

# Indiana Labor

2018 April - July

## *Insider*



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## Indiana Labor Insider

SUMMER 2018 EDITION

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## A Letter From Commissioner Rick J. Ruble

The Indiana Department of Labor (IDOL) is pleased to present the summer edition of *Indiana Labor Insider*, the seasonal newsletter for the agency. We hope that you find beneficial information enclosed in this digital publication.

It is our honor to announce the 2018 winners of the **Governor's Workplace Safety Awards**. We recognized 11 Hoosier businesses and organizations who exceed in a variety of measurements of workplace safety and health culture. We're also excited to recognize the winners of our newest distinguished award, the **Everyday Safety Hero**, for individuals who have championed safety and health in their respective workplaces. (Page 4)

Each spring, we participate in the **National Safety Stand-down to Prevent Falls in Construction**, orchestrated by the federal Occupational Safety and Health Administration (OSHA). To kick-off construction season, the INSafe team travelled across the state of Indiana to discuss safety and preventing falls in Hoosier businesses and organizations. We were lucky to have been invited to the Elkhart Chamber, RUKCO, and the Indiana Builders Association to meet with members,

employers, employees, and labor representatives to talk about the ways in which we can stand down and prevent injuries and fatalities in the construction industry. (Page 8)

Within this edition of Insider, we again showcase some upcoming training that may be essential or important to Hoosier employers or workers. Please take some time to visit our website [www.in.gov/dol/2383.htm](http://www.in.gov/dol/2383.htm) to view more training and learning opportunities in the forthcoming year.

It may go without saying, but we of course hope that our readers are taking care of themselves in the midst of this very warm and humid Indiana summer. Remember to keep yourself hydrated, stay in the shade, and wear your sunscreen!

To your health and wealth,

Commissioner



# 2018

# GOVERNOR'S

# WORKPLACE

# SAFETY AWARDS



**Sustainable Sourcing, LLC**  
*Partnerships*



**Shiel Sexton Company**  
*Education & Outreach - External*

The Indiana Chamber of Commerce, the Central Indiana Chapter of the American Society of Safety Engineers (ASSE), and the INSafe Consultation division with the Indiana Department of Labor present the Governor's Workplace Safety Awards, an annual recognition of occupational safety and health excellence in the state of Indiana. Employers are awarded for their unique, innovative, and committed approaches to keeping working Hoosiers safe while on the job. The awards are given during the annual Indiana Safety and Health Conference. To learn more about the winning employers for the 2018 awards, visit [www.in.gov/dol/3087.htm](http://www.in.gov/dol/3087.htm).



**AAA Roofing Company, Inc.**  
*Innovations in Construction*  
(for a small-sized company)



**Gribbins Insulation Company**  
*Innovations in Construction*  
(for a medium-sized company)



**Cerro Wire, LLC**  
*Innovations in General Industry*  
(For a medium-sized company)



**National Office Furniture**  
*Innovations in General Industry*  
(for a large-sized company)



**Gaylor Electric, Inc.**  
*Innovations in Construction*  
(for a large-sized company)



**Steinberger Construction**  
*Education & Outreach - Internal*



**Whitesville Mill Service**  
*Innovations in General Industry*  
(For a small-sized company)



**Weddle Bros. Construction Companies**  
*Rising Star in Construction*



**West Central Conservancy District**  
*Rising Star in General Industry*



# 2018 EVERYDAY

## SAFETY

## HEROES



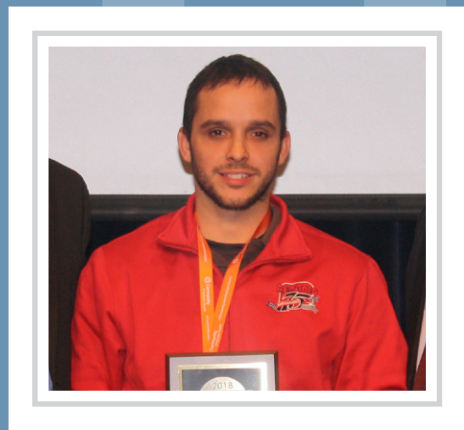
Visit [www.in.gov/dol/3088.htm](http://www.in.gov/dol/3088.htm) to learn more about these 'Everyday Safety Heroes!'



**Lyle Williams, Shop Supervisor**  
Phoenix Fabricators and Erectors, LLC



**James Carey, Team Leader**  
MacLellan Integrated Services  
at Subaru Lafayette



**Manny Myers, Sanitation Supervisor**  
Red Gold, Inc.



**David Ranney, Glass Handler**  
Cardinal IG



**Rich Cox, Operations Manager**  
Whitesville Mill Service



**Alma Cornejo, Team Leader**  
MacLellan Integrated Services  
at SRG Evansville



SAVE THE DATE



## 2019 INDIANA SAFETY AND HEALTH CONFERENCE & EXPO

February 26-28, 2019 | Indiana Convention Center, Indianapolis

[WWW.INSAFETYCONF.COM](http://WWW.INSAFETYCONF.COM)





2018

# NATIONAL SAFETY STAND-DOWN TO PREVENT FALLS IN CONSTRUCTION

On May 9, 2018, I had the opportunity to meet with 13 contractors at **Pepper Construction's Community Hospital East New Patient Tower Project**. Much to our excitement, an estimated 150-plus construction workers attended a Fall Prevention Stand-Down presentation focusing on self-retracting lifelines (SRLs).

CONTRIBUTOR  
**Jameson Berry**  
INSafe Construction Safety  
Consultant

Our presentation at Pepper Construction covered inspection, installation, maintenance, appropriate use, advantages, and types of SRLs. We also discussed common errors and misconceptions about their proper use.

