



Editor's Briefs, Tyler.Nguyen@esa.sccgov.org

As long as I have been plying my trade as a safety professional in the Bay Area, I have known of Mr. Paul Burnett. Let me tell you, Paul's dedication to protecting people, property, and the environment is unparalleled among his many peers. Congratulations to Paul Burnett who is Sacramento Safety Center's 2007 Safety Professional of the Year recognized at the 13th Annual Occupational and Regulatory Symposium on January 23rd in the Capitol City.

Paul has been a wonderful resource ranging from speaking at safety seminars, safety coordinators' forum, training events and doing behind-the-scene research work on training requirements and a host of other hot buttons that came up over the years.

Safety Center's President Liz McClatchy stated that Paul is a "pioneer in health and safety training and consulting; a tremendous resource, and; a friend to Safety Center, Inc. for many years." So bravo Paul Burnett on the many accolades coming your way. I look forward to your continued leadership and participation in a wealth of activities of not only the Greater San Jose chapter of the American Society of Safety Engineers but also of other safety associations that contribute to the successes of our fellow safety practitioners for many more years to come.



Santa Clara County's Tyler Nguyen and Santa Clara Valley Water District's Paul Burnett at the Symposium on January 23, 2008

Upcoming Chapter Meetings

To reserve a seat via e-mail, please send your name, telephone number and email address to: reservations@assesj.org

March 11: Lock Out Tag Out (LOTO): LOTO was the number one violation cited by OSHA in manufacturing in 2006. Mr. Jay Jamali, CSP, CHMM, CHCM—Director for Enviro Safetech will present on how to develop and implement an effective LOTO program as well as develop equipment specific LOTO procedures.

April 8: Contractor Safety

May 13: Fall Protection

June 17: Ergonomic Workstation Evaluation

July 8: Topic to be determined



Membership News

The chapter is sponsoring a **Professional Development Conference (PDC)** to take place on the Monterey Peninsula targeted for April 23-24, 2009. Go ahead and calendar these two days to network, to learn, to soak in some sunshine and most important of all, to pick up some continuing education credits for maintenance of your certifications, licenses, or registrations. Tune in for further development with the chapter's Jay Jamali and Betsy Leff as our points of contact.

The membership database is as good as the information contained in it. Updates come from ASSE members nationwide. To see what ASSE has on file for you, go to the national website at <http://www.asse.org>. Enter your ASSE membership number and your surname as your password to access your personal record. View them and make any necessary changes to the data. Then, *voila*, you're done and the database is one more person up-to-date.





Employer-Paid Personal Protective Equipment Rule in Effect February 13

Federal OSHA's final rule on employer payment for personal protective equipment (PPE) takes effect February 13, 2008. Under the rule, employers have until May 15 to implement the PPE payment requirements. OSHA had considered the rulemaking since 1999 before finalizing it in November. Read the complete text at the web page below:

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=20094

Sec. 1917.96 Payment for protective equipment.

(a) Except as provided by paragraphs (b) through (f) of this section, the protective equipment, including personal protective equipment (PPE), used to comply with this part, shall be provided by the employer at no cost to employees.

(b) The employer is not required to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eyewear, provided that the employer permits such items to be worn off the job-site.

(c) When the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, the employer is not required to reimburse the employee for the shoes or boots.

(d) The employer is not required to pay for:

(1) Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots; or

(2) Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.

(e) The employer must pay for replacement PPE, except when the employee has lost or intentionally damaged the PPE.

(f) Where an employee provides adequate protective equipment he or she owns, the employer may allow the employee to use it and is not required to reimburse the employee for that equipment. The employer shall not require an employee to provide or pay for his or her own PPE, unless the PPE is excepted by paragraphs (b) through (e) of this section.

(g) This section shall become effective on February 13, 2008.

Employers must implement the PPE payment requirements no later than May 15, 2008.

Note to Sec. 1917.96: When the provisions of another OSHA standard specify whether or not the employer must pay for specific equipment, the payment provisions of that standard shall prevail.





Facing the Unthinkable: Fatality Prevention in the Workplace

By Laura Walter, from <http://www.occupationalhazards.com> January 2008 Online Edition, Page 1 of 4

How workplace culture, organizational systems and leadership affect the risk of fatalities, and what safety professionals can do to prevent deaths.

No employer, family member or coworker ever wants a fatality to occur in the workplace. But it happens. In 2006 alone, 5,703 people died on the job, representing a multitude of poor choices and system failures that might have been avoided with better information or preparation.

Preventing workplace fatalities is the indisputable goal of any safety management system, but too often, the system breaks down. Employers fail in their leadership roles, well-meaning safety managers approach fatality prevention from the wrong direction or employees develop feelings of invincibility and the unthinkable occurs: someone dies on the job.

