



# AMERICAN SOCIETY OF SAFETY PROFESSIONALS

Central New York Chapter

January 2023 Chapter Meeting  
January 19, 2023  
Danzer's Restaurant, Syracuse, NY

## Presentation Notes

Presenters: Nick Donofrio & Donalea Maloney, US OSHA/DOL Compliance Assistance Specialists

### **OSHA Annual Update**

- OSHA's main mission is not to impede/fine companies but to drive companies to have safety as a core value and to drive safety focused cultures
- Citations main purpose is to drive abatement/corrective actions not to just find ways to fine companies
- New drive to develop site inspection schedule based on industry standards and sites/companies who have higher than national average/standards

Some states, such as NY & NJ have OSHA-approved State Plans

- But federal OSHA has jurisdiction with private companies
- OSHA-approved State Plan covers state/local government workers only
- <https://www.osha.gov/stateplans/>

OSHA (Healthcare)

- ETS expired 12-21-21 but is still applicable & will enforce due to general duty standards
- Interim final rule coming soon

Proposed rule for Infectious disease

- For health care and high risk industries
- proposal coming in Sept 2023

Record Keeping Regulation has proposed a rule change to improve public access to OSHA record keeping details/injury data on companies

- Argument for it, is based on general duty clause
- March 2022 OSHA published the proposal



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- Also allow companies to compare data with competitors
- Direct enforcement and compliance assistance resources

## OSHA Outreach Programs:

- Stand up 4 Grain (March 27<sup>th</sup>-31<sup>st</sup>)
- Work Zone Awareness (Apr 17<sup>th</sup> – 21<sup>st</sup>)
- Fall Prevention (May 1<sup>st</sup>-5<sup>th</sup>)
- Trench Safety (June 14<sup>th</sup> – 18<sup>th</sup>)
- Safe and Sound (August 2023)
- Suicide Prevention Awareness Month (Sept 2023)

## Voluntary Protection Program (VPP)

- Participants have injury rate below industry standard
- Meet all OSHA standards
- Develop/implement effective H&S programs
- Mentor other employers and workers

## 2023 OSHA's Focus Areas

- Fall 2023 will be focusing on Warehouse Initiatives and PIT (NEP)
- Heat National Emphasis Program
- Diversity, Inclusion and Equity

## OSHA's Top Ten Violations from 2022 Inspections:

- 1.) Fall Protection (General requirements)
- 2.) Respiratory Protection
- 3.) Ladders
- 4.) Scaffolding (General requirements)
- 5.) Hazard Communication
- 6.) Lock out tag-out
- 7.) Fall Protection (Training Requirements)
- 8.) Eye & Face Protection
- 9.) Powered Industrial Trucks (General requirements)
- 10.) Machine Guarding (General requirements)



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## HAZCOM

- Year after year in the top 10 category of OSHA violations
  - Only standard with the word effective within the standard
  - Effective = understanding
  - Proper terminology is needed between employees as well as auditors
- 
- OSHA fines are on the rise, as they fluctuate based on inflation
  - 10% of all OSHA inspections have follow up inspections, to see if they actually did what they claimed in their response/abatement to previous violations
  - OSHA Record Keeping Webinar February 22<sup>nd</sup>  
<https://www.eventbrite.com/e/2023-osharegion-2-recordkeeping-ita-webinar-tickets-507763663787>

## Vulnerable & Underserved Workers

- employees regardless of immigration status are entitled to a safe work place and HAVE rights
- OSHA conduction listening sessions to see where improvements can be made/guide future regulation

## Heat

- Must offer protection against direct sunlight (can still be outside but offer shade)
- Action level for heat monitoring was decreased to 80° F (26.7° C) (was previously 90° F/32° C)



### Case Study

- OSHA Syracuse Office received employee hospitalization
  - o Temporary worker at a foundry collapsed
  - o 26 yr. old male, performing heavy duty work in area w/ multiple heat sources
    - Heated foundry sand
    - molten metal
    - poor ventilation
    - outdoor conditions
  - o 1<sup>st</sup> day on the job, big language barrier, not acclimated to the environment
  - o Shoveling for most of the day w/ little breaks & less than 4oz water consumption the whole day
  - o 5:00-15:00 shift, collapsed at ~13:45
  - o National Weather Service had issued a local heat advisory for the day
    - 96° F/36° C, sunny, 44% relative humidity, 12mph winds
  - o Effective Wetbulb Globe Temperature (WBGT)
    - A measure of the heat stress in direct sunlight, which takes into account: temperature, humidity, wind speed, sun angle and cloud cover (solar radiation).
    - differs from the heat index, which takes into consideration temperature and humidity and is calculated for shady areas
  - o WBGT for that day was calculated to be 28.7° C with a metabolic rate of 540 watts
    - Which exceeded recommended action level & threshold limit value of 25.5° C
  - o Ambulance arrived at 14:12 found employee on the floor, full body tremors
  - o At the hospital body temperature was 106° F

OSHA Violations:



Proposed General Duty Clause 5(a)(1) violation:

- Employee exposed to hazard
  - Unacclimated employee exposed to excessive heat performing heavy work without adequate water, rest breaks or any mechanical cooling equipment
- Hazard Recognition (*lack there of*)
  - 5 minute safety talk posted in all departments 2 months prior
  - Heat Hazard Training conducted 2 years prior by an outside consultant
- Likelihood of Death or serious Physical Harm

Feasible Abatement suggestions:

- Develop & implement an effective heat related illness prevention program
  - Establishes how the employer determines if workers are exposed to a heat hazard based on environmental conditions (e.g. weather or indoor temperature and humidity, clothing and workload)
- Provide Training Program
  - For all employees which includes:
    - health effects associated with heat stress
    - symptoms of heat related illness
    - methods of preventing such illnesses
- Establish a Procedure
  - For acclimating employees not accustomed to working in hot environments
- Implement work/rest regiment
  - Dependent on environmental conditions
  - Includes provisions that allows time for employees to become acclimated
- Rest & Cool Access



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- Ensure access for affected employees to cool environment (50-60° F)
- Access to Potable water & electrolyte replenishers during shifts
- Encourage continuous water consumption 5-7oz every hour
- Develop & Implement ways to alert employees to heat index
  - Daily anticipated heat index
  - Identify precautions for reducing risk at each heat index category
  - A program to check & monitor employees during heat advisories
  - Requirements to report health related symptoms & seek assistance

## Actual Abatement Measures Taken:

- Company erected an air-conditioned room in the foundry area
- Electrolyte replenishers now provided to employees as well as water
- 3 cooling vests purchased for employee use during heat advisories
- Consulting firm brought to training employees on heat stress/awareness
- Foundry managers & maintenance managers trained on heat stress prevention exercises including taking breaks and rehydration

## OSHA Heat resources on Preventing Heat Illness:

<https://www.osha.gov/heat>

<https://www.osha.gov/heat-exposure>

<https://www.osha.gov/heat-exposure/illness-first-aid>

<https://www.osha.gov/heat-exposure/prevention>



## OSHA Heat Illness Resources / QR codes

Nick Donofrio – [Donofrio.nick@dol.gov](mailto:Donofrio.nick@dol.gov)

Donalea Maloney – [Maloney.donalea@dol.gov](mailto:Maloney.donalea@dol.gov)

OSHA Heat Illness Prevention page

OSHA Heat as a Workplace Hazard page



List of OSHA Publications on Heat Illness Prevention

including several multilingual versions

