

JSHQ

JOB SAFETY & HEALTH QUARTERLY

Volume 10 Number 1
Fall 1998



Partner
with OSHA:

New Ways

of **WORKING**

U.S. Department of Labor
Alexis M. Herman, Secretary



Occupational Safety and Health Administration
Charles N. Jeffress, Assistant Secretary

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From the Editor...

Cooperation and partnerships are the watchwords for the Federal Government these days. OSHA is no exception and has long realized the benefits of more proactive steps in improving worker safety and health. Our cover story summarizes OSHA's recent Partnership Conference, where private and public sector organizations came together to share their own safety and health successes and to learn about other partnership efforts.

This issue also highlights other short pieces on partnerships with the National Park Service and the Chemical Safety Board and a brief followup to the recent Federal Safety and Health Congress in Los Angeles. Note our regular columns *What's Happening?*, *Mark You Calendar*, and *Q&A* for recent updates. The *Toolbox* and *FatalFacts* tearout columns focus on welding hazards, electric shock in construction, and an explosion in an oil storage tank.

Please take a moment to complete our reader response card and give us your feedback on the issue and other topics you might like to see in the future.

Thanks for your continued readership.

A handwritten signature in cursive script that reads "Anne Crown-Cyr".

Anne Crown-Cyr
Editor

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ASSISTANT SECRETARY'S MESSAGE

As we look toward the twenty-first century, one of the guiding principles for OSHA will be partnership. To effectively assure workplace safety and health, we must find and encourage employers and workers who share our vision. When we have only 2,000 inspectors to cover 100 million employees at 6 million sites, we need all the help we can get.

From the beginning, OSHA has maintained partnerships with states running their own OSHA programs. We've worked with labor and management organizations to develop and provide safety and health training through our grant programs, now known as the Susan Harwood Targeted Training Grants.

Some 16 years ago, we developed our premier partnership—Voluntary Protection Programs. Nearly 550 sites have participated in this partnership, with about 470 currently active. VPP *Star* sites represent the best of the best—companies with outstanding safety and health programs and outstanding results. Together, those facilities save \$120 million **each year** because their injury rates are 60 percent below the averages for their industries.

We've recently opened a demonstration project for construction companies that is contractor-focused rather than site-based. In October, the first federal agency site—a NASA laboratory in Virginia—joined VPP as a *Star* site.

We've also offered partnership opportunities to companies at the other end of the scale—through "Maine 200" and similar pilot projects. We said: Set up a safety and health program and work with us.

Last fall, we expanded the program nationwide as the Coopera-



tive Compliance Program (CCP). The U.S. Chamber of Commerce and other trade associations sued to prevent this life-saving program from taking effect. That court suit will not be resolved until early next year. But we expect to vindicate the case for partnerships in achieving workplace safety and health.

In November, we held a partnership conference in Washington, DC, showcasing six success stories. Our special partners include several ad hoc construction organizations focused on steel erection, residential construction, and roofing that formed to work cooperatively with OSHA to address injuries, fatalities, and sky-high workers' compensation costs. The Cowtown Project in Fort Worth, TX, is composed of high-hazard industries within one geographical area, whereas the ConAgra/United Food and Commercial Workers partnership includes a number of similar sites under the umbrella of one company. The common thread through all these partnerships is the commitment of each organization and participant to work cooperatively with OSHA to implement effective safety and health programs.

Partnership also is appropriate on an international level. We now permit European testing and certi-

fication laboratories to apply and receive recognition to test and certify products used in American workplaces.

We also are strengthening regulatory cooperation with the European Union. We have worked with the EU in developing a globally harmonized system for hazard communication. Our goal is to have that system in place by the end of the year 2000.

In October, I participated in the Joint EU/US Conference on Health and Safety at Work as part of a US delegation of 50 American business, labor, and government leaders in occupational safety and health. During our meetings with our European counterparts, I was struck by the extensive consultation and collaboration that is part and parcel of their workplace safety systems. They develop consensus on issues; their parliaments pass statutes; and they move forward to improve workplace safety and health. No lawsuits!

I would love to see that kind of cooperation in this country. Instead, I find all too often that even within a single company, the safety and health professionals and the government affairs staff seem to be on different wavelengths. It's disturbing when safety and health staffs are implementing effective measures to control hazards while those who represent their interest in Washington are saying OSHA should not be addressing the same issues. Corporations need to speak with one voice. That would be a real step forward in building partnerships.

Charles N. Jeffress
Assistant Secretary
of Labor for Occupational
Safety and Health

Q What are the changes to OSHA's recently amended standard on methylene chloride (MC)?

A Several major changes to the MC standard are now in place. Startup dates are extended by which some employers using MC in certain applications must achieve the 25 parts per million (ppm) permissible exposure limit (PEL). For employers with 1-49 employees, the final startup date for engineering controls is April 10, 2000, and April 10, 1999, for employers with 50 or more workers in the following five manufacturing sectors: furniture refinishing; aircraft paint stripping in general aviation; formulation of products containing MC; use of MC-based adhesives for boat building and repair, recreational vehicle manufacturing, van conversion or upholstery; and use of MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinetmaking and/or floor refinishing and resurfacing. The April 10, 2000, startup date also applies to foam fabricators with 1-149 employees.

An April 10, 1999, compliance date now applies to polyurethane foam manufacturers with 20 or more employees and foam fabricators with 150 or more employees.

OSHA respirator requirements also are modified to allow employers to concentrate on developing and installing engineering controls, which are a permanent solution to MC overexposures. The change eliminates the requirement that respirators be used to achieve the 8-hour, time-weighted-average (TWA) PEL of 25 ppm during the period in which engineering controls are being implemented. This change enables many employers to avoid respirator use entirely. Until

the engineering controls are in place, employers must still meet the short-term exposure limit (STEL) of 125 ppm over a 15-minute period by using some combination of engineering and work practice controls and/or respirator use to lower exposure levels.

Employers who need to take advantage of the new extensions will have additional monitoring requirements. For example, quarterly STEL monitoring must be conducted if the 8-hour TWA exceeds the PEL, even if the STEL is below 125 ppm. The monitoring must continue until the 8-hour PEL is achieved or until the new startup dates take effect, whichever comes first.

Temporary medical removal benefits (pay and other benefits for up to 6 months) are also now in place for employees temporarily removed or transferred to another job because of a medical determination that exposure to MC may aggravate or contribute to existing skin, heart, liver, or neurological disease.

Q What is OSHA's Nationally Recognized Testing Laboratory (NRTL) Program?

A Some of OSHA's safety standards require that products used in the workplace be tested and certified by a third-party, independent organization to ensure they are designed for safer use.

Under the NRTL Program, a laboratory applies for OSHA recognition as an entity that can perform safety testing and certification of certain types of products. OSHA reviews the application and conducts a site visit to verify the information and determine whether the laboratory meets OSHA's qualifications. To gain OSHA approval as a NRTL, applicants must demon-

Under the NRTL Program, a laboratory applies for OSHA recognition as an entity that can perform safety testing and certification of certain types of products.

strate their complete independence from manufacturers and vendors of products that require the testing and certification and from employers that use these products. Applicants must also show that they have the correct testing equipment and facilities, trained staff, written testing procedures, and calibration and quality control programs to test and examine products for workplace safety purposes; that they have adequate programs for listing, labeling, and inspecting the products they certify; and that they have procedures to effectively report their findings and to handle complaints and disputes fairly. Should OSHA approve the laboratory, the lab is recognized to test against certain product safety test standards at specific sites. If the laboratory wants to test against additional standards, or add a site, it must apply for an expansion of its recognition and repeat most of the recognition approval process.

OSHA audits the laboratories on a regular basis to ensure they maintain their qualifications, procedures, and processes. Each NRTL

Occupational safety and health are becoming more global as all countries seek to make their resources stretch to accommodate new issues and concerns.

has a certification mark placed on products indicating they have been tested and certified. There are currently 15 NRTLs operating 38 sites in 4 countries.

Q How is the NRTL Program related to international trade issues?

A Occupational safety and health are becoming more global as all countries seek to make their resources stretch to accommodate new issues and concerns. Requirements for product testing can affect the movements of products in international trade. There have been a number of trade agreements in recent years that attempt to address differing safety and health requirements in various countries and facilitate or expedite movement of products across borders.

On May 18, 1998, President Clinton signed a Mutual Recognition Agreement (MRA) between the US and the 15 countries in Europe forming the economic and political alliance known as the European Union (EU). The MRA went into effect in late 1998. Parties to the agreement are studying and attempting to reconcile differing health and safety requirements in the member countries. OSHA expects to receive from 15 to 25 applications from European laboratories for recognitions as NRTLs.

Q What does OSHA's new Compliance Directive on respirators cover?

A The directive (OSHA CPL 2-0.120) elaborates on OSHA's new respiratory protection standard which became fully effective in October 1998. Among other things, the directive explains definitions of terms used in the standard; discusses the standard's requirements for a written respiratory protection program and program administrator; explains voluntary use of respirators; clarifies respiratory selection and hazard evaluation; discusses employer requirements to develop chemical cartridge change schedules for the respirators worn in their workplaces; covers medical evaluation of an employee's fitness to wear a respirator; and looks at fit testing for employees using negative- or positive-pressure, tight-fitting respirators. Also covered are the proper use of respirators; employees working in conditions Immediately Dangerous to Life or Health; and firefighters engaged in interior structural firefighting—i.e., OSHA's "two-in/two-out" requirements.¹

The new respirator standard applies to all respirators used in general industry, shipyards, marine terminals, longshoring, and construction workplaces. It does not apply to agricultural operations or to occupational exposure to tuberculosis.

The directive also discusses maintenance and care of respirators; training and information; evaluation of the effectiveness of the respirator program; recordkeeping; and how the respirator standard is linked to other OSHA standards.

Q What is the latest on OSHA's role with respect to safety and health enforcement at Department of Energy (DOE) sites?

A Discussions are currently underway in the Congress and in the Administration on whether to transfer safety and health regulatory responsibility at DOE sites to OSHA and, if approved, how and when to do it. A number of legal, administrative, and technical activities will have to occur before any transfer can be carried out.

Currently, DOE regulates the safety and health of employees at their sites through a series of orders that are often based on OSHA standards. The primary work at DOE sites across the country is performed by contractors. These are commonly referred to as government-owned, contractor-operated sites. DOE sites are currently "self-regulators," having responsibility for accomplishing their mission as well as regulating safety and health at the facilities.

OSHA has set up a working group made up of representatives from all parts of the agency that might be affected if the transfer of responsibilities takes place.

¹ See *Title 29 Code of Federal Regulations*, Part 1910.134(g)(4).

WHAT'S HAPPENING?

Publications

NIOSH

The National Institute for Occupational Safety and Health (NIOSH) *HAZARD ID* (No.HID 4) addresses ignition hazards from drilling into sealed frames of agricultural equipment.

The January 1998 *NIOSH Alert on Preventing Asthma in Animal Handlers* (DHHS/NIOSH No. 97-116) addresses the health effects of exposure to airborne animal allergens and recommends a broad spectrum of measures for preventing animal-induced asthma and allergies in the workplace.

