



“When You Need Safety Done Right”

Hazard Communication

Perhaps the most far-reaching of OSHA's upcoming rulemakings is the plan to change the current Hazard Communication (HazComm) requirements, incorporating elements of the Globally Harmonized System of Classification and Labeling (GHS) of chemicals. Under the new rule, **expected to be finalized in the next 60 days**, material safety data sheets will be called “Safety Data Sheets” (SDSs) and will follow a 16-section format similar to that contained in the ANSI Z400.1 voluntary consensus standard.

In addition, under the new requirements, container labels will be required to contain pictograms and signal words, which will be a significant change from the current requirements. Many international pictograms are pretty self explanatory but there are some that are not as obvious to those not living on the continent. So in preparation of the new rule, I looked at a few pictograms that made me wonder:



Anti Static Glove



No Eating Utensils Provided at this Restaurant?



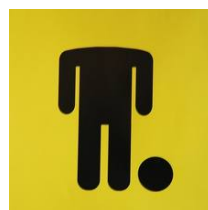
What this means for employers is that you will have to train employees on the new “Safety Data Sheets”, as well as on the different chemical classifications that will be contained in the new rule

Inside this issue:

Weird Excuses for Calling in Sick	2
Discipline: 5 Ways You Can Get Into Legal Trouble	3
OSHA's Top 10 Violations for 2011	4
Ways to Say Thanks for Safety	5
Words of Wisdom	6
Mensa Invitational	7
And The Winners Are	8



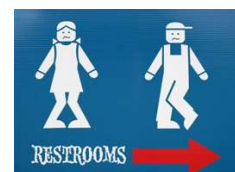
Huh?



What?



OK—this one I get :-)



As you have guessed, several of these have nothing to do with the new rule, and three are just for fun. But three of them are covered under the new requirements.

15 Weird Excuses for Calling in Sick

In a recent survey, one-third of employers reported that workers call in sick more often during the winter holidays than any other time of the year. While cold and flu season has much to do with the abundance of absences, some people are using up those sick days to spend more time with their families, get in some last-minute shopping or just relax in bed when the weather outside looks too bleak to even deal with.

Twenty-nine percent of workers admitted to playing hooky this year, citing errands and plans with family or friends among their top reasons for calling in sick. But check out these fifteen weird excuses that people used to miss work. I'm not sure how anyone even pulled these off without busting out in laughter...

1. Employee's 12-year-old daughter stole his car and he had no other way to work. Employee didn't want to report it to the police
2. Employee said bats got in her hair.
3. Employee said a refrigerator fell on him.
4. Employee was in line at a coffee shop when a truck carrying flour backed up and dumped the flour into her convertible.
5. Employee said a deer bit him during hunting season.
6. Employee ate too much at a party.
7. Employee fell out of bed and broke his nose.
8. Employee got a cold from a puppy.
9. Employee's child stuck a mint up his nose and had to go to the ER to remove it.
10. Employee hurt his back chasing a beaver.
11. Employee got his toe caught in a vent cover.
12. Employee had a headache after going to too many garage sales.
13. Employee's brother-in-law was kidnapped by a drug cartel while in Mexico.
14. Employee drank anti-freeze by mistake and had to go to the hospital.
15. Employee was at a bowling alley and a bucket filled with water (due to a leak) crashed through the ceiling and hit her on the head.

Excerpted from Careerbuilder.com



Fewer Employers Offer Employee Health Insurance

Fewer Americans Covered By Health Insurance at Work: The percentage of Americans who have health insurance through their employer slipped to a new low of 44.5% in the third quarter, a drop of over 5 percentage points in three years, according to a poll released on Friday.

Pollsters at Gallup and Healthways Inc., who surveyed more than 90,000 U.S. adults, blamed the decline on high unemployment, under-employment and an increased number of employers who do not offer health insurance to their workers. Employer-sponsored health insurance is one of the main pillars of the \$2.6 trillion U.S. health care industry. But companies have increasingly scaled back benefits and raised employee charges to cope with health care costs that are rising sharply despite anemic economic growth. The latest figure was 5.3 percentage points below a high of 49.8% in 2008, when the two companies began tracking trends in employer-sponsored health insurance.

Discipline: 5 Ways You Can Get Into Legal Trouble

When it comes to disciplining employees, chances are you already know the obvious problems that can set up your company for a lawsuit. But as safety attorney Adele Abrams notes, underneath each obvious pitfall there is usually a trickier issue.

Here are some examples:

1. Special treatment for VIPS

The obvious: Coming down hard on some people, but not on others. You know treating people the same, regardless of age, race, gender and the like, is essential. Otherwise you could end up explaining your progressive discipline before the EEOC. But most companies don't pick on people that way.

The hidden danger: Giving VIPs, important visitors, supervisors and managers special treatment and allowing them to violate safety rules.

Example: The safety director gives a plant tour to VIPs but doesn't insist they wear seat belts. When a worker is later disciplined for not using a seat belt, she claims that she's been unfairly singled out – and points to the VIP tour as evidence.