Indiana University of Pennsylvania (IUP) and the Alcoa Foundation hosted an event last November to establish a dialogue about occupational deaths. The two-day Fatality Prevention in the Workplace Forum, which attracted more than 150 safety professionals and industry leaders, was the starting point for a discussion of the causes of fatalities, the best ways to prevent them and suggestions for future areas of research.

Occupational Hazards spoke to some key presenters from the forum to determine exactly what companies, safety professionals and employees should be doing to prevent the unthinkable.

Frequent vs. Fatal

Fred A. Manuele, president of Hazards Limited, presented his research on workplace fatalities and serious injuries at the IUP forum. One of the biggest myths he set out to discredit is that reducing frequently occurring injuries also will prevent serious or fatal incidents. Manuele says this approach “has been proven untrue” and stresses that fatal incidents often occur during non-routine tasks, the type safety professionals may have the least experience dealing with. And even if a company has a stellar safety history when it comes to serious incidents, it can be risky to take comfort in rates.

“You should not be deluding yourselves that you don’t have serious injury potential just because your rates are down,” Manuele warns. Lon Ferguson, chair of the IUP safety sciences department and a key organizer of the fatality forum, agrees that injury rates can be misleading or can create false reassurance. He particularly questions the fact that total recordable rates seem to be decreasing across the board, but fatality rates aren’t following suit at the same pace.

“Why isn’t there more of a relationship?” Ferguson asks. “The fact is that it’s very difficult to hide fatality data, but you can play games with rates.”

While Ferguson isn’t suggesting that dishonest rate reporting is a widespread problem, he acknowledges the possibility. “Someone has to at least think about that as a possible option,” he says. After all, Ferguson explains, companies are under pressure to get their injury rates down – and keep them down.

Jeff Shockey, corporate safety director for Alcoa, points out the risks associated with relying too heavily on a successful safety past. “It’s easy to sit back and feel good about total recordable rates, or OSHA compliance, or having passed the last ISO audit, and be lulled into a sense of overconfidence,” he says. “But fatalities are a different animal. They don’t care if you have the lowest total recordable rate.”

To prevent fatalities, Manuele thinks safety professionals must be willing to change the way they look at incident prevention. “They have to change the philosophy that says what we have in place is adequate,” he says.

He also debunks the myth that worker causes are the principle contributors to fatal incidents. In reality, he believes “the system is the problem, not the worker.”

What exactly is wrong with the system? According to these experts, economic and investment pressures, turnover, leadership, global competition and downsizing play big roles in the likelihood of workplace fatalities.





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A Fatal Environment

Manuele says that non-routine work, upsets in regular work, non-production capacities and work involving sources of high energy make up the situations most likely to lead to fatal incidents.

Other contributing factors also influence the risk of fatal and severe incidents:

Leadership. Ferguson explains that a lack of senior management ownership and the failure to hold safety as a core value can chip away at safety management systems. And as many safety professionals know, these breakdowns can lead to fatalities. “Sometimes leadership doesn’t realize the impact on safety culture,” he says.

Turnover. If a leader only is with the company for a few years, he or she has time to make decisions that will impact safety without being there long enough to see the consequences of those decisions. Employee turnover also contributes to the problem. Workers who stay with a company long term absorb the culture, including safety practices, but today’s more transient environment eliminates that benefit.

Employee-Employer Ratio. Shockey points out that the ratio of employees to employers is increasing in many companies. Picking up extra work – and extra employees – means leaders and managers have a larger span of control. It also means limited time for them to mentor, teach and observe their employees, which could contribute to deadly workplace situations.

And, as is common with many factors that contribute to organizational breakdown, economic issues are often to blame.

Economic Pressure. When companies downsize and grow leaner, safety inevitably takes a hit. Manuele explains that these companies feel they are running short – so short, in fact, that they don’t have enough staff to maintain the organization, much less a safety program. As companies are expected to churn out faster and cheaper production, it can create an atmosphere rife with the possibility of severe injuries or fatalities.

“[Forum] participants indicated the shift in focus where production takes a priority over safety seems to be occurring on a more routine basis,” Shockey explains. “The globally competitive nature of world economy really puts pressure on folks to do more with less – less money, less people, less resources.”

Shareholders and stakeholders also have an impact on the likelihood of fatalities. “It appears investors are looking at the short-term focus and are primarily profit-oriented,” Shockey says.

He adds that in some cases, environmental managers receive incentives while the safety department is left out in the cold. “[Shareholders] want to see companies controlling costs and want them to be green. As a result, fatality prevention often competes with cost reduction and the environmental focus,” he continues. “Our profession has begun to ask: Where’s the tax incentive for protecting people, as compared to environmental tax incentives for industry?”