To order a copy of these brochures, contact the National Institute for Occupational Safety and Health (NIOSH), 4676 Columbia Parkway, Cincinnati, OH 45226-1998. To receive other information about occupational safety and health problems, call 1-800-35-NIOSH, or visit the NIOSH Home Page on the World Wide Web at <http://www.cdc.gov/niosh>.

OSHA

Laminated pocket cards on heat stress contain information on signs and symptoms of heat-induced illnesses and what to do to help workers. OSHA 3155 is the Spanish version and OSHA 3154 is the English version.

The cards are on the Internet at www.osha.gov under **Publications**. A single free printed copy can be obtained from the OSHA Publications Office, P.O. Box 37535, Washington DC (202)693-1888.



VPP Update

At the 53rd Annual Federal Safety and Health Conference in Los Angeles, CA, October 27-29, 1998, OSHA announced the membership of the National Aeronautics and Space Administration's (NASA's) Langley Research Center in Hampton, VA, in the Voluntary Protection Programs (VPP). The center became the first Federal Government *Star* VPP site to join a select group of worksites recognized for excellence in workplace safety and health.

Recent additions to OSHA's VPP *Star* list are Titleist and Foot-Joy Worldwide, New Bedford, MA; Pratt & Whitney, New Berwick, ME; Union Camp Research & Development, Lawrenceville, NJ; Occidental Chemical Corporation, Mobile, AL; Weyerhaeuser Pulp & Paper Co., Flint River Div., Oglethorpe, GA; Jefferson Smurfit Corp.'s Atlanta Folding Carton Plant, Stone Mountain, GA; Mobil Chemical Co.'s Films Division, LaGrange, GA; Mobil Oil Corp.'s Blending & Packaging Plant, Beaumont, TX; Phillips Petroleum Co.'s Sweeny Refinery & Petrochemical Co., Old Ocean, TX; Kerr-McGee Chemical Co.'s LLC Wood Preserving Facility, Columbus, MS; Superior Industries, Pittsburg, KS; International Paper's Masonite Technical Center, West Chicago, IL; Marathon Oil Company, Iraan, TX; General Electric, Bridgeville, PA; and NASA Langley Center Research Center, Hampton, VA.

Dow Chemical Co., Oyster Creek Plant, Freeport, TX, has now been in the *Star* program for 13 years. Lozier Corporation, Omaha, NE, has been in the *Star* program for 10 years. Solutia, Inc., Elemental Phosphorus Facility, Soda Springs, International



Paper's Hudson River Mill, Corinth, NY; Rohm and Haas Philadelphia Plant, Philadelphia, PA; Monsanto's Searle-Augusta Plant, Augusta, GA; and Fisher Controls International, Inc., McKinney, TX, have now been *Star* program sites for 3 years. IBM Corporation, Austin, TX has now been in the *Star* program for 7 years.

Recent additions to OSHA's VPP *Merit* list are Rockwell Collins, Inc., Melbourne, FL; FMC Corporation, Princeton, NJ; Georgia Pacific, Cuba, MO; Yuaza, Hays, KS; and International Paper, Putnam Container Plant, Putnam, CT.

Midas International Warehouse, Taunton, MA; WestPoint Stevens-Opelika Finishing Plant, Opelika, AL; Potlatch Corporation, Lewiston, ID; and Texaco Exploration & Production's Maysville Gas Plant, Maysville, OK, advanced from *Merit* to *Star*.

Recent additions to OSHA's VPP *Demonstration* Program are CIMCO, Texas City, TX; and H.B. Zachry, Matagorda, TX.

This brings the total participants to 391 sites in the Federal VPP: 320 in *Star*, 56 in *Merit*, and 15 in *Demonstration*.

For more information on OSHA's VPP, write the OSHA Directorate of Federal-State Operations, 200 Constitution Avenue, N.W., Room N-3700, Washington, DC 20210; or call (202) 693-2213. See also **Programs and Services** on OSHA's Web site at www.osha.gov. **JSHQ**

OSHA Training Institute Schedule

200a Construction Standards

A shortened version of course 200 that gives an overview of OSHA's construction standards and of the requirements of the most frequently referenced standards.

Tuition: \$676
Dates: 3/3/99 - 3/6/99

204 Machinery and Machine Guarding Standards

Focuses on the various types of common machinery and the related safety standards. Also includes hands-on-training in the laboratories.

Tuition: \$988
Dates: 2/25/99 - 3/5/99

201a Hazardous Materials

A shortened version of course 201 that covers OSHA general industry standards and consensus and proprietary standards relating to hazardous materials such as flammable and combustible liquids, compressed gases, LP-gases, and cryogenic liquids.

Tuition: \$676
Dates: 1/25/99 - 1/29/99

204a Machinery and Machine Guarding Standards

A shortened version of course 204 that focuses on the various types of common machinery and the related safety standards. Also includes training in the laboratories.

Tuition: \$676
Dates: 2/1/99 - 2/5/99



205 Cranes and Rigging Safety for Construction

Describes various types of mobile and tower cranes used in construction operations and provides information on crane operations, inspection, and maintenance.

Tuition: \$520
Dates: 3/30/99 - 4/2/99

207a Fire Protection and Life Safety

A shortened version of course 207 that helps the student recognize potential fire hazards and emergency procedures. Includes the chemistry of fire, types and effectiveness of extinguishing agents, means of egress, detection and alarm systems, fire brigades, fire prevention plans, and the Life Safety Code (NFPA 101).

Tuition: \$676
Dates: 2/8/99 - 2/12/99

202 Advanced Accident Investigation

Provides advanced information on accident investigation techniques and methods. Includes a review of sources of evidence and developing facts, findings, and conclusions.

Tuition: \$520
Dates: 2/9/99 - 2/12/99



220 Industrial Noise —

Deals with problems of occupational noise such as nature, hazards, evaluation, and control. Includes physics of sound, effects of noise, occupational noise standards, noise instrumentation and measurement, frequency analysis, and noise control techniques.

Tuition: \$988
Dates: 3/4/99 - 3/12/99

221 Principles of Industrial Ventilation —

Describes the principles of industrial ventilation as a means of controlling hazardous air contaminants. Includes the classification of ventilation systems, fundamentals of airflow, makeup air, fans, air cleaners, ventilation system surveys, and OSHA policies and standards.

Tuition: \$988
Dates: 1/26/99 - 2/3/99

222 Respiratory Protection —

Includes the requirements for establishing, maintaining, and monitoring a respirator program. Includes terminology, OSHA and ANSI standards, NIOSH certifications, and medical evaluation recommendations.

Tuition: \$988
Dates: 2/4/99 - 2/12/99
3/18/99 - 3/26/99

222a Respiratory Protection

A shortened version of course 222 that includes the requirements for establishing, maintaining, and monitoring a respirator program. Includes terminology, OSHA and ANSI standards, NIOSH certifications, and medical evaluation recommendations.

Tuition: \$676
Dates: 3/29/99 - 4/2/99

301 Excavation, Trenching, and Soil Mechanics —

Presents detailed information on OSHA standards and on the safety aspects of excavation and trenching. Introduces concepts such as practical soil mechanics and its relationship to the stability of shored and unshored slopes and walls of excavations.

Tuition: \$520
Dates: 1/5/99 - 1/8/99

303 Concrete, Forms, and Shoring —

Teaches the principles of forms and shoring and the quality of concrete, hot and cold weather placing practices, and inspection procedures, including reinforced concrete, lift-slab construction, and reading concrete blueprints and shoring plans.

Tuition: \$468
Dates: 3/16/99 - 3/18/99

308 Principles of Scaffolding —

Presents detailed information on the safety aspects of scaffolding from installation to dismantling. Includes buildup scaffolds, suspension scaffolds, and interpretation of related standards. Demonstrates installation and dismantling methods.

Tuition: \$520
Dates: 2/2/99 - 2/5/99



500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry

Focuses on developing safety and health programs in the construction industry. Uses OSHA standards to emphasize those areas in construction that are the most hazardous.

Tuition: \$676

Dates: 3/8/99 - 3/12/99

502 Update for Construction Industry Outreach Trainers

For personnel in the private sector who have completed course 500 and who are active trainers in the outreach program. Provides an update on such topics as OSHA construction standards, policies, and regulations

Tuition: \$468

Dates: 2/23/99 - 2/25/99

601 Occupational Safety and Health Course for Other Federal Agencies

Designed for full-time federal agency safety and health officers or supervisors assigned responsibilities under Executive Order 12196 and CFR 1960.

Tuition: \$1,378

Dates: 3/22/99 - 4/2/99

To register for courses or to obtain a training catalog, write the OSHA Training Institute, 1555 Times Drive, Des Plaines, IL 60018; or call (847) 297-4913. See also **OSHA Training and Registration** on OSHA's Web site at www.osha.gov.

309 Electrical Standards

Provides an in-depth study of OSHA's electrical standards and hazards associated with electrical installations and equipment. Includes single- and three-phase systems, cord- and plug-connected and fixed equipment, grounding, ground-fault circuit interrupters, hazardous locations, and safety-related work practices.

Tuition: \$1,300

Dates: 3/9/99 - 3/19/99

311 Fall Arrest Systems

Provides an overview of state-of-the-art technology for fall protection. Includes the principles of fall protection, the components of fall arrest systems, the limitations of fall arrest equipment, and OSHA policies regarding fall protection.

Tuition: \$520

Dates: 3/2/99 - 3/5/99

322 Applied Welding Principles

Increases knowledge of the processes and hazards associated with welding operations such as oxy-acetylene and open arc, proper use of each process, personal protective equipment, safety and health hazard recognition and control, and OSHA requirements.

Tuition: \$520

Dates: 1/5/99 - 1/8/99

325 Ergonomic Compliance

Presents information on the concepts of ergonomics case development. Includes statistics, recordkeeping issues, the evaluation of ergonomic program legal aspects, pathophysiology, medical access orders, videotaping strategies, and methods of ergonomic analysis and abatement.

Tuition: Federal and state personnel only

Dates: 2/23/99 - 2/26/99

OSHA Training Institute Education Centers

The OSHA Training Institute also has a program for other institutions to conduct OSHA courses for the private sector and other federal agencies. These include Eastern Michigan University/United Auto Workers, Ypsilanti, MI, (800) 932-8689; Georgia Technological Research Institute, Atlanta, GA, (800) 653-3629; Great Lakes OSHA Training Consortium, St. Paul, MN, (800) 493-2060; Keene

State College, Manchester, NH, (800) 449-6742; Maple Woods OSHA Training Center, Kansas City, MO, (800) 841-7158; National Resource Center for OSHA Training, Washington, DC, (800) 367-6724; Niagara County Community College, Lockport, NY, (800) 280-6742; Red Rocks Community College/Trinidad State Junior College, Lakewood, CO, (800) 933-8394; The National Safety

Education Center, DeKalb, IL, (800) 656-5317; Texas Engineering Extension Service, Mesquite, TX, (800) 723-3811; University of California, San Diego, CA, (800) 358-9206; and University of Washington, Seattle, WA, (800) 326-7568.

For tuition rates and registration information, contact the institution offering the courses and see also OSHA's Web site at www.osha.gov of **Outreach** and then see *Training*.

