

SOUTH DAKOTA SAFETY COUNCIL

MEMO TO MEMBERS

Rescheduled! Annual Meeting and Active Shooter Training Session

BLIZZARD POSTPONES MEMBER MEETING, HALF OF SPECIAL TRAINING DAY

The best-laid plans are no match for a South Dakota blizzard! We enjoyed meeting with those of you who were able to attend the morning session of our active shooter training on February 2. We've re-scheduled our annual meeting (including an introduction to new Sioux Falls OHA Area Office staff) as a breakfast meeting to be followed by the second training session on March 23 at the Sioux Falls Arena and Convention Center.



The training session will be presented by one of our most highly-regarded instructors. **Chad Sheehan**, Sheehan Strategic Solutions, will teach you to recognize and survive workplace violence. If you choose to attend the annual meeting breakfast at 8:15 a.m., you'll have a chance to hear about our activities this past year and chat with other members, our Board of Directors and our staff. You'll also hear from **Robert Blomster**, assistant director of OSHA's new Sioux Falls Area Office.

As a thank you to our members, the half-day of training and annual meeting breakfast are available to employees of member organizations for only \$50 (\$10 for breakfast only).

- ▶ Find more details and registration information on [our website](#). Questions? Contact Moira at moira@southdakotasafetycouncil.org.

SDSC Annual Meeting/Breakfast

Active Shooter Training Session

March 23, 2016

Sioux Falls Arena & Convention Center

- ▶ **8:00–8:15 a.m. Check-in**
- ▶ **8:15 a.m. Annual Meeting and Breakfast**
- ▶ **9:30–11:30 a.m. S.A.V.E. Yourself Active Shooter Training Session**

Course fee plus breakfast: \$50

Annual Meeting breakfast only: \$10

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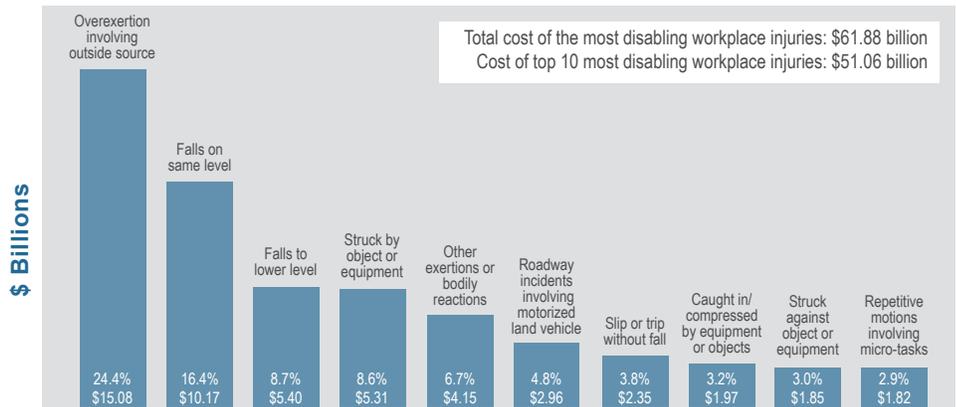
SAFETY COUNCIL
CHAPTER OF THE NATIONAL SAFETY COUNCIL

Most Serious Workplace Injuries Cost Employers \$62 Billion per Year

Liberty Mutual Insurance Company's annual analysis of the ten most serious causes of non-fatal workplace injuries pegs the workers' compensation cost to employers at \$62 billion per year. This translates into more than a billion dollars a week spent by businesses on these injuries.

The complete [2016 Liberty Mutual Workplace Safety Index](#) is available online. For Minnesota-specific workers' comp information from the Department of Labor and Industry, see the chart on the facing page.

Top 10 Causes and Direct Costs of the Most Disabling U.S. Workplace Injuries^{1,2}



2016 Liberty Mutual Workplace Safety Index (based on 2013 injury data)

Federal OSHA News

► Hearing on proposed beryllium rule.