Who’s at Risk

By identifying the employees most likely to be involved in a fatal or serious incident, safety professionals can target their efforts to the employees who need appropriate training or education.

New Employees. “People new to the job have a fairly high risk profile,” Shockey says. Developing a comprehensive new employee orientation process and focusing training on life-threatening risks could have a positive impact on fatality prevention.

Contractors. Contractors also are at a higher risk to be involved in a serious or fatal incident. While many contractors may have excellent safety records, Shockey points out that “generally speaking, anytime contractors are on a plant site, it increases the risk.” After surveying forum participants, Chris Janicak of IUP found that contractors who do not work under the employer’s watchful eye especially face an increased risk for fatalities. “A lot of the fatalities involved contractors that were not under [the employer’s] supervision,” he reveals.

Outsourced/Temporary Employees. Outsourcing employees or using temporary manpower means employing people who are not familiar with either the processes or the risks inherent in the job.





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Workers Logging Overtime. Employees who work more hours trade off the benefit of added production with fatigue and an increased likelihood of incidents.

Risk Takers. Industries with a history of tolerating risk-taking cultures, Ferguson explains, attract risk-taking employees. Even worse, Ferguson says the presence of both “internal and external rewards for risk-taking” can affect safety processes. Employees actually may be most vulnerable when they feel invincible.

Best Practices to Prevent Fatalities

In light of all these risks and contributing factors, protecting employees from fatal and serious incidents is clearly a challenge. Of course, no one said it wouldn't be complicated.

“Safety professionals are trying to get ahead, trying to learn to predict where the vulnerabilities are – it's not an easy task,” Shockey admits.

Here are a few ways employers and safety professionals can start to tackle the task of achieving better fatality prevention.

1. Stand Up to Ownership. Safety managers' best defense against fatalities may be their willingness to keep the lines of communication open. “We safety professionals have to have the strength of character to say to managers, ‘this is what is happening to the safety management system’ if it is deteriorating,” says Manuele.

2. Evaluate Near-Hits. Manuele stresses the importance of implementing near-hit systems to learn from potentially fatal incidents that almost happened. He believes workers should be “encouraged to bring forward things they've noticed about incidents that could cause severe accidents” to prevent such a close call from happening again.

3. Engage Employees. According to Shockey, involving employees in the process could help save lives. “We hear [that] with a fairly engaged culture, the chances are the safety aligns,” he says.

4. Risk Assessment. “Every company should develop a life-threatening risk program,” Shockey says. Companies that conduct pre-job risk assessments seem to report better results. Risk assessment particularly is important for non-routine tasks.

5. Training and Education. The academic world could influence workplace fatalities by offering more safety education. “Every future engineer or every craft apprentice needs to have health and safety training, but few universities include that in their curriculums. Apprentice programs and vo-tech schools do better. In the end, industry has to make up for those gaps by offering training when they come in,” Shockey continues.

6. Observe Employees at Work. Shockey also stresses the importance of observing workers on the job to ensure they are engaging in safe practices. “People are starting to realize it's not about the number of observations you do, it's the jobs you observe,” he says. “Maybe you observe new employees or non-routine work; target your observations where the risk is.” At Alcoa, for example, Shockey knows roof work is risky, so they target employees working on roofs. “The more you observe, the less often people seem to deviate,” he says.

7. Rely on Leading Indicators. These three experts urge safety professionals to study leading indicators, rather than lagging indicators (like total recordable rates) to better assess the risk of fatalities and serious injuries.

8. Design for Safety. Ferguson points out it is imperative to plan for safety “in the engineering and design phases, instead of after the fact.”





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The Challenge

“The first failure is the fatality,” Shockey says. “The second failure is when we can’t learn from it or share it to prevent future catastrophic incidents.”

Conducting research on risk assessment and fatality prevention could help safety professionals learn how to prevent these tragedies. Specifically, Shockey cites a need for better NIOSH data and Bureau of Labor Statistic data, as well as a global database of fatality information and research on risk assessment tools and what triggers the chain of events leading to fatalities. He adds that a national fatality database, which would provide open, anonymous information about fatalities, would be valuable.

“We need research that defines what deficiencies exist in the global interface,” he says.

More research is important because, as Shockey points out, fatalities can be subtle and show up where employers and workers least expect them. That’s why Shockey issues a challenge for safety managers to take responsibility.

“I would challenge every safety professional to spend a portion of every day seeking to identify where their next fatal exposure might be,” he says.

A fatality only takes one moment, one misunderstanding or one oversight to occur. Once this moment passes, safety managers, employers and coworkers have a choice: blame the fatality on something out of their control, or take action to avert another death. Until prevention methods are put into place, another unexpected fatality could strike again – and it’s a problem that can’t be reversed.

“You can fix a broken finger or a cut,” Shockey says, “but you can’t fix a fatality.”

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