Better: Most managers and supervisors have their own PPE, but it's a good idea to make sure they have plenty of spares, too. Putting on PPE and delivering a quick safety-update (such as wearing seat belts) is an excellent way to create a favorable impression.

2. Mishandling complaints

The obvious: Disciplining after safety complaints. You know that workers who complain about safety enter a legally protected class. Discipline, after that, needs to be handled carefully to avoid even the appearance of retaliation.

The hidden danger: Allowing safety complaints to undermine progressive discipline. If a worker complains about safety, you need to address it. But that doesn't give the worker a get-out-of-jail free card.

Example: Bill complains about safety violations, but then repeatedly violates the lockout-tagout policy. His supervisor assumes Bill can't be disciplined. When Bill gets injured, he sues, claiming negligent supervision because his boss failed to enforce the policy.

Better: A lot depends on how the supervisor handles the discipline, because the worker may be sensitive to anything that looks like retaliation. Start with a discussion – thank the worker for bringing safety concerns up in the past, but then explain that the lockout/tagout policy is for everyone. Just make sure that any changes in policy are clearly communicated, (e.g., "We're going to start enforcing tougher policies") and that the supervisor is not singling the worker out.

3. Changing policy by accident

The obvious: Lack of a progressive-discipline policy leaves enforcement up to the individual supervisors, and that's almost guaranteed to result in inconsistent treatment of workers. Most companies think the solution is to write a progressive-discipline policy.

The hidden danger: The company thinks the written policy is legally the policy. Actually, your company policy is what your supervisors and workers do on a day-to-day basis.

Example: One company had a written ladder-safety policy. Workers signed statements that they'd read and understood all safety policies and would follow them in their daily jobs. One day, an OSHA inspector found a worker misusing a ladder and issued a fine. The OSHA Review Commission upheld the fine, saying that the company had no evidence it enforced the policies. Without enforcement, the written policy meant nothing, legally.

Better: Review disciplinary records and ask supervisors if these match the actual policy violations. If not, they've accidentally created a new policy.

For up-to-date
information, check our
web site at
<http://ehsassociates.com>

Discipline: 5 Ways You Can Get Into Legal Trouble cont

4. Violating procedure

The obvious: Supervisors don't follow the progressive-discipline policy. They make exceptions, ignore violations or only discipline in severe cases.

The hidden danger: Supervisors follow the progressive-discipline policy as if it were an automatic series of steps. They always warn verbally, then write up, then suspend. This can set up your company for a lawsuit if a worker commits a violation that puts him or her in immediate danger.

Example: Abrams noted a worker came to work drunk and then hit a fellow worker in a dispute. Should the person be fired or just verbally warned?

Better: Progressive-discipline policies should distinguish between first-offense firings (e.g., lockout violations, threats of violence or intoxication) and less serious ones.

5. Not documenting discipline

The obvious: Supervisors fail to document discipline. Most companies avoid this risk by requiring documentation of any discipline imposed.

The hidden danger: Not documenting verbal warnings, too. Abrams says she's seen companies get into trouble because supervisors have no record of each other's verbal warnings, so there's no way to be consistent.

Example: One worker gets several verbal warnings but nothing happens to him. Another worker, under a different supervisor, is disciplined after one verbal warning. She's in a protected class and files a disparate-treatment lawsuit.

Better: Supervisors document verbal warnings, and you can review them to ensure disciplinary consistency.

Source: Abrams, www.safety-law.com

OSHA's 2011 TOP TEN Most Frequently Cited Violations

- | | |
|---------------------------|------------------------------|
| 1. Scaffolding (C) | 6. Electrical: wiring |
| 2. Fall Protection (C) | 7. Powered industrial trucks |
| 3. Hazard communication | 8. Ladders (C) |
| 4. Respiratory protection | 9. Electrical systems design |
| 5. Lockout/tagout | 10. Machine guarding |

C = Construction standard



Ways to Say "Thanks" for Safety

You know that low morale can cripple your safety efforts. Praising excellent safety performance is one way to reinforce good practices and boost morale.

Here are eight ideas for making praise effective and keeping workers in a high-performance, low-fear mode:

- If you hear a positive remark about an employee, repeat it to him or her as soon as you can. People like to hear that good things are being said about them.
- Thank people personally for spotting hazards. A simple thank you from a boss goes a long way in boosting an individual's morale. And it encourages them to keep doing the right things.
- When you distribute safety materials (or pay stubs), write a note recognizing each person's contribution during the period. A personal note shows that you're paying attention to them individually – and that encourages the worker.
- Ask a senior manager to attend a Safety Committee meeting where you recognize people for their safety accomplishments. Or arrange for a top executive to call an outstanding team member personally.
- Call an employee in just to thank him or her for working safely. Don't make the meeting about anything else – if you have more to do, do it another time. That way, you won't undercut the message with other business.
- For employees who work in a distant work site, leave a voice mail just to say thanks for some job well done.
- If you receive personal recognition from higher-ups, share it around with the rest of the team and give credit where credit's due.