201a Hazardous Materials

Location: Eastern Michigan University-United Auto Workers	Dates: 3/8/99 - 3/12/99
Location: Keene State College	Dates: 2/8/99 - 2/12/99
Location: Maple Woods OSHA Training Center	Dates: 1/11/99 - 1/14/99
Location: Niagara County Community College	Dates: 3/22/99 - 3/25/99

204a Machinery and Machine Guarding Standards

Location: Georgia Technological Research Institute	Dates: 2/22/99 - 2/26/99
Location: Keene State College	Dates: 3/15/99 - 3/19/99
Location: Maple Woods OSHA Training Center	Dates: 3/8/99 - 3/11/99
Location: National Resource Center for OSHA Training	Dates: 3/8/99 - 3/11/99
Location: Niagara County Community College	Dates: 1/19/99 - 1/22/99
Location: Red Rocks Community College	Dates: 2/22/99 - 2/25/99
Location: University of California, San Diego	Dates: 3/15/99 - 3/18/99
Location: University of Washington	Dates: 3/8/99 - 3/11/99

225 Principles of Ergonomics

Location: Georgia Technological Research Institute	Dates: 2/9/99 - 2/12/99
Location: Great Lakes OSHA Training Consortium	Dates: 2/17/99 - 2/19/99
Location: Keene State College	Dates: 10/26/99 - 10/29/99



Location: National Resource Center for OSHA Training	Dates: 1/11/99 - 1/14/99
Location: Niagara County Community College	Dates: 1/25/99 - 1/28/99
Location: Red Rocks Community College	Dates: 1/13/99 - 1/15/99
Location: Texas Engineering Extension Service	Dates: 1/4/99 - 1/6/99
Location: University of California, San Diego	Dates: 3/1/99 - 3/4/99
Location: University of Washington	Dates: 2/15/99 - 2/17/99



226 Permit-Required Confined Space Entry

Location: Eastern Michigan University-United Auto Workers	Dates: 1/11/99 - 1/14/99 3/22/99 - 3/25/99
Location: Keene State College	Dates: 3/1/99 - 3/4/99
Location: Maple Woods OSHA Training Center	Dates: 2/22/99 - 2/24/99
Location: Niagara County Community College	Dates: 3/16/99 - 3/19/99
Location: Red Rocks Community College	Dates: 1/6/99 - 1/8/99 3/31/99 - 4/2/99
Location: Texas Engineering Extension Service	Dates: 1/20/99 - 1/22/99 3/15/99 - 3/17/99
Location: University of California, San Diego	Dates: 3/1/99 - 3/3/99

Opening Doors to Ability

The American challenge for the 21st century is to become a nation in which all citizens have the opportunity for full employment. The ability of a diverse work force provides the framework to meet this challenge. Persons with disabilities want to be a vital component of the diverse work force.

We must not overlook the abilities of the 54 million Americans with disabilities. By "opening doors to ability," employers gain the skills and talents of persons with disabilities.

For more information, contact the President's Committee on Employment of People with Disabilities, 1331 F Street, N.W., Washington, DC 20004-1107, or visit their Web site at www.pcepd.gov.



309a Electrical Standards

Location: Great Lakes OSHA Training Consortium	Dates: 3/2/99 - 3/5/99
Location: Maple Woods OSHA Training Center	Dates: 1/11/99 - 1/14/99
Location: National Resource Center for OSHA Training	Dates: 2/8/99 - 2/11/99
Location: Niagara County Community College	Dates: 2/22/99 - 2/25/99
Location: Red Rocks Community College	Dates: 3/16/99 - 3/19/99
Location: Texas Engineering Extension Service	Dates: 2/1/99 - 2/5/99
Location: University of California, San Diego	Dates: 3/8/99 - 3/11/99
Location: University of Washington	Dates: 2/1/99 - 2/4/99

500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry

Location: Eastern Michigan University-United Auto Workers	Dates: 1/18/99 - 1/22/99 2/15/99 - 2/19/99 3/8/99 - 3/12/99
Location: Georgia Technological Research Institute	Dates: 1/25/99 - 1/29/99
Location: Great Lakes OSHA Training Consortium	Dates: 1/5/99 - 1/8/99 1/12/99 - 1/15/99
Location: Keene State College	Dates: 2/1/99 - 2/5/99 3/8/99 - 3/12/99
Location: Maple Woods OSHA Training Center	Dates: 1/25/99 - 1/28/99 3/15/99 - 3/18/99
Location: National Resource Center for OSHA Training	Dates: 1/25/99 - 1/28/99 2/22/99 - 2/25/99
Location: Niagara County Community College	Dates: 1/4/99 - 1/7/99 3/15/99 - 3/18/99
Location: Red Rocks Community College	Dates: 1/4/99 - 1/7/99 2/1/99 - 2/4/99 3/1/99 - 3/4/99
Location: Texas Engineering Extension Service	Dates: 1/4/99 - 1/8/99 1/11/99 - 1/15/99 2/1/99 - 2/5/99 3/22/99 - 3/26/99
Location: The National Safety Education Center	Dates: 1/25/99 - 1/29/99 2/15/99 - 2/19/99 3/22/99 - 3/26/99
Location: University of California, San Diego	Dates: 1/25/99 - 1/28/99 3/29/99 - 4/1/99
Location: University of Washington	Dates: 1/19/99 - 1/22/99





501 Trainer Course in Occupational Safety and Health Standards for General Industry

Location: Eastern Michigan University-United Auto Workers	Dates: 1/25/99 - 1/29/99 3/15/99 - 3/19/99
Location: Georgia Technological Research Institute	Dates: 1/25/99 - 1/29/99 3/1/99 - 3/5/99
Location: Great Lakes OSHA Training Consortium	Dates: 2/1/99 - 2/4/99
Location: Keene State College	Dates: 1/25/99 - 1/29/99 2/22/99 - 2/26/99 3/22/99 - 3/26/99
Location: Maple Woods OSHA Training Center	Dates: 1/11/99 - 1/14/99 2/15/99 - 2/18/99
Location: National Resource Center for OSHA Training	Dates: 2/1/99 - 2/4/99 3/1/99 - 3/4/99
Location: Niagara County Community College	Dates: 1/11/99 - 1/14/99 2/8/99 - 2/11/99 3/8/99 - 3/11/99
Location: Red Rocks Community College	Dates: 1/11/99 - 1/14/99 2/8/99 - 2/11/99 3/8/99 - 3/11/99
Location: Texas Engineering Extension Service	Dates: 1/11/99 - 1/15/99 1/25/99 - 1/29/99 2/8/99 - 2/12/99 2/22/99 - 2/26/99 3/1/99 - 3/5/99 3/22/99 - 3/26/99
Location: The National Safety Education Center	Dates: 1/25/99 - 1/29/99 3/8/99 - 3/12/99
Location: University of California, San Diego	Dates: 1/11/99 - 1/14/99 2/22/99 - 2/25/99
Location: University of Washington	Dates: 1/25/99 - 1/28/99 3/22/99 - 3/25/99

502 Update for Construction Industry Outreach Trainers

Location: Georgia Technological Research Institute	Dates: 1/12/99 - 1/14/99
Location: Great Lakes Training Consortium	Dates: 1/26/99 - 1/28/99 3/10/99 - 3/12/99
Location: Keene State College	Dates: 2/17/99 - 2/19/99
Location: Maple Woods OSHA Training Center	Dates: 2/8/99 - 2/10/99
Location: National Resource Center for OSHA Training	Dates: 2/22/99 - 2/24/99
Location: Niagara County Community College	Dates: 2/16/99 - 2/18/99
Location: Red Rocks Community College	Dates: 2/15/99 - 2/17/99

Location: Texas Engineering Extension Service	Dates: 1/4/99 - 1/6/99 1/11/99 - 1/13/99
Location: The National Safety Education Center	Dates: 3/9/99 - 3/11/99
Location: University of California, San Diego	Dates: 2/3/99 - 2/5/99

503 Update for General Industry Outreach Trainers

Location: Great Lakes OSHA Training Consortium	Dates: 2/23/99 - 2/25/99 3/10/99 - 3/12/99
Location: Maple Woods OSHA Training Center	Dates: 2/1/99 - 2/3/99 3/29/99 - 3/31/99
Location: National Resource Center for OSHA Training	Dates: 3/29/99 - 3/31/99
Location: Niagara County Community College	Dates: 2/17/99 - 2/19/99
Location: Red Rocks Community College	Dates: 2/17/99 - 2/19/99
Location: Texas Engineering Extension Service	Dates: 1/11/99 - 1/13/99
Location: The National Safety Education Center	Dates: 2/22/99 - 2/24/99
Location: University of California, San Diego	Dates: 2/8/99 - 2/10/99

510 Occupational Safety and Health Standards for the Construction Industry

Location: Eastern Michigan University-United Auto Workers	Dates: 2/8/99 - 2/12/99
Location: Great Lakes OSHA Training Consortium	Dates: 3/16/99 - 3/19/99
Location: Keene State College	Dates: 3/29/99 - 4/2/99
Location: Maple Woods OSHA Training Center	Dates: 2/22/99 - 2/25/99
Location: National Resource Center for OSHA Training	Dates: 1/25/99 - 1/28/99 3/22/99 - 3/25/99
Location: Niagara County Community College	Dates: 2/1/99 - 2/4/99
Location: Red Rocks Community College	Dates: 1/18/99 - 1/21/99
Location: Texas Engineering Extension Service	Dates: 1/25/99 - 1/28/99
Location: The National Safety Education Center	Dates: 1/11/99 - 1/15/99 3/1/99 - 3/5/99
Location: University of California, San Diego	Dates: 3/22/99 - 3/25/99
Location: University of Washington	Dates: 1/11/99 - 1/14/99 3/1/99 - 3/4/99 JSHQ



Agenda

Developed biannually, the agenda includes all regulations expected to be under development or review by the agency during that period. The following list is from the agenda as published in the *Federal Register* 63(216) 62005-62017, November 9, 1998.

