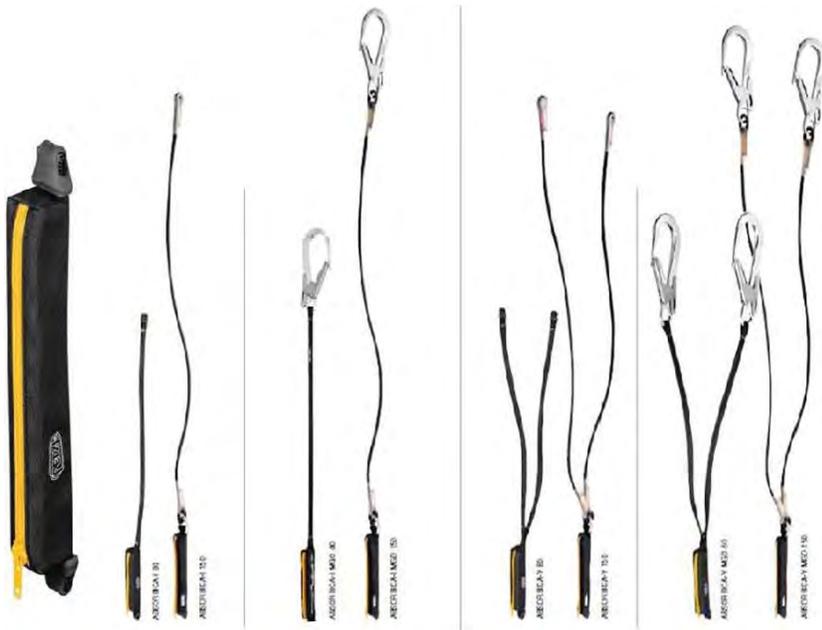
Use of these lanyards should stop immediately; contact Petzl America Inc. at 1-877-740-3826 for free inspection and replacement of defective items.

On Aug. 30, the CPSC announced a second recall of Petzl products, this one involving the GRIGRI 2 belay device with assisted breaking. The belay device is used in recreational rock climbing. More information is available online at www.petzl.com or by calling 1-800-932-2978.

3M recalls fall-protection lanyard



3M is recalling all of its series GW-7 and GW-11 self-retracting lanyards used as part of a fall-arrest system. Some of the units do not achieve lock-up during the user pre-inspection pull test on the webbing. Employers that use these lanyards should immediately remove them from service and contact Ray Mann, 3M Fall Protection Technical Service, at (704) 743-2406 for product return information.



Absorbica L57 basic (left) and in its various configurations.



A Petzl Scorpio L60 lanyard, sold 2005 to present.

osha frequently asked questions *answers*

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.

Globally harmonized system (GHS) update: The final federal standard has yet to be adopted. Federal OSHA has not submitted the proposed rule to the Office of Management and Budget, which will then have 90 days to review it. Following the publication of the final rule, Minnesota OSHA will have six months to determine which action it will take.

Q What's going on with residential roofing?

A Minnesota OSHA (MNOSHA) began enforcing 1926.501(b)(13) on residential roofing jobsites June 16. The enforcement directive, MNOSHA Instruction STD 3-11.4 Fall Protection in Construction, references federal STD 03-11-002 Compliance Guidelines for Residential Construction.

Q How is MNOSHA enforcing the “new” construction cranes standard (1926 Subpart CC)?

A MNOSHA investigators began enforcing the rule Feb. 7. Staff members from MNOSHA Compliance and MNOSHA Workplace Safety Consultation attended training by a local crane-expert March 15. MNOSHA is currently drafting a new enforcement directive to provide further guidance to investigators.

Q The material safety data sheet (MSDS) for my solvent says to wear safety glasses with side shields while working with the product, but OSHA requires goggles be worn. Why?

A ANSI 87.1-2003 American National Standard for Occupational and Educational Personal Eye and Face Protection Devices, which is referenced in OSHA 1910.133 Eye and Face Protection, requires goggles be worn where protection is needed from chemical splashing, such as working with a solvent. Splashed material can still contact the eyes by passing through the gaps between the face and the safety glasses with side shields.