Federal OSHA has scheduled an informal public hearing on its proposed beryllium rule for February 29 at 2 pm EST, in Washington, D.C. More information about presenting testimony or questioning witnesses in the [December 30 Federal Register](#).

► Slips, trips and falls rule withdrawn from review.

On December 21, federal OSHA withdrew its rule on slip, trip and fall hazards from Office of Management and Budget (OMB) review. [Safety+Health magazine](#) reports that the final rule had been tentatively scheduled for publication in April, after more than two decades in development.

► Ruling sets precedent for OSHA abatement requirements.

An [administrative law judge has ruled](#) that that U.S. Occupational Safety and Health Review Commission may have the authority under the OSH Act to order abatement measures at company locations beyond the initially inspected/cited worksite, an issue that will now proceed to trial.

► Impact of new OSHA penalties.

A recent article in [OHS Online](#) explores how new OSHA penalties will impact businesses and organizations. The author suggests the change can be an incentive for organizations to conduct a risk assessment and ensure they are up to current OSHA standards/regulations.

Employers Must Post OSHA 300A Summary

A reminder that if you employ more than ten employees and are not classified as a [partially exempt industry](#) you must post a summary ([OSHA Form 300A](#)) of your 2015 OSHA recordkeeping log from February 1 – April 30, 2016, even if you had no injuries or illnesses.

- Find [details about recordkeeping requirements](#) on the OSHA website and also see our upcoming ["OSHA Recordkeeping Rule" class](#).



Protecting Workers from the Cold

We'll be in the thick of winter for a while yet, so keep in mind these [tips from NIOSH](#) — for both employers and workers — to help prevent cold-related injuries and illnesses. A related article in [EHS Today](#) discusses what you need to know about eye injury hazards specific to winter.

Articles of Interest

► **Making the business case: safety excellence linked to company stock value.**

Looking for support to make the business case for safety? [National Safety Council reports](#) that three recent studies suggest companies that excel at worker health and safety also thrive in stock market value.

► **Preventing hazardous noise and hearing loss.**

A new “Prevention through Design” publication from NIOSH describes case studies involving noise controls. See [Preventing Hazardous Noise and Hearing Loss during Project Design and Operation](#).

► **Workplace safety predictions for 2016.**

[A recent article](#) in *Occupational Health & Safety* identified four key trends that will impact workplace safety in the coming year:

1. Psycho-social, depression and obesity issues, with an emphasis on addressing them before an employee is injured, not just afterward.
2. Opioid addiction. Speaking of growing concerns about the link between pain killer addiction resulting from worker injury, the article states, “This is why it’s essential for organizations to take on even more prevention programs in 2016 to stop the addiction cycle by preventing the injury from occurring in the first place.”

3. An even more significant shift to the use of predictive analytics and Big Data in the return-to-work process.
4. The need to invest in preventing injuries among temporary and contract workers. “Some companies may not be aware of the fact that they now need to be prepared to take on workers’ compensation costs for their independent contractors in addition to their permanent employees since the National Labor Relations Board [now views temporary workers to be essentially the same as regular employees](#). With this in mind, it’s critical that organizations take more time on the front end to ensure they are hiring the right contractors to fill positions and to train them on the right way to perform job duties.”

Third Annual Safety Stand-Down Slated for May



The third annual [National Fall Safety Stand-Down](#) is scheduled for **May 2–6, 2016**, to raise awareness of preventing fall hazards in construction. Watch for more information from Minnesota OSHA as we get closer to the spring.

HOW TO REACH US SOUTH DAKOTA SAFETY COUNCIL

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Regulatory Update from AIHA

BY STEVE GUTMANN, CIH CPE FAIHA

Thanks to Steve Gutmann, S.H. Gutmann Consulting, for this synopsis of the [latest monthly regulatory update](#) from the American Industrial Hygiene Association.

Washington is in full election mode.