Prerules

Title and Regulation Identifier Number (RIN)*

Standards Advisory Committee on Metalworking Fluids
1218-AB58

Control of Hazardous Energy Sources (Lockout/Tagout)
1218-AB59

Occupational Exposure to Ethylene Oxide
1218-AB60

Fall Protection in the Construction Industry
1218-AB62

Process Safety Management of Highly Hazardous Chemicals
1218-AB63

Safety Standards for Scaffolds Used in the Construction Industry-Part II
1218-AB68

Occupational Exposure to Crystalline Silica
1218-AB70

Grain Handling Facilities
1218-AB73

Cotton Dust
1218-AB74

Proposed Rules

Steel Erection (Part 1926) (Safety Protection for Ironworkers)
1218-AA65

Access and Egress in Shipyards (Part 1915, Subpart E) (Phase I) (Shipyards: Emergency Exits and Aisles)
1218-AA70

Prevention of Work-Related Musculoskeletal Disorders
1218-AB36

Occupational Exposure to Hexavalent Chromium (Preventing Occupational Illness: Chromium)
1218-AB45

Occupational Exposure to Tuberculosis
1218-AB4

Confined Spaces in Construction (Part 1926): Preventing Suffocation/Explosions in Confined Spaces
1218-AB47

Fire Protection in Shipyard Employment (Part 1915, Subpart P) (Phase II) (Shipyards: Fire Safety)
1218-AB51

Permissible Exposure Limits (PELs) for Air Contaminants
1218-AB54

Plain Language Revision of Existing Standards (Phase I)
1218-AB55

Nationally Recognized Testing Laboratories Programs: Fees
1218-AB57

Flammable and Combustible Liquids
1218-AB61

Revocation of Certification Records for Tests, Inspections, and Training
1218-AB65

Plain Language Revision of the Mechanical Power-Transmission Apparatus Standard
1218-AB66

Requirements to Pay for Personal Protective Equipment
1218-AB77

Consolidation of Records Maintenance Requirements in OSHA Standards
1218-AB78

Consultation Agreement
1218-AB79

Register

Final Rules

Respiratory Protection (Proper Use of Modern Respirators)
1218-AA05

Recording and Reporting Occupational Injuries and Illnesses (Simplified Injury/Illness Recordkeeping Requirements)
1218-AB24

Powered Industrial Truck Operator Training (Industrial Truck Safety Training)
1218-AB33

Permit Required Confined Spaces (General Industry: Preventing Suffocation/Explosions in Confined Spaces)
1218-AB52

Long-Term Actions

Longshoring and Marine Terminals (Parts 1917 and 1918) - Reopening of the Record (Vertical Tandem Lifts (VTLs))
1218-AA56

Scaffolds in Shipyards (Part 1915—Subpart N) (Phase I)
1218-AA68

Glycol Ethers: 2-Methoxyethanol, 2-Ethoxyethanol, and Their Acetates: Protection Reproductive Health
1218-AA84

Accreditation of Training Programs for Hazardous Waste Operations (Part 1910)
1218-AB27

Indoor Air Quality in the Workplace
1218-AB37

General Working Conditions for Shipyard Employment
1218-AB50

Fire Brigades
1218-AB64

Electric Power Transmission and Distribution; Electrical Protective Equipment in the Construction Industry
1218-AB67

Safety and Health Programs for Construction
1218-AB69

Control of Hazardous Energy (Lockout) in Construction (Part 1926) (Preventing Construction Injuries/Fatalities; Lockout)
1218-AB71

Occupational Exposure to Beryllium
1218-AB76

Walking Working Surfaces and Personal Fall Protection Systems (1910) (Slips, Trips, and Fall Prevention)
1218-AB80

Completed Actions

Standards Improvement Project
1218-AB53
JSHQ

*Office of Management and Budget (OMB) Identification Number. For copies of OSHA final rules published in the *Federal Register*, contact the Superintendent of Documents, Government Printing Office, Washington, DC 20402, for \$8.00 a copy prepaid. Subscriptions are available at \$651 per year. GPO products also can be ordered online at www.gpo.gov.

OSHA Sees Partnerships as Key to Reducing Injuries and Illnesses

by Frank Kane

“We’ve been telling you there’s a different OSHA in town. This conference gives you a chance to observe first hand the new ways we’ve been working together to get results.”

*Alexis M. Herman,
Secretary of Labor*

OSHA cooperative partnerships with business and labor come in all shapes and sizes. The agency has launched numerous such partnerships, in the field and at the national level, aimed at identifying and utilizing new and effective ways to cut worker fatalities, injuries, and illnesses.

And, as OSHA’s partnerships multiply, Assistant Secretary of Labor for Occupational Safety and Health Charles N. Jeffress will use them to help meet the goals of the agency’s Strategic Plan for reducing injuries and illnesses during the next 5 years. In fact, on November 9, he issued a new policy directive, “OSHA Strategic Partnerships for Worker Safety and Health,” to encourage and guide OSHA field and national office staff to establish even more voluntary partnerships.

On November 13, Jeffress and Secretary of Labor Alexis M. Herman welcomed more than 300 business and labor leaders, representatives of trade associations and professional groups, and congressional and OSHA staff to a conference celebrating partnerships, “Partner with OSHA: New Ways

of Working,” in Washington, DC, and demonstrating how successful ones work.

An OSHA partnership can cover several worksites, as in the partnership with ConAgra Refrigerated Foods and the United Food and Commercial Workers union (UFCW), which involves nine plants from Chicago to Denver. Or it can cover an entire state, such as in the award-winning “Maine 200” program.¹

It may embrace a single worksite, as in the Voluntary Protection Programs (VPP).² Or a partnership can involve an industry like the Roofing Partnership in the Chicago area or the Steel Erectors Safety Association of Colorado, or a locality like the Cowtown Project in Fort Worth. OSHA also has had partnerships involving a process, such as the agreement with Exide

¹ Identified 200 employers in Maine with the highest number of reported injuries and asked them to partner with OSHA. See also, Frank Kane, “Maine 200-Type Programs Spread Throughout the U.S.,” *Job Safety & Health Quarterly* 7(3):9-15, Summer 1996.

² See also Leigh Sherrill and Judith Weinberg, “OSHA’s VPP Gets a Little Help from Its Friends,” *Job Safety & Health Quarterly* 9(4):29-34, Summer 1998 ; and **Outreach** on OSHA’s Web site at www.osha.gov.

Corporation and three unions to voluntarily reduce workers' exposure to highly toxic chemicals in lead battery manufacturing. Partnerships can be with trade and professional associations. OSHA has worked in partnerships to develop standards, such as the negotiated rulemaking for a revised steel erection standard (SENTRAC).

Partnerships can be with state and local governments. OSHA has a longstanding partnership with the 25 states that administer their own occupational safety and health plans. Many of these state programs, in turn, have developed innovative partnerships with interested groups to improve working conditions within their states. Twelve states have established VPPs similar to the Federal program. In addition, OSHA's Consultation Program³ is a form of partnership, in which largely OSHA-funded consultants assist smaller employers throughout the nation to identify and correct hazards and establish or improve safety and health programs.

Partnerships also go back a long way. VPP dates back to 1982. OSHA learned from VPP that labor, management, and government cooperation can have a positive impact on worker safety and health, and now we're applying this tenet to partnerships.

OSHA's partnerships are multiplying and are playing an increasingly important role in enabling the agency to leverage its scarce resources and make significant reductions in injuries and illnesses throughout the nation. They have become an essential ingredient for

OSHA in its efforts to define "New Ways of Working."

At OSHA's November conference, Jeffress and Herman discussed new ways for business, labor, and government to work together to reduce worker injuries and illnesses. The conference, sponsored by the Labor Department and the Council for Excellence in Government, in cooperation with the Ford Foundation, took place at the Ronald Reagan International Trade Center.

Secretary Herman emphasized her strong belief in the value of partnerships among labor, management, and government at all levels.

"We've spent 6 years changing the way we do business in the Labor Department—focusing on results, thinking 'outside the box,' emphasizing cooperation. We've been telling you there's a different OSHA in town. This conference gives you a chance to observe first hand the new ways we've been working together to get results."

She urged participants to view the successful examples of partnership highlighted during the conference from the perspective of their own industry, association, or constituency. "Consider how these models might fit your circumstances. Or start fresh with your



OSHA Philadelphia Regional Administrator, Linda Anku (right), discusses the partnership role in safety and health with Jerry Jones (center) and Larry Anderson (left) of the United States Postal Service.

³ Highly skilled safety and health professionals provide confidential and free services to small high-hazard businesses. For more information, contact your nearest OSHA regional or area office, or see **Outreach** on OSHA's Web site at www.osha.gov.

Partnership requires trust among business, labor, and government. “The beginnings of trust are there.”

*Charles N. Jeffress,
OSHA Assistant Secretary*

rienced significant reductions in injuries and illnesses and lower workers' compensation costs. In addition, there is a training school just for steel erector employees made possible through industry and county donations. That school also is used to increase OSHA compliance officers' knowledge of steel erection problems.

The partnership is working so well that some general contractors in the Denver area now are specifically calling for SESAC members to perform their steel erection work.

Rocky Turner, president of LPR Construction Co., and head of SESAC, praised OSHA for its help, remarking, “In the old days, if we heard OSHA was on a job site, we'd go to break and then come back in a couple of days and continue to do what we had been doing. Now we're working together.”

The conference also highlighted other successful partnerships.

Huntsman Petrochemical Corp.—The Huntsman Petrochemical Aromatics and Chemical Plant, Port Arthur, TX, has been a

own creative ideas. Then come back to us with a plan for partnership that will make a difference in your workplace.”

Assistant Secretary Jeffress noted that although enforcement still remains a tool to prod employers to provide good safety and health, the creative and cooperative ways “we work together also encourage other employers to work with OSHA.”

Steel Erectors Safety Association of Colorado (SESAC)—SESAC was the feature partnership presentation in the general session where members told their success story. Byron (Bart) Chadwick, retired OSHA Regional Administrator in Denver, who helped found SESAC, introduced the SESAC partners and explained how the effort began. In June 1992, Chadwick called together a group of steel erector companies and told them that something had to be done because far too many of their employees were being killed or injured on the job.

The result is a partnership involving 38 steel erector contractors, both large and small, union and non-union, that in cooperation with OSHA established a “100-percent fall protection” program, criteria for safety and health programs of member companies, a hazard identification and abatement system, a system to record and track em-

ployee complaints, and supervisory and employee training. SESAC members also agreed to conduct self-inspections for hazards and to undergo initial and periodic inspections by a professional safety consultant.

OSHA's role included focusing inspections on the leading hazards in construction, reducing fines based on the effectiveness of a contractor's safety and health program, and assisting SESAC activities when appropriate.

As a result of this partnership, the majority of the steel erection contractors in SESAC have expe-



Team members of OSHA-Oregon Partnership receive Hammer Award. From left to right: Bob Stone, Director, National Performance Review; Peter DeLuca, OSHA Oregon Regional Administrator; Richard Terrill, OSHA Seattle Regional Administrator; Alexis M. Herman, Secretary of Labor; and Charles N. Jeffress, OSHA Assistant Secretary.

member of OSHA's VPP, which recognizes excellence in safety and health, since 1987. Its excellent safety and health program, which includes effective partnerships between labor, management, and OSHA, has resulted in an injury rate more than 70 percent below the national average for its industry and a lost-workday rate 99 percent below the national average.

Cowtown Project—This includes 60 companies in Fort Worth, TX, where OSHA compliance training enabled them to identify and correct job hazards, resulting in reductions in lost-workday injury rates and \$2 million in direct cost savings.

Homesafe—This is a partnership between the Homebuilders Association (HBA) of Metropolitan Denver and OSHA. The 350 participants are required to implement a 10-point program that is based on OSHA and industry analyses and addresses hazards known to cause fatal or serious accidents in the Denver homebuilding industry.

ConAgra/UFCW/OSHA—In January 1997, the United Food and Commercial Workers (UFCW), OSHA, and ConAgra Refrigerated Foods entered into a 5-year partnership to create models of safety and health excellence at nine ConAgra facilities. They agreed to work cooperatively to address worker safety and health issues at both the plant and corporate levels. One plant, Brown 'N Serve, has already experienced significant reductions in injury and illness rates, improvements in employee morale, and lower absenteeism and turnover rates. The long-term goal of this partnership is to change the culture of the entire corporation, potentially impacting more than 90,000 employees.



Bill Good, National Roofing Contractors' Association, leads the breakout session on their partnership program.

Roofers Partnership—This partnership involves the National Roofing Contractors' Association; the United Union of Roofers, Waterproofers, and Allied Workers; the CNA Insurance Company; the National Safety Council; and OSHA. It works on improving safety and health in the roofing industry in the greater Chicago area. To date, 16 contractors have achieved Premier Status and are eligible for incentives from OSHA and the CNA Insurance Company.