While MSDSs are generally a good starting point, employers still have to perform a hazard assessment to determine the appropriate personal protective equipment (PPE) for a given task.

Q My employer tells me I need to wear safety shoes to protect my feet from falling objects. Do I need to pay for the shoes myself?

A Minnesota Statutes 182.655 subd. 10a requires employers to pay for *all* necessary personal protective equipment (PPE), including safety shoes. However, the employer is only responsible for paying the minimum cost of a safety shoe that provides the necessary protection. If an

employee wants a more expensive pair of shoes or boots, the employer has the option to either pay the full amount or require the employee pay the difference.

When does an employer need to develop a respiratory protection program?

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If use of a respirator is required, the employer must create a complete, written respiratory program including medical evaluation, maintenance and annual fit-testing of tight fitting respirators. Where use of a respirator is voluntary, the employer still must develop a written program that includes the information necessary to assure employees can use the respirators safely, namely medical evaluation and sanitary maintenance of the respirator. The employer also must also provide the employees with the text found in 1910.134 Appendix D: Information for Employees Using Respirators When Not Required under the Standard. However, if the only respirators voluntarily used are filtering facepiece respirators (also known as dust masks), then the employer only has to provide the employees with the information in the appendix and does not have to create a written program.

What is a special-emphasis program and what are some current examples?

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A special-emphasis program focuses on a particular industry, hazardous substance, or injury and illness data. Investigations of this type are programmed (i.e., routine or planned) inspections. Current emphasis programs are focused on:

- ammonia process safety management;
- amputations;
- combustible dust;
- foundries;
- hexavalent chromium (Cr VI);
- lead;
- meat packing;
- microwave popcorn production;
- nursing homes;
- schools;
- silica dust;
- trenching; and
- window washing.

The silica dust, lead and hexavalent chromium programs cover both general industry and construction.

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

Minnesota's newest **MNSHARP** worksite



Silver King Refrigeration, Inc., of Plymouth, Minn., was recently recognized by the Minnesota Department of Labor and Industry for its achievement as a Minnesota Safety and Health Achievement Recognition Program (MNSHARP) worksite.

MNSHARP is a Minnesota Occupational Safety and Health Administration program that recognizes organizations 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.

Learn more about MNSHARP online at www.dli.mn.gov/Wsc/Mnsharp.asp.



CDC pounces on injury statistics with WISQARS™ database system

The Centers for Disease Control and Prevention (CDC) have launched the Web-based Injury Statistics Query and Reporting System (WISQARS™), an interactive online database that provides fatal and nonfatal injury, violent death and cost of injury data from a variety of trusted sources.

Researchers, the media, public health professionals and the public can use WISQARS™ data to learn more about the public health and economic burden associated with unintentional and violence-related injury in the U.S. Users can search, sort and view the injury data and create reports, charts and maps based on: intent of injury; cause of injury; body region; nature of injury; geographic location; and sex, race/ethnicity and age of the injured person.

Visit www.cdc.gov/injury/wisqars to learn more.

Don't miss MNOSHA's newest 'best of the worst' photos



When they are out in the field, Minnesota OSHA inspectors are always on the lookout for hazardous work practices. Some of the techniques they capture on camera have to be seen to be believed.

View the new "Best of the worst" slideshow at www.dli.mn.gov/OSHA/BestofWorst.asp.

MNOSHA consultants keep safety on track at Union Depot



Workplace Safety Consultation conducts bimonthly safety and health audits to ensure worker safety stays on track at the Union Depot renovation project in St. Paul, Minn.

The historic site is being cleaned and restored to become a multi-modal regional transportation hub, while MNOSHA helps to ensure current and historic worksite hazards depart the Depot on a timely basis.



Save the dates: Free construction seminars, discussion

- **Nov. 8, 2011** – Getting to know Minnesota OSHA, part two
- **Jan. 17, 2012** – The new crane standard
- **March 13, 2012** – The new residential fall-protection standard
- **May 15, 2012** – Window washing and suspended scaffolds

Learn more about how Minnesota OSHA operates to keep Minnesota construction workers safe and healthy, so everyone goes home well at the end of the workday. Find out more about the free seminars at www.dli.mn.gov/Osha/ConstructionBreakfast.asp.