This is a presidential election year and Congress has scheduled only 111 days to be in session. The election will include the offices for President, 34 Senate seats and all 435 seats in the House. Activities related to occupational safety and health include:

- **Toxic Substances Control Act:** Both the House and Senate have enacted legislation. However both versions are different so they must get together and see if they can work out their differences.
- **Regulatory reform:** There are about three dozen bills introduced to reform the regulatory process. Some are ideas that will never be considered but there are one or two that just may make their way into law before all is said and done.
- **The budget:** OSHA doesn't seem to be getting adequate resources to do the job. We will get a better look at what 2017 will look like when the President releases his 2017 budget proposal this month.

Congress fails to address major economic problems.

The Congressional Budget Office has reported that a number of economic issues are looming ahead.

- **Sequestration bypassed:** Congress has overridden sequestration cuts and increased spending by about \$80 billion.
- **Deficit spending increased:** The deficit will rise about \$1.1 billion to \$544 billion in 2016.
- **The national debt:** Big increases are projected between 2015 and 2026.



Congress and states address safe patient handling.

- **Congressional action:** Bills have been introduced in the House and Senate, but stand little chance of passage.
- **The states:** Legislation is pending in the District of Columbia, Florida, Massachusetts and Minnesota.

Occupational safety and health state plans in the news.

There continues to be considerable activity regarding OSHA State Plans. Here's a short update on recent actions.

- **New Jersey:** They are the sixth state to administer safety and health programs for state and local government employees only.
- **Indiana:** Legislation is pending to repeal its state plan.
- **Kansas and Missouri:** Legislation is to develop a new state plan.
- **Virginia:** Legislation is to expand its state plan to include public employees.
- **West Virginia:** Legislation is to develop a state plan to include employees of the Department of Corrections and the Division of Health.
- **Tennessee:** Legislation is to expand its state plan to cover individuals under the Longshoremen's Harbor and Workers Compensation Act.
- **Other states:** At least ten states are considering taking action on issues including whether or not to increase penalties for violations, what to do about workplace inspections and the discharge of employees.

Can workplace safety violators be prosecuted?

The answer is YES, but they are difficult to prosecute. Actions to correct this are being considered.

- **Congress:** Maximum penalties are being allowed to increase by 82% by August. Further increases would be linked to inflation.
- **Administrative action:** The Departments of Labor and Justice signed an agreement that would allow criminal prosecution for safety and health violations. These prosecutions would use laws aimed at fraud and environmental hazards resulting in felony convictions and multi-year prison terms.

The regulatory outlook for remainder of 2016.

- **Silica:** A final standard is expected in the next few months.
- **Beryllium:** A standard is not expected before the end of the Obama administration.
- **Safety and Health Management Guidelines:** Updates to the 1989 guidelines are expected by the end of the year.
- **Combustible dust:** OSHA has shelved action on standard.
- **Recordkeeping rule:** An electronic reporting rule is expected, but legal challenges loom ahead.

Quick Read:

- **Oregon OSHA:** They are looking at encouraging employers to use more up-to-date limits than the outdated Permissible Exposure Limits (PELs).
- **OSHA recordkeeping:** An electronic form has been created to report injuries and fatalities online.
- **Department of Labor:** The Inspector General has initiated an audit of the OSHA rulemaking process.
- **Whistleblower protection:** OSHA continues to look at ways of increasing protection for whistleblowers.

New Guide Helps Employers with Incident Investigations

Federal OSHA has published a new guide to help employers with incident investigations. It supports the creation of a systems approach to help identify and control underlying/ root causes in order to prevent their recurrence. See [Incident \[Accident\] Investigations: A Guide for Employers](#).



WHY INVESTIGATE?