A panel of leaders from OSHA, business, and labor later stressed the importance of the partnerships in what was the conference's final session.

Patricia McGinnis, president and chief executive of the Council for Excellence in Government served as panel moderator. She noted that the Council and the Ford Foundation sponsor Innovations in American Government Awards and that OSHA was one of the first Federal Government winners of that award—for the "Maine 200" partnership program.

"Partnership is almost always a feature of the winning team," she noted. "By itself, OSHA cannot achieve its goals. With the help of business and labor, much has been achieved and will continue to be achieved."

"By itself, OSHA cannot achieve its goals. With the help of business and labor, much has been achieved and will continue to be achieved."

*Patricia McGinnis,
President and Chief Executive
Council for Excellence in Government*

Robert A. Georgine, president of the AFL-CIO Building and Construction Trades Department, said, "No issue is more important to me and the building trades workers our unions represent than safety on the job."

"Building partnerships with business is our job as unions," Georgine noted. Now the unions are going beyond that to include partnerships with business and government to make construction safer.

Theodore C. Hillman, chairman of the safety and health committee of the Associated General Contractors (AGC) of America, said that "partnering with OSHA is an absolute necessity" for reducing injuries and deaths in construction. And all the partners should be ready to implement the partnership enthusiastically and "at the same rate of speed so there is no feeling that anyone is holding back."

He also pointed out that nothing will be accomplished unless each partner in the process is willing to open up and put the real issues on the table.

J. Roger Hirl, president and chief executive of Occidental Chemical Corporation (OxyChem) noted that his company now has 13 worksites with VPP *Star* status (the highest level of excellence in safety and health in VPP) and that recently the firm's office building in Dallas, TX, became the first VPP office site.

The ultimate objective of OxyChem's program is to make sure that no employee is injured either on or off the job, he added. Partnership, he said, is more effective in reducing injuries and illnesses than OSHA enforcement, although enforcement also is needed. And OxyChem's partnerships not only involve OSHA, but also other chemical companies (through the Chemical Manufac-

ers Association's Responsible Care program) and the communities in which its plants are located.

Debbie Berkowitz, safety and health consultant for the United Food and Commercial Workers union (UFCW), praised OSHA's role in helping to establish the ConAgra partnership. "Without OSHA, the union and company couldn't have done this," she emphasized.

OSHA took on the job of going to nine different plants and persuading them to change their culture, to realize that injuries were caused by factors that the plant could control. "OSHA has given us an enormous resource," adds Berkowitz. But the agency must continue to monitor plants where partnerships are under way to make sure that progress continues.

Partnership requires trust among business, labor, and government. "The beginnings of trust are there." Often the loudest voices heard in America come from those who are dissatisfied. "Let the voices of trust be heard—not drowned out by those who still have problems," Jeffress told the conference. "The important thing for the future is that we should recognize partnerships cannot be imposed by government alone, by business alone, or by labor alone. Each of us must see that partnership is in our enlightened self-interest," he added.

Editor's Note: Employers, labor representatives, and others interested in partnership opportunities can consult the OSHA Web site at www.osha.gov or the nearest OSHA area or regional office. Those in state plans should contact their state plan headquarters. **JSHQ**



Conference attendees listen attentively to those active in OSHA partnerships.

Kane is a public affairs specialist in OSHA's Office of Public Affairs, Washington, DC.

Five OSHA Projects Selected for Hammer Awards

During the November 13 OSHA partnership conference, Vice President Al Gore's office presented prestigious Hammer Awards to five OSHA reinvention projects. The awards go to teams of federal, state and local employees, as well as citizens, that make significant contributions to building a better government. They symbolize the Vice President's answer to yesterday's government and its \$400 hammer. Fittingly, the award consists of a framed \$6 hammer, a ribbon, and a note of commendation from the Vice President.

Presenting the awards were Robert Stone, director of the National Partnership for Reinventing Government (NPR), and Jean Logan, deputy NPR director for safety and health. This brings the total number of OSHA Hammer Awards to 16. Stone praised OSHA for the leadership it has taken on "the toughest job in town—regulatory reinvention."

Kansas Oil & Gas Intervention in Region VII

A partnership between OSHA Team Kansas, in the Wichita Area Office, and the Kansas Independent Oil and Gas Association that resulted in cutting fatalities from three to five per year to none. All employers inspected under the local emphasis program improved their safety and health programs because of OSHA's outreach efforts.

New Jersey Highway Construction Project in Region II

An innovative partnership established strategies that were incorporated into basic operating procedures. The project identified and fixed 2,559 hazards that posed a risk to highway construction workers. State police assisted in improving safety at more than 185 worksites. The state also redrafted its contracts to require safety clauses.

OSHA-Immigration and Naturalization Service (INS) Project in Region VI

OSHA created a proactive program of compliance assistance to help INS develop model safety and health programs at a few of its most hazardous locations in Border Patrol stations and INS offices. INS has abated more than 82 percent of its citations. The INS response time for correcting noted safety and health hazards has been reduced from 1 year to 30 days.

Meatpacking Project in Region VII

The meatpacking industry historically has experienced the highest incidence of injuries and illnesses in Missouri and nationwide. The Kansas City Area Office provided training and assistance in the development of safety and health programs. Participating employers reported a 38-percent decline in their lost-workday injury and illness rate during the 2 years since the program began in 1996.

OSHA-Oregon Partnership Project in Region X

Oregon is one of the 25 states or territories that operates its own OSHA-approved safety and health program. In 1996, Oregon and Federal OSHA joined together in the first comprehensive performance agreement in the nation to replace traditional activity-based monitoring. Oregon and the OSHA Regional Office in Seattle agreed to begin evaluating the state against its own results-oriented safety and health goals. This experience was a precursor for all state plans to establish their own 5-year strategic and annual performance plans against which they will be evaluated.

OSHA and Chemical Safety Board Sign MOU

by Jana M. Patterson

Chemical accidents require coordination, swift action, and investigation. There are several federal agencies that have responsibilities for investigating chemical accidents, including OSHA, the Environmental Protection Agency, and the U.S. Coast Guard. In 1990, the Congress created another investigating body, the Chemical Safety and Hazard Investigation Board (the Board), to determine the causes or probable causes of chemical incidents independently from a regulatory or enforcement role.

With the start up of the Board in January 1998,¹ OSHA and the Board needed a way to ensure effective coordination of both agencies' roles in chemical incident investigations. Although some procedures are still being worked out, the agencies recently took a big step toward assuring smooth cooperation during their investigations of accidental chemical releases.

On September 25, 1998, OSHA Assistant Secretary Charles Jeffress and Dr. Paul Hill, Chairman of the Chemical Safety and Hazard Investigation Board, signed a Memorandum of Understanding (MOU) to do just that. The agreement covers general policies and procedures for coordination between the two agencies and fulfills a requirement in section 112(r)(6)(E) of the *Clean Air Act*² specifically directing the Board to develop an MOU with OSHA.

OSHA and its state plan partners investigate accidental chemical releases to determine whether any violations of their regulations have occurred and, if so, to require corrections of those violations and ensure compliance with the *OSH Act*.³ OSHA also investigates these incidents to determine whether any other agency actions, such as the issuance of a *Hazard Alert* or a regulation, are necessary to help prevent future accidents.

The Chemical Safety Board, an independent federal agency modeled after the National Transportation Safety Board, has five statutory duties: (1) to investigate serious chemical incidents and to report on the causes or probable causes of each; (2) to make recommendations to the Congress, other federal agencies, state and local governments, and entities in the commercial and industrial sectors on how to reduce the likelihood or consequences of chemical incidents, including proposing specific rules and orders to be issued by the Environmental Protection Agency (EPA) or OSHA to prevent or minimize the consequences of chemical incidents; (3) to establish requirements for reporting chemical incidents; (4) to conduct general studies and investigations where there is evidence of a potential hazard to human health or property as a result of accidental releases; and (5) to review and make recommendations on the role of hazard assessments and risk management plans in preventing chemical incidents.

¹ Although the 1990 *Clean Air Act Amendments* created the Chemical Board, it did not receive funding until November 1997, when the Congress appropriated \$4 million.

² *Clean Air Act Amendments of 1990*, P.L. 101-549.

³ *Occupational Safety and Health Act of 1970*, P.L. 91-596; and as amended by P.L. 101-552, §3101, November 5, 1990.

The five-member Board currently has four confirmed members. Paul Hill, the Chairman, and Gerald V. Poje, formerly with the National Institute of Environmental Health Sciences, were confirmed in 1994. In October 1998, the Senate confirmed Isadore Rosenthal, a senior fellow at the University of Pennsylvania Wharton Risk Management and Decision Processes Center, and Andrea Kidd Taylor, a United Auto Workers industrial hygienist. To date, no fifth member has been nominated.

The new agreement with the Board focuses on six specific issues:

(1) *Incident Notification.* The United States Coast Guard's National Response Center, which receives reports of and coordinates the federal response to pollution by oil and hazardous substances, will continue to notify both agencies of chemical releases. The agreement specifies that both agencies will notify each other of incidents if they result in one or more worker fatalities, the hospitalization of three or more workers, property

damage of more than \$500,000, or if they present serious threats to worker and public safety.

(2) *Incident Investigation.* OSHA will continue to investigate employer compliance with the *OSH Act* and OSHA regulations. The Board will determine the cause or probable cause of the incident.

(3) *Information Sharing.* The agencies will coordinate their fact-finding efforts. Because the Board is not an enforcement agency, however, and to ensure that it is not perceived to be one, its investigative activities will be separate and distinct from those of other onsite agencies with enforcement authority. OSHA and the Board will each be responsible for the public release of their own information, but such releases will be coordinated to ensure proper disclosure.

(4) *Training, Technical, and Professional Assistance.* OSHA and the Board will make their chemical incident and related training programs available to personnel from both agencies. The agreement also encourages the sharing of technical assistance during incident investigations.



Chemical Board members and OSHA staff. From left to right: Roy Gurnham, OSHA Directorate of Technical Support; E. B. Blanton, OSHA Deputy Assistant Secretary; Nick Levintow, OSHA Solicitor's Office; Charles Jeffress, OSHA Assistant Secretary; Paul Hill, Chair, Chemical Safety Board; Chris Warner, General Counsel, Chemical Safety Board; Jana Patterson, Program Analyst, OSHA Directorate of Policy; and Frank Frodyma, Deputy Director, Directorate of Policy.



OSHA Assistant Secretary Charles Jeffress (left) and Chemical Safety Board Chairman Paul Hill sign memorandum of understanding on investigating chemical accidents.

(5) *Incident Investigation Reports.* The Board will coordinate the release of its public statements and public reports with OSHA. Such coordination will ensure that any ongoing enforcement actions by OSHA are not jeopardized.

(6) *Inter-Agency Assistance.* In some cases, the Board may elect not to send an investigation team to a chemical incident. Instead, they may request incident information from other onsite investigating agencies, including OSHA. OSHA has already agreed to provide information to the Board for 12 incident investigations.