Create a "traveling" award. Buy or create an award and present it to a deserving employee. After a set period – a week, a month – ask this employee to choose a person to pass the trophy on to, and explain why. Continue the process as long as the trophy keeps its "buzz."



ON A FEW BUMPERS

**Never do anything you
wouldn't want to explain
to the paramedics**

**Free airbag test:
come a little closer**

**If it weren't for physics
and law enforcement**

**Warning: driver
applying makeup**

**Stay back!
I drive just like you**



Safety Shorts Supplement

EHS Associates, Inc – Salem Oregon
Safety – Environmental Resource Group

Words of Wisdom

It's always darkest before dawn. So if you're going to steal the neighbor's newspaper that's the time to do it.

Never test the depth of the water with both feet.

It is far more impressive when others discover your good qualities without your help.

If you tell the truth you don't have to remember anything.

If you lend someone \$20 and never see him again; it was probably worth it.

If you haven't much education you must use your brain.

Never mess up an apology with an excuse.

Never underestimate the power of stupid people in large groups.

Give a man a fish and he will eat for a day. Teach him how to fish, and he will sit in a boat and drink beer all day.

Taxation WITH representation isn't so hot, either!

Don't squat with your spurs on.

Never ask a barber if he thinks you need a haircut.

Good judgment comes from bad experience and a lot of that comes from bad judgment.

A closed mouth gathers no foot.

Duct tape is like the force, it has a light side and a dark side and it holds the universe together.

I didn't say it was your fault. I said I was going to blame you.

Eagles may soar, but weasels don't get sucked into jet engines.

There are two theories to arguing with women. Neither one works.

Never miss a good chance to shut up.

Generally speaking, you aren't learning much when your mouth is moving.

Anything worth taking seriously is worth making fun of.

Diplomacy is the art of saying "good doggie" while looking for a bigger stick.

Mensa Invitational

The Washington Post's Mensa Invitational once again invited readers to take any word from the dictionary, alter it by adding, subtracting, or changing one letter, and supply a new definition.

Here are the winners:

1. Cashtration (n.): The act of buying a house, which renders the subject financially impotent for an indefinite period of time.
2. Ignoranus: A person who's both stupid and an a**hole.
3. Intaxicaton: Euphoria at getting a tax refund, which lasts until you realize it was your money to start with.
4. Reintarnation: Coming back to life as a hillbilly.
5. Bozone (n.): The substance surrounding stupid people that stops bright ideas from penetrating. The bozone layer, unfortunately, shows little sign of breaking down in the near future.
6. Foreploy: Any misrepresentation about yourself for the purpose of getting laid.
7. Giraffiti: Vandalism spray-painted very, very high
8. Sarchasm: The gulf between the author of sarcastic wit and the person who doesn't get it.
9. Inoculatte: To take coffee intravenously when you are running late.
10. Osteopornosis: A degenerate disease. (This one got extra credit.)
11. Karmageddon: It's like, when everybody is sending off all these really bad vibes, right? And then, like, the Earth explodes and it's like, a serious bummer.
12. Decafalon (n.): The grueling event of getting through the day consuming only things that are good for you.
13. Glibido: All talk and no action.
14. Dopeler Effect: The tendency of stupid ideas to seem smarter when they come at you rapidly.
15. Arachnoleptic Fit (n.): The frantic dance performed just after you've accidentally walked through a spider web.
16. Beelzebug (n.): Satan in the form of a mosquito, that gets into your bedroom at three in the morning and cannot be cast out.
17. Caterpallor (n.): The color you turn after finding half a worm in the fruit you're eating.

The Washington Post has also published the winning submissions to its yearly contest, in which readers are asked to supply alternate meanings for common words.

Next Page

And the winners are:

1. Coffee, n. The person upon whom one coughs.
2. Flabbergasted, adj. Appalled by discovering how much weight one has gained.
3. Abdicate, v. To give up all hope of ever having a flat stomach.
4. esplanade, v. To attempt an explanation while drunk.
5. Willy-nilly, adj. Impotent.
6. Negligent, adj. Absentmindedly answering the door when wearing only a nightgown.
7. Lymph, v. To walk with a lisp.
8. Gargoyle, n. Olive-flavored mouthwash.
9. Flatulence, n. Emergency vehicle that picks up someone who has been run over by a steamroller.
10. Balderdash, n. A rapidly receding hairline.
11. Testicle, n. A humorous question on an exam.
12. Rectitude, n. The formal, dignified bearing adopted by proctologists.
13. Pokemon, n. A Rastafarian proctologist.
14. Oyster, n. A person who sprinkles his conversation with Yiddishisms.
15. Frisbeetarianism, n. The belief that, after death, the soul flies up onto the roof and gets stuck there.
16. Circumvent, n. An opening in the front of boxer shorts worn by Jewish men.

Merry Christmas Everyone



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