Incident investigations help employers:

- ▶ Prevent injuries and illnesses
- ▶ Save lives
- ▶ Save money
- ▶ Demonstrate commitment to health and safety
- ▶ Promote positive workplace morale
- ▶ Improve management

OSHA strongly encourages employers to investigate all workplace incidents — both those that cause harm and the “close calls” that could have caused harm under slightly different circumstances. Investigations are incident-prevention tools and should be an integral part of an occupational safety and health management program in a workplace. Such a program is a structured way to identify and control the hazards in a workplace, and should emphasize continual improvement in health and safety performance. When done correctly, an effective incident investigation uncovers the root causes of the incident or ‘close call’ that were the underlying factors. Most important, investigations can prevent future incidents if appropriate actions are taken to correct the root causes discovered by the investigation.



The Opioid Overdose Epidemic

In December, the Centers for Disease Control and Prevention released troubling [statistics](#) on the growing epidemic of drug and opioid overdose deaths in the United States. The origins of this epidemic have been linked to prescription opioids. While it is unknown how many drug and opioid overdose deaths are associated with workplace injuries and illnesses, it is clear that this national epidemic is impacting workers and employers.

A May 2014 [NIOSH blog](#) noted that injured workers are frequently treated with powerful prescription drugs. The blog reported on studies demonstrating that narcotics account for 25% of prescription costs in workers' compensation systems and that those costs are rising.

In addition to work injuries and illnesses being the reason opioids are prescribed in the first place, there are other ways in which this epidemic is undoubtedly impacting workers and employers. The use of prescription opioids may impact the ability of a person to return to work, and ultimately can negatively affect their livelihood. If workers are under the influence of opioids while they are at work, they are likely to be at increased risk for injury. For workers in safety sensitive jobs, such as transportation and operators of heavy equipment, there will be increased risks for catastrophic events that impact many besides the worker.

► [NIOSH has compiled resources that may be useful for workers, employers, health care providers, and others on a new topic page.](#)

Source: NIOSH Science Blog, December 21, 2015, National Institute for Occupational Safety and Health

Why Do Organizations Repeat Safety Mistakes?

National Safety Council reports that a group of researchers from the University of Texas-Austin is contesting the prevailing notion that organizations either learn from past safety mistakes or do not. Researchers offer evidence pointing to a gray zone: Organizations exhibit cycles of learning and forgetting of safety lessons following previous incidents, researchers say, and periods of weakened focus on safety may lead to increased risks.

► [Read more](#) in NSC's *Safety + Health*.

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South Dakota Safety Council Motorcycle Training Program Director Receives National Award

Rick Kiley recognized for state and national contributions to motorcycle safety

Rick Kiley, Director of the South Dakota Motorcycle Rider Education Program, has received the 2015 Outstanding Contribution award from the National Association of State Motorcycle Safety Administrators (SMSA). The annual award honors an individual or group for their commitment and contribution to motorcycle safety and positive impact on a national, state or local level. The rider education program is coordinated by the South Dakota Safety Council in partnership with the state.

Kiley has been involved with motorcycle safety for more than 37 years and since 1985 has managed the statewide education program. In 2015, the South Dakota Safety Council offered 326 rider classes, training 1,674 motorcyclists in an effort to reduce motorcycle-related crashes, injuries and deaths. Since it began in 1977, the program has trained 38,242 riders.

“Rick’s passion for motorcycle safety is matched by his ability to effectively coordinate the management of instructors and training sites across the state,” said South Dakota Safety Council Executive Director Cary Swenson. “He is a tenacious advocate who has made a difference in South Dakota and nationally.”

Carol Thurn, Traffic Safety Co-manager with the North Dakota Department of Transportation, nominated Kiley for the award. “He is committed to improving motorcycle safety by sharing his knowledge and love of riding with others,” she said. “His commitment to the state of South Dakota and the United States has helped save lives.”

Congratulations, Rick!

Learn More About Motorcycle Safety Training!

As the state’s designated motorcycle safety training center, we offer courses throughout the state to help motorcyclists prepare for their license tests. We also administer the license test as the final step in our courses.