OSHA's state plan partners, who investigate accidental chemical releases and conduct inspections under their OSHA-approved occupational safety and health programs, may agree to accept the terms established in the MOU, or may enter into separate agreements with the Board. In either case, the Board has agreed to honor the principles

established in the MOU when dealing with state plans.⁴

At the signing ceremony, Assistant Secretary Jeffress noted, "This is a significant document because it fosters understanding and cooperation by both agencies, while not inhibiting either one of us from doing our job. Through coordination, information sharing, and other means, our agencies can determine the cause of an incident, whether violations were committed, and design preventive measures. The bottom line is that workers' health and safety, as well as the general public's, is protected and enhanced."

Although OSHA and the Board have not yet completed a detailed incident investigation protocol, an OSHA attachment to the MOU—signed in early October by OSHA Deputy Assistant Secretary Emzell Blanton and the Board's General Counsel, Christopher Warner—tells investigators what to do if there are any onsite conflicts or questions beyond the provisions of the MOU. The Board and OSHA will make sure that the attachment is distributed to OSHA's field investigators and to the Board's investigators.

The full text of the MOU is available on both agencies' Web sites: on OSHA's site at http://www.osha-slc.gov/MOU_pdf/mou92498.pdf; and on the Board's site at http://www.chemsafety.gov/1998/osha_mou.htm. **JSHQ**

⁴ Under section 18 of the *OSH Act*, states have authority to develop state occupational safety and health plans that are at least as effective as Federal OSHA standards in promoting safe and healthful working conditions for the American worker. There are 25 states and territories operating state plan programs. For more information, visit OSHA's Web site at www.osha.gov.

On October 13-16, a tripartite delegation comprised of government, industry, and labor representatives from the United States and the European Union (EU) held its first joint conference in 18 years on occupational health and safety in Luxembourg.

The conference is an outgrowth of the New Transatlantic Agenda (NTA) and Joint Action Plan signed by President Clinton and his European Union counterparts in 1995, which set the foundation for an enhanced US/EU partnership. One goal of the NTA is to foster closer ties in the area of occupational safety and health to improve international working conditions.

US and EU delegations consisted of approximately 50 representatives each. Key safety and health representatives included Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health Administration (OSHA), as head of the US Delegation; J. Davitt McAteer, Assistant Secretary for Mine Safety and Health Administration (MSHA); Dr. Bryan Hardin, Deputy Director of the National Institute for Occupational Safety and Health (NIOSH); Margaret Seminario, Director of Occupational Safety and Health, AFL-CIO, as head of the labor delegation; and Gerard Scannell, President, National Safety Council, as head of the industry delegation. EU Commissioner for Labor Affairs, Pádraig Flynn, as head of the EU government delegation; and EU Director-General (DG-V), Allan Larsson, also participated in the meeting along with the Director for Public Health and Safety at Work, William J. Hunter

OSHA Assistant Secretary Charles N. Jeffress, stated in his opening remarks that "We live in a time of rapid and extensive global

Luxembourg Conference Focuses on Safety and Health

by Vivian Allen

change. To keep pace, it is critical that we look beyond the geographic borders to share good ideas and successful practices to benefit workers on both sides of the Atlantic."

The conference fully opened the channels of communication between the US/EU on four mutually important occupational safety and health issues: rulemaking, enforcement and innovative compliance techniques, information sharing and risk assessment/risk management practices. Participants exchanged best practices on "what works" to demonstrate that improvements in safety and health conditions are good for both workers and businesses.

Approximately 100 delegates participated in four roundtable discussions focusing on the following issues:

- Regulatory and nonregulatory alternatives
- Collection of data and statistics
- Partnerships, programs and enforcement
- Access to information
- Innovative ways to share information and data
- Health and safety measures and their social and economic impact
- Methods of prevention for specific agents
- Methods of risk assessment and risk management
- Risk assessment in the context of formal rulemaking.

"... it is critical that we look beyond the geographic borders to share good ideas and successful practices to benefit workers on both sides of the Atlantic."

*Charles N. Jeffress,
OSHA Assistant Secretary*

Three sessions dealt with rulemaking: one compared U.S. and EU rulemaking processes; another the content and role of economic analysis; and the third focused on asbestos, silica, and ergonomics as well as productive areas for ongoing dialogues and exchanges of information. Another examined the issue of enforcement and cooperative partnerships and their respective roles in ensuring safe and healthful workplaces. All parties agreed there is a great need for better measurement systems for safety and health performance and that we should continue our dialogue on this issue.

One group discussed communication techniques, factors affecting data sharing among countries, and the need for an ongoing working group to continue to evaluate these issues. Another roundtable focused on issues such as the practical application of risk assessment prin-

ciples by different companies, increased use of subcontractors, safety and health for students and volunteer workers, and US/EU risk assessment approaches to changing work conditions.

During the closing session, each roundtable presented recommendations for possible future cooperative activities that could be continued through informal contacts and cyber conferences. The US/EU agreed to continue dialogues through informal contacts, web forums and semi-formal videoconferences. The conference established an infrastructure to provide for ongoing exchanges of best practices and data on topics of mutual interest related to occupational safety and health. For example, the infrastructure will include access to an OSHA web page for information on scaffolding and ergonomics that will be available by January 1999. The US/EU dialogue will

“We have decided to continue our dialogue, and we call on the employers and governments to engage in a similar process.”

European Trade Union Confederation

be supplemented by biennial conferences which the US will host in the year 2000.

At the conclusion of the conference, the AFL-CIO and the European Trade Union Confederation (ETUC) issued a press release stating “...the US/EU conference was a useful tool for initiating a dialogue on occupational safety and health, both between trade unionists and on a tripartite basis involving trade unions, employers and governments. We have decided to continue our dialogue, and we call on the employers and governments to engage in a similar process.”

For additional information about the conference, or to obtain a list of all of the US/EU participants, please contact OSHA’s Coordinator of International Affairs, Jacquelyn DeMesme-Gray. Ms. DeMesme-Gray can be reached at 202-693-1944. Her e-mail address is Jacquelyn.Gray@osha-no.osha.gov.

Allen is a senior program analyst in OSHA’s Directorate of Policy, Division of International Affairs, Washington, DC.



Some US/EU delegation members get together at the conference. Left to right: Gerard Scannell, President, National Safety Council; Dr. William Hunter, Director, Public Health and Safety at Work, European Commission, Luxembourg; Jacquelyn DeMesme-Gray, OSHA Coordinator of International Affairs; Charles N. Jeffress, OSHA Assistant Secretary; E. Hostasch, Austrian Federal Minister for Labour, Health, and Social Affairs; Margaret Seminario, Director, Occupational Safety and Health, AFL-CIO; J. Davitt McAteer, MSHA Assistant Secretary; E. Carslund, Deputy Secretary General, European Trade Union Confederation.

Conference Promotes Freedom of Information

by Bill Wright



Cathy Goedert, Acting Director of OSHA's Management Data Systems Office, conducts session on how coordinators will post FOIA information electronically. Seated at the table are members from the DOL Solicitor's Office (from left to right): Miriam Miller, Co-Counsel for Administrative Law, and attorneys Larry Gottesman and Joe Plick.

Although tracking FOIAs is not the most glamorous or exciting job at OSHA, the sheer number of daily requests emphasizes the significance of the agency's responsibilities under the *Freedom of Information Act (FOIA)*. The processing of the myriad, often complex requests falls to a group of federal employees whose career specialty is generally far-removed from administrative law.

So, when 55 OSHA employees attended a conference in Washington in October, it wasn't to hit the law books, or to receive typical safety and health training—it was a “first,” though, for OSHA and the Labor Department on FOIA issues.

For 3 days, coordinators from OSHA's National Office and the regions reviewed and discussed the very heart of the 32-year-old law and its impact on the Federal Government in general, and OSHA, in particular.

The “FOIA Training Conference,”—sponsored by OSHA's Office of Public Affairs, and conducted by the Department of Labor's Office of the Solicitor—was designed specifically to train and educate employees who process the nearly 12,000 OSHA FOIA requests received annually.

“This is the first opportunity we've had to offer such comprehensive training for all our FOIA coordinators at the same time,”

says OSHA Assistant Secretary Charles Jeffress. “Processing FOIA requests is rapidly becoming more than just collateral duty for many of OSHA's staff in the national office and regions. So, it's important that we provide as much training and education as we can,” he adds.

Experts from the Solicitor's Legislation and Legal Counsel's Office, led by Miriam Miller, Co-Counsel for Administrative Law, did just that by combining structured presentations with spirited discussions on everything from FOIA exemptions, to appeals, to fees, to an overview of the entire Act itself.

“This represents the first time the Labor Department has conducted FOIA training for one agency as a whole,” explains Miller, who is the principal FOIA contact for the Labor Department. “It also indicates the commitment we received from OSHA leadership that the

Freedom of Information Act is an important aspect in our day-to-day business. By allowing their personnel to come to Washington for this conference, the leadership wants to ensure that those charged with *FOIA* responsibilities have the opportunity for continued education and training.

"It wasn't our purpose to try to make each individual coordinator a law expert," she adds. "What we wanted to offer was fundamental information that would assist them in their *FOIA* responsibilities while, at the same time, provide a National Office perspective of the program. Our ultimate goal was for each employee to leave after 3 days with a better understanding of *FOIA* in general and be able to impart that knowledge to their respective offices and throughout the regions."

The 3-day training focused primarily on new electronic *FOIA* procedures and requirements, overall

disclosure requirements unique to OSHA investigations, and presentations by speakers from the Justice Department's Office of Information and Privacy and the National Archives Records Administration. Instruction also included whistleblower procedures, third-party subpoenas, the new annual *FOIA* report, and an afternoon dedicated to the *Privacy Act*.

"The conference was a good forum to share both ideas and problems and to gather information on handling *FOIAs*," notes Peggy Taylor, a management analyst from Region VII in Kansas City, MO, the region's *FOIA* coordinator. "One of the most important facets of the training was the network established among all agency coordinators and the National Office staff. That, along with the education received, will help me extend that network and education to area offices."

Dave O'Connor of the Health Standards Directorate in Washington, DC, echoed that sentiment and emphasized the necessity of relevant and continued training for such a significant responsibility. "Properly responding to *FOIA* requests requires an understanding of the agency's obligations under *FOIA*," he emphasizes. "The training was helpful in providing this understanding and in identifying resources available to assist staff members in resolving complex *FOIA* issues."

"This conference was excellent and long overdue," concludes James Borders, Area Director at the Jacksonville, FL, office. "And, I hope in the future, we can involve OSHA policymakers who can listen to concerns of the field where agency-unique policy is concerned."

OSHA accounts for approximately 66 percent of all *FOIA* requests received by the Labor Department. Add to that the openness-in-government initiatives by the Justice Department and the continued emphasis by the President, and it's a good guess that responding to *FOIA* requests will continue to be a major part of each office's daily work load. Training, as presented in Washington in October, is a major step in ensuring that *FOIA* coordinators will have the right tools and, ultimately, the expertise to ensure a successful program for the agency. **JSHQ**

"Properly responding to *FOIA* requests requires an understanding of the agency's obligations under *FOIA*. The training was helpful in providing this understanding and in identifying resources available to assist staff members in resolving complex *FOIA* issues."

*Dave O'Connor,
Health Standards Directorate*

Wright is a public affairs specialist in OSHA's Office of Public Affairs, Washington, DC.

Federal Safety and Health Conference Looks Ahead to Year 2000

by Mary C. Leonard

More than 600 federal safety and health professionals gathered in Los Angeles, CA, for the 53rd Annual Federal Safety and Health Conference: "Looking Ahead to the Year 2000" to discuss this and related topics. The conference, held in conjunction with the National Safety Council's Congress and Exposition, spanned 4 days in late October and was one of the most eventful Federal Safety and Health Conferences ever.

Secretary of Labor Alexis Herman opened the conference via video expressing her strong support for worker safety and health in the federal sector. She told of her concerns about workplace injuries and illnesses and their impact—the costs, the workers' suffering, and the delays in government business.

She stated that federal agencies spend nearly \$2 billion from their appropriations each year to cover workers' compensation and medical costs alone. She then challenged federal safety and health professionals to work together in a systematic way to reduce on-the-job injuries and illnesses for federal workers.

Charles Jeffress, OSHA Assistant Secretary, and Michael Kerr, head of Labor's Office of Workers' Compensation Programs, spoke of a plan to reduce injuries and illnesses among federal workers. This initiative, the "Federal Worker 2000," is a governmentwide injury and illness reduction goal that will run through the year 2000. The goals are to **annually** (1) reduce overall injuries by 3 percent, while, at the same time, increasing the



John Plummer, Director, Federal Agency Programs (left), and OSHA Assistant Secretary Charles Jeffress (right) share a humorous moment during the opening session of the conference.

timeliness of reporting new injuries and illnesses by 5 percent; (2) reduce injuries at worksites with the highest injury rates by 10 percent; and (3) reduce the rate of lost-production days by 2 percent.

Assistant Secretary Jeffress stressed the importance of having the management of all agencies, from the top down, personally involved in making the Federal Government a model of a safe and productive work environment in the nation. He then announced that he had signed a letter approving NASA's Langley Research Center in Hampton, VA,¹ as the first federal *Star* site in OSHA's Voluntary Protection Programs (VPP). VPP recognizes workplaces that meet the criteria for outstanding safety and health programs.² In VPP, management, labor, and OSHA establish a cooperative relationship in developing a strong safety and health program. The *Star* program is the highest level of recognition in the VPP. "The Federal Government should lead the way when it comes to occupational safety and health in America. We are proud that the Langley Research Center, with its first-class safety and health program, is doing that..." noted Jeffress.

At the end of the first day of the conference, Jeffress also recognized the most outstanding Federal Safety and Health Councils in a special achievement awards ceremony. There are 60 voluntary councils that bring together Federal

¹ See **News Releases**, October 27, on OSHA Web site at www.osha.gov.

² See also, Leigh Sherrill and Judith Weinberg, "OSHA's VPP Gets a Little Help from Its Friends," *Job Safety & Health Quarterly* 9(4):29-34, Summer 1998; and Judith Weinberg, "OSHA Cooperative Efforts: A Good Deal for Workers and Employers," *Job Safety & Health Quarterly* 8(4):11-15, Summer 1997. Also visit **Outreach** on OSHA's Web site at www.osha.gov.



Terry Lane, senior computer specialist, OSHA Directorate of Information Technology, mans the OSHA/NIOSH exhibit on electronic products.

safety and health personnel to share ideas, resources, training, and expertise among private and public agencies. The councils also develop and administer comprehensive workshops to prepare members for the Certified Safety Professional exam and offer a variety of safety and health training at a reasonable cost.

A "Technology Center" exhibition hall featured organizations providing occupational safety and health services such as the National Fire Protection Association, and the Department of Veterans' Affairs National Engineering Service Center, as well as OSHA and NIOSH³ online safety and health resources.

During the conference, participants chose from more than 40 sessions, workshops, seminars, and courses, ranging from managing collateral duty safety to needlesticks and electrical safety. The OSHA Training Institute Seminars offered courses throughout the

conference on such popular topics as lockout/tagout, means of egress/life safety, personal protective equipment, industrial hygiene, respiratory protection, biohazards, confined spaces, and indoor air quality.

The federal safety and health professionals—the leaders of their agency safety and health programs—thought the conference gave them a new perspective on their roles as well as many innovative ideas for dealing with safety and health problems and the training to help make the federal worker safer and healthier well into the next millennium. **JSHQ**

Leonard is chief of the Division of Federal Agency Program Direction and Evaluation in OSHA's Office of Federal Agency Programs in Washington, DC.

³ National Institute for Occupational Safety and Health is a part of the U.S. Department of Health and Human Services, Centers for Disease Control. NIOSH is a sister agency to OSHA, since it was also established by the *OSH Act* and is responsible for occupational safety and health research.

National Park Service and OSHA Improve Federal Worker Safety and Health

by Jeff Ezell

The idea of an organization inviting OSHA to scrutinize its safety and health practices may seem farfetched, but this is actually happening as the agency shifts its way of doing business from confrontation to cooperation.

A case in point—over the past few years, the National Park Service (NPS) began noticing a disturbing frequency of injuries among its employees. In 1997, it experienced the highest employee accident rates in the Department of Interior (DOI). NPS also ranked among the top 10 highest lost-work time case rates in the entire Federal Government.

The National Park Service has a serious problem,” says National Park Service Director Robert Stanton. “Our employees are getting hurt on the job in record numbers.”

To quell this alarming trend, NPS explored several avenues to improve working conditions for its 20,000 employees. In an unprecedented move, the Park Service contacted the federal agency charged with protecting the well being of America’s workers—OSHA—and sought advice on improving safety and health programs

for its employees at 10 selected parks. The dialogue prompted a partnership that Stanton and OSHA Assistant Secretary Charles N. Jeffress formalized at a signing ceremony on October 6 at the Thomas Jefferson Memorial in Washington, DC.

According to OSHA statistics, 50 percent of the injuries suffered by Park Service employees were due to overexertion, slips, trips, falls, punctures, and lacerations.¹

“These are common hazards that we know how to address,” says Deputy Secretary of Labor Kathryn (“Kitty”) Higgins, who represented Secretary of Labor Alexis M. Herman at the ceremony. “We just need to put what we know into practice in a systematic way.”

The problem adversely affected worker productivity and sent work-

ers’ compensation costs skyrocketing. NPS reported a lost-time injury and illness rate of 5.89 per 100 employees in 1997 and more than \$15 million in workers’ compensation costs, or about one-third of DOI’s total workers’ compensation expenditures.

The partnership between the two federal agencies aims to reduce workplace lost-time cases at 10 sites by 10 percent each year over a 5-year span. Once revamped, these sites will serve as models for the entire Park Service.

To accomplish this goal, NPS and OSHA adopted the following strategies:

- comply with OSHA standards;
- address unsafe work practices, which account for approximately 90 percent of all employee accidents;

National Parks Slated for Improvement in Safety and Health

- Cape Cod National Seashore, MA
- Fire Island National Seashore, NY
- National Capital Parks-Central, Washington, DC
- Rock Creek Park, Washington, DC
- Cape Hatteras National Seashore, NC
- Isle Royale National Park, MI
- Sleeping Bear Dunes National Lakeshore, MI
- Padre Island National Park, TX
- Golden Gate National Recreation Area, CA
- Yosemite National Park, CA

¹ Based on OSHA’s Federal Agency Programs “Injuries and Illnesses Statistics for Federal Agencies, Fiscal Year 1997.” Data are available online at http://www.osha.gov:80/oshprogs/fedprgms_stats.html/.



OSHA Assistant Secretary Charles Jeffress and Robert Stanton, Director, National Park Service, sign safety and health agreement at the Jefferson Memorial. Front row, seated from left to right: Reginald Barkley, International Brotherhood of Painters and Allied Trades; Robert Stanton, Director, National Park Service; Charles Jeffress, OSHA Assistant Secretary; and Pete Ward, Police Association of the District of Columbia. Back row, standing from left to right: Adrienne Coleman, Superintendent, Rock Creek Park, NPS; John Berry, DOI Assistant Secretary for Policy, Management, and Budget; Arnold Goldstein, Superintendent, National Capital Parks-Central, NPS; and Kathryn Higgins, Deputy Secretary, U.S. Department of Labor.

- use OSHA consultants to assist the selected parks in developing and managing an effective and comprehensive safety program;
- manage workers' compensation cases and help temporarily disabled employees return to work when they are physically capable;
- investigate suspected cases of fraud and abuse or workers' compensation benefits; and
- provide safety and health training for managers, supervisors, and employees.

“Central to our agreement with NPS is the commitment to establish or improve the health and safety program at each site,” states Jeffress. “The benefits of this agreement will accrue to all Park Service employees,” he adds.

Yellowstone National Park, which formed a partnership with OSHA before the official agreement, has already noticed a significant improvement in its injury and illness rate. After an inspection that produced approximately 738 instances of violations, Yellowstone focused its attention on employee safety and health. With the assistance of the OSHA Area Office in Billings, MT, Yellowstone officials developed a documented safety and health program and made a parkwide commitment to improving worker safety.

According to OSHA statistics comparing two identical 9-month periods in 1997 and 1998, the number of lost-workday injuries dropped from 18 to 5. The number of days lost and number of hours lost declined more than 60 percent.

Most importantly, no workers have died on-the-job this year.²

“People at Yellowstone seem to be more safety conscious and are following through [with the agreement],” adds David J. DiTommaso, area director of OSHA’s Billings Office. “This sheds some light on how partnerships can benefit other federal agencies as well as OSHA.”

NPS plans for all 10 sites to qualify for OSHA’s Federal Agency Voluntary Protection Program (FAVPP), a federal program designed to promote workplace safety through cooperative relationships between federal agencies and OSHA. A similar program, VPP,³ is available to private sector employers who are committed to preserving the safety and health of their workers. In both programs, employers seek OSHA’s assistance—a new way of doing business that seems to be working for everyone. **JSHQ**

Ezell is a public affairs intern in OSHA’s Office of Public Affairs, Washington, DC.

² National Park Service, Office of Risk Management, Yellowstone National Parks, Mammoth WY, unpublished data.

³ Voluntary Protection Programs. For more information, visit OSHA’s Web site at www.osha.gov under **Outreach**.

Additional Rules for Welding/Cutting as per ANSI Z49.1 - 1967 1926.350(j)

Rank in Frequency Cited: #18

Rule

Additional rules. For additional details not covered in this subpart, applicable technical portions of American National Standards Institute, Z49.1 - 1967, Safety in Welding and Cutting, shall apply.

Intent

This ANSI standard was incorporated by reference into the original OSHA construction standards and remains today. Its intent is to supplement the safety requirement for *gas welding*. Additional requirements cover the following: (1) installation and operation of oxygen-fuel gas systems for welding and cutting; (2) fire prevention and protection; (3) protection of personnel; (4) health protection and ventilation; and (5) industrial applications. Construction industry applications are further subdivided by operation. Those operations include: (a) general; (b) general maintenance welding and cutting operations; (c) earth moving and grading equipment; (d) fire protection and prevention; (e) demolition; (f) concrete construction and masonry; (g) tunnels, shafts, and caissons; (h) marine piling and marine construction; (i) batch plant and road paving; (j) steel erection; (k) transmission pipeline; and (l) mechanical piping systems.

Hazards

Fire explosion. Probable injuries range from minor burns to death.

(Among Other) Suggested Abatements

- A pre-job survey to identify all potential hazards and affected areas around the operation is critical.
- All fire prevention and protection rules absolutely must be followed.