- ▶ [The Basic Rider Course](#) consists of 15 hours of instruction (5 hours in the classroom and 10 hours on-cycle. Come to the classroom session prepared to ride.) Motorcycles are provided for your use at no extra charge.
- ▶ [The Experienced Rider Course](#) consists of four hours of riding practice and up to one hour classroom activities conducted between riding exercises.
- ▶ Registration opens late March. Watch our weekly member e-newsletters for details.
- ▶ **Questions? See our [list of contacts](#) throughout the state.**

Poison Prevention Week, March 20–26

March 20-26 is [National Poison Prevention Week](#), an opportunity to raise awareness about unintentional poisoning. The most common poisons include prescription and over-the-counter medications, cleaning products and personal care products. The majority of non-fatal poisonings occur among children. In adults, prescription drug overdose is the leading cause of unintentional injury death and employee use of prescription painkillers has become a significant concern. Take advantage of [free National Safety Council resources](#), including the [Prescription Drug Employer Kit](#), to help you better understand the issue and how to effectively communicate it with your organization.



UPCOMING TRAINING HIGHLIGHTS

► March 3

OSHA Recordkeeping Rule

8:30 a.m. – 12:30 p.m. | South Dakota Safety Council

Attendees will learn about revised requirements for notifying OSHA when an employee is killed on the job or suffers a work-related hospitalization, amputation or loss of an eye. The rule, which also updated the list of employers partially exempt from OSHA record-keeping requirements, went into effect last January for workplaces under federal OSHA jurisdiction.

Members: \$95.00 + tax (first attendee); \$75.00 + tax (each additional attendee) | Nonmembers: \$125.00 + tax

► March 7

HAZWOPER Technician Training, 24-hour

8:00 a.m. – 5:00 p.m. | South Dakota Safety Council

This 24-hour accredited workshop fills the annual training requirement for responders to chemical emergencies in OSHA 1910.120(q) Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard.

Day One: Introduction to Regulations and Standards, Chemical Physical Hazards, Health Hazards and Information Sources

Day Two: Health and Safety Plans, Emergency Response Plans, Personal Protective Equipment, Respiratory Protection and Chemical Protective Clothing

Day Three: Decontamination Incident Command Systems (ICS) and Air Monitoring, DECIDE and Hazard Analysis

Members: \$395 + tax | Nonmembers: \$499 + tax

► March 10

First Aid/CPR/AED Training, Hands-on

8:30 a.m. – 4:00 p.m. | South Dakota Safety Council

Be prepared and be in compliance. Learn the skills to maintain the life of a victim until emergency medical personnel arrive. The CPR/AED portion covers basic life support, emergency scene assessment, CPR and rescue breathing and choking. The AED segment covers operating characteristics of AEDs and shows you proper precautions and maintenance techniques. Upon course completion, attendees receive National Safety Council First Aid/CPR/AED certificates. *We will train up to eight people at your workplace for only \$490 (plus expenses).*

Members: \$70.00 + tax | Nonmembers: \$80.00 + tax

► April 13–14

First Aid/CPR/AED Instructor Training

8:30 a.m. – 4:00 p.m. | South Dakota Safety Council

This **REVISED** two-day instructor development course is designed to prepare you to teach First Aid/CPR/AED using the latest methods and materials from the National Safety Council's Emergency Care Program. This course is perfect for organizations that regularly train people in First Aid and CPR/AED and are looking for the most current and effective training program available.

Members: \$350.00 + tax | Nonmembers: \$450.00 + tax

To register for any of these classes, call us at 605-361-7785 / 800-952-5539.

MEMO to Members is a publication of the South Dakota Safety Council.

The information in the Memo to Members is compiled from sources believed to be reliable. We've exercised reasonable care to assure its accuracy, but make no guarantees. The South Dakota Safety Council makes no representation or guarantees of results and assumes no liability in connection with the information contained in the Memo, including whether such information or suggestions are appropriate in all circumstances. Statements attributed to other sources do not necessarily reflect the opinion or position of the South Dakota Safety Council.

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