Selected Case Histories

- A welder was cutting braces on a catwalk of a conveyor when the catwalk collapsed, sending the welder falling approximately 30 feet to the ground and killing him.
- Three employees were cutting (burning) a catwalk from the top of a 20,000 gallon ethanol storage tank, which had been drained of liquid but the vapors had not been purged. Vapors emanating from an unsealed gauge hatch ignited and the tank exploded. The three employees were fatally injured. The area—not designed for cutting purposes—was not properly inspected nor authorized prior to the start of the operation.

Comments

(1) The most common standard cited from ANSI Z49.1-1967 is 3.2.4.3, which specifies a 20-foot minimum spacing or 2-hour minimum fire-rated wall 5-feet high separating oxygen cylinders from fuel gas cylinders in storage. Other commonly cited standards include using acetylene at a pressure greater than 15 psig (3.1.2) and failure to inspect and authorize an operation when welding or cutting must be done in a location not designed for such purposes (6.2.5).

(2) This rule only applies to gas welding. It does not apply to arc welding, resistance welding, or other non-gas welding procedures.

Additional Documents to Aid in Compliance

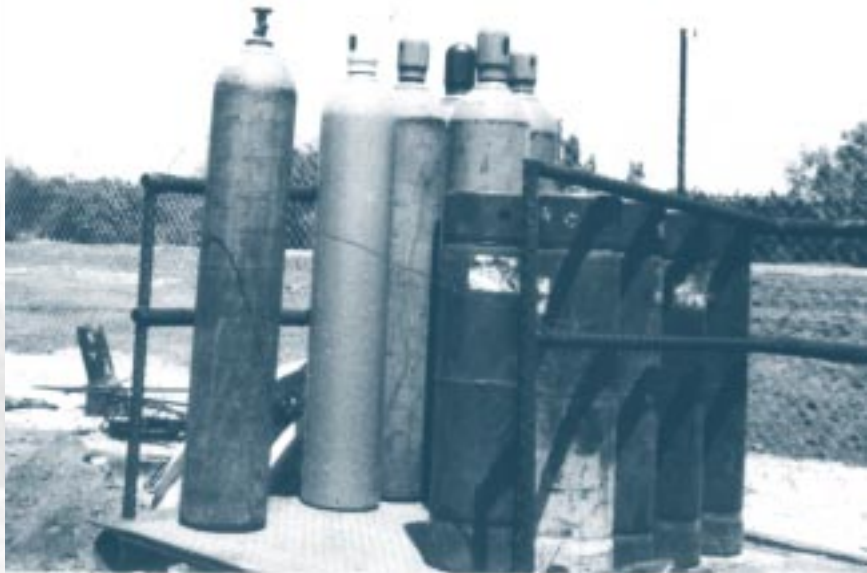
Subpart J of *Title 29 Code of Federal Regulations*, Part 1926.



VIOLATION

IN COMPLIANCE

Oxygen cylinders in storage separated from fuel gas cylinders by a 5-foot tall properly constructed and rated fire wall (arrow).



VIOLATION

IN COMPLIANCE

Oxygen and fuel gas cylinders stored together without proper separation or barriers.

NOTE: The missing valve protection cap on the front cylinder bottle.

Detach Here

Accident Report

From the U.S. Department of Labor
Occupational Safety and Health Administration
FatalFacts No. 49

Accident Summary

Accident Type	Electric Shock
Weather	Clear/Hot
Type of Operation	Masonry
Crew Size	6
Collective Bargaining?	No
Competent Person Onsite?	No
Safety and Health Program in Effect?	Inadequate*
Was the Worksite Inspected Regularly by the Employer?	Yes
Training and Education Provided?	No
Employee Job Title	Cement Finisher
Age/Sex	34/Male
Experience at this Type of Work?	10 Years
Time on Project	1 Day

*Safety training requirement was not being carried out at time of accident.

Brief Description of Accident

Two employees were spreading concrete as it was being delivered by a concrete pumper truck boom. The truck was parked across the street from the worksite. Overhead powerlines ran perpendicular to the boom on the pumper truck.

One employee was moving the hose (elephant trunk) to pour the concrete when the boom of the pumper truck came in contact with the overhead powerline carrying 7,620 volts. The employee received a fatal electric shock and fell on another employee who was assisting him. The second employee received a massive electric shock and burns.

Inspection Results

OSHA cited the employer for not instructing each employee to recognize and avoid unsafe conditions that apply to the work and work areas.

The employer also received citations for operating equipment within 10 feet of energized electrical, ungrounded transmission lines rated 50 kv or less and not erecting insulating barriers.

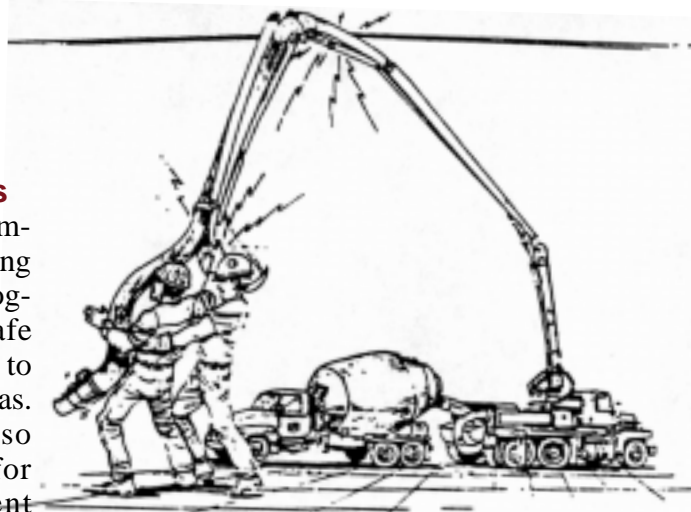
Accident Prevention Recommendations

(1) Train employees to recognize and avoid unsafe conditions that apply to the work environment [Title 29 Code of Federal Regulations (CFR) 1926.21(b)(2)].

(2) Avoid operating equipment within 10 feet of electrical distribution or transmission lines rated 50 kv or less unless the line has been deenergized and visually grounded, or unless insulating barriers—not part of or attached to the equipment—are provided [29 CFR 1926.600(a)(6); 1926.550(a)c15].

Sources of Help

- **OSHA General Industry Standards** [29 CFR Parts 1900-1910] and **OSHA Construction Standards** [29 CFR Part 1926], which together include all OSHA job safety and health rules and regulations covering construction. Both may be purchased from the U.S. Government Printing Office, Superintendent of Documents; phone (202) 512-1800, fax (202) 512-2250; 29 CFR 1900-1910, Order No. S/N 869-032-00104-6; Cost \$43; 29 CFR



1926, Order No. 869-032-00107-3; Cost \$31.

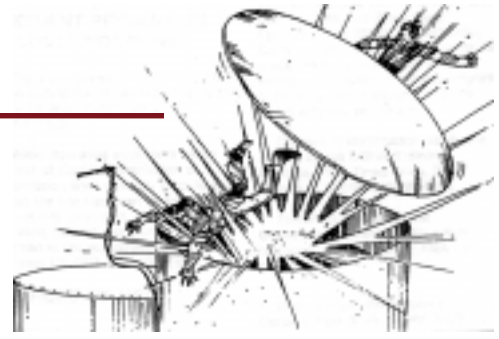
- OSHA-funded free consultation services listed in telephone directories under U.S. Department of Labor or under the state government section where states administer their own OSHA programs.
- Courses in construction safety are offered by the OSHA Training Institute, 1555 Times Drive, Des Plaines, IL 60018; phone (847) 297-4810.
- OSHA regulations, documents, and technical information also are available on CD-ROM, which may be purchased from the Government Printing Office, Superintendent of Documents; phone (202) 512-1800 or fax (202) 512-2250; Order No. S/N 729-13-00000-5; Cost \$43 annually, \$17 quarterly.

This and other information and assistance also are available online at www.osha.gov.

Note: The case described is representative of fatalities caused by improper work practices. No special emphasis or priority is implied nor is the case necessarily a recent occurrence. The legal aspects of the incident have been resolved, and the case is now closed. Your company may duplicate this leaflet to share with your coworkers.

Accident Report

From the U.S. Department of Labor
Occupational Safety and Health Administration
FatalFacts No. 53



Accident Summary	
Accident Type	Explosion
Weather	Clear
Type of Operation	Structural Steel Erection
Crew Size	2
Collective Bargaining?	No
Competent Person Onsite?	No
Safety and Health Program in Effect?	Inadequate
Was the Worksite Inspected Regularly by the Employer?	No
Training and Education Provided?	No
Employee Job Title	Welder
Age/Sex	26/Male
Experience at this Type of Work?	Undetermined
Time on Project	15 Minutes

and the regulations applicable to his work environment to control or eliminate any hazards [Title 29 Code of Federal Regulations (CFR) 1926.21 (b)(2)].

(2) The employer is responsible for requiring the wearing of appropriate personal protective equipment in all operations where there is an exposure to hazardous conditions [29 CFR 1926.28(a)]. In this case, safety belts and lanyards or other means of fall protection would have prevented employees from falling off the tank to the ground. Also, fire- or heat-resistant safety clothing should have been provided and used.

(3) Welding, cutting, or heating must not be done where the application of flammable paints, or the presence of other flammable compounds, or heavy dust concentrations creates a hazard [29 CFR 1926.352(c)].

(4) Drums, containers, or hollow structures that have contained toxic or flammable substances must be filled with water or cleaned of such substances and ventilated and tested before welding, cutting, or heating them [29 CFR 1926.352(i)].

Both may be purchased from the U.S. Government Printing Office, Superintendent of Documents; phone (202) 512-1800, fax (202) 512-2250; 29 CFR 1900-1910, Order No. S/N 869-032-00104-6; Cost \$43; 29 CFR 1926, Order No. 869-032-00107-3; Cost \$31.

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Note: The case described is representative of fatalities caused by improper work practices. No special emphasis or priority is implied nor is the case necessarily a recent occurrence. The legal aspects of the incident have been resolved, and the case is now closed. Your company may duplicate this leaflet to share with your coworkers.

Brief Description of Accident

Two employees were welding brackets onto an oil storage tank (55,000 gallons). The tank, half filled, contained explosive atmospheres of vapor from waste chemical and oil materials from automobile and truck service stations. One worker was killed and another injured when the tank exploded and blew off the top.

Inspection Results

As a result of its investigation, OSHA issued citations for violations of four standards.

Accident Prevention Recommendations

(1) The employer must instruct each employee in the recognition and avoidance of unsafe conditions

Sources of Help

- OSHA *General Industry Standards* [29 CFR Parts 1900-1910] and OSHA *Construction Standards* [29 CFR Part 1926], which together include all OSHA job safety and health rules and regulations covering construction.

Editor's Note: Please be advised that *FatalFacts* No. 73, published in the summer 1998 issue of the *Job Safety & Health Quarterly*, does not reflect current OSHA policy. OSHA standard at 29 CFR 1926.28(a), as described in item (2) under "Accident Prevention and Recommendations," is no longer citable. *FatalFacts* generated from older investigations may not coincide with current OSHA standards and policies.

We are currently updating our *FatalFacts* to more accurately reflect our policies and changes. We apologize for any misunderstanding on this issue.

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