The National Safety Stand-Down to Prevent Falls in Construction is an annual awareness and emphasis campaign coordinated by the federal Occupational Safety and Health Administration (OSHA). The INSafe consultation division, part of the Indiana Department of Labor, provides consultants like myself as partners for the annual campaign and to appear at stand-down events across the Hoosier state. Our consultants provide an "OSHA perspective" on the topics surrounding fall protection and eliminating injuries due to falls in the workplace.

Attendees left with their own copy of a standard SRL inspection sheet with highlighted diagrams and information produced by our INSafe division.

According to the Bureau of Labor Statistics, **fatalities caused by falls from elevation continue to be a leading cause of death for construction employees, accounting for 370 of the 991 U.S. construction fatalities recorded in 2016**. Many of those deaths were preventable. The National Safety Stand-Down raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries.

**Hoosier employers are greatly encouraged to utilize federal OSHA's resources and INSafe's sample programs to build an effective stand-down event within their own company or organization.** All who participate in a stand-down event can receive a certificate for participation from federal OSHA.

Contact **INSafe** today for your  
stand-down event in 2019!

**(317) 232-2688 | [insafe@dol.in.gov](mailto:insafe@dol.in.gov)**





# A FEW SIMPLE STEPS



## To Using Ladders Safely at Work

**In** the construction industry, falls are the number one cause of death or deadly injury. Nearly every construction site will have a ladder on-site, which means there is a need to ensure worker safety by preventing falls. While not everyone works in construction, most Americans use, have used, or will use a ladder for personal tasks or maintenance within their own homes.

Ladders are an excellent option to finishing tasks quickly and efficiently. Set-up and take-down is fast and simple. However, using them carelessly means that the risks may outweigh the benefits.

### Selecting the Appropriate Ladder

The first step in preventing falls or other injuries is selecting and using the correct type of ladder. Fiberglass ladders must be used if there is a chance of contact with electricity. You must not fasten or tie ladders together unless the ladders are specifically designed for such use.

### Before You Climb

Like any jobsite equipment, ladders need to be inspected before they are used by employees. A competent person should inspect the ladder for defects, cracks, and corrosion. Make sure bolts and rivets are secure, that the ladder's feet work properly, and that the slip-resistant pads are in place. The ladder must be placed in a safe location with firm, level footing and rigid support for the top of the ladder. Avoid setting the ladder near exit doors, in the common path of your coworkers, or near vehicular traffic. Ladders must also be set at an angle as instructed by the manufacturer.

If you intend to climb off of a ladder at an upper level, the Occupational Safety and Health Administration (OSHA) standard requires that the ladder must extend three (3) feet above the landing. If you must carry equipment with you while you climb, consider the weight and avoid an overly heavy load that may cause trouble with your balance. Never carry tools in your hands while climbing. Tools must be carried in a tool belt or via a hand line.

Should a fair amount of movement or several pieces of equipment be required to complete the task, a scaffold or other safe working surface should be considered.

CONTRIBUTOR  
**Maynard Evans, IV**  
INSafe Safety Consultant

### While Atop

While it may seem like common sense, many users forget that you should always maintain a three-point contact while on the ladder—either two hands and a foot or one hand and two feet. Workers must always face the ladder while climbing or descending and keep the body inside the side rails. If you are climbing onto or off of a ladder at the top, use extra care not to lean or tip the ladder sideways. Additionally, use care when stepping off of the ladder on the floor or ground as to not cause the ladder base to slide out.

Pursuant to OSHA standards, it is prohibited to stand on the top level of the ladder. Users should avoid pulling, leaning, stretching, or making sudden movements on a ladder that could cause a tip over or compromise the angle of the ladder.

### After You Climb

Ensure that no oil, grease, residue, dirt, or materials were left on the ladder. If you intend to leave the ladder in position while taking a break or moving on to a different task, it is recommended that you close the ladder and put it away until it is to be used again. Storing the ladder appropriately will extend the life of the equipment, help prevent trips or falls, and contribute to a safe and efficient workplace.

### Additional Information

The National Institute of Occupational Safety and Health (NIOSH) has developed several helpful tools in the name of preventing workplace injuries. NIOSH's ladder app is a very beneficial tool for construction workers.

Visit [www.cdc.gov/niosh/topics/falls](http://www.cdc.gov/niosh/topics/falls) to learn more about safe ladder programs and to download NIOSH apps for on-the-spot audits and safety checks!

**NIOSH Ladder Safety App**  
**Download for Free**

To prevent extension and step ladder-related fall injuries and deaths, download and use NIOSH's award-winning Ladder Safety app.

**Stats:**  
**500,000+** people are treated each year for ladder-related falls<sup>1</sup>

**Angle Measuring Tool**  
The Measuring Tool uses visual, sound, and vibration cues to set an extension ladder at the proper angle



## IT HAPPENED HERE Johnson County

### FEBRUARY 12, 2018

An employee was working on an eight-foot ladder—parallel with an office wall—on a flat, concrete surface, approximately six feet from the floor. The ladder was placed between the wall and the HVAC duct as the employee was terminating wires in the junction box on the wall in the office. The employee turned sideways, leaned away from the ladder, and lost his balance. The ladder kicked out from under him. The employee fell and hit his head on the ground. Although he required multiple stitches on his head, the employee survived the fall.

### LESSONS LEARNED

How can we reduce or eliminate the risk for similar events?

- Ensure that on-site ladders are used only for the purposes for which they were designed.
- Employers must ensure that all on-site staff who will be using ladders and similar equipment have appropriate training and competence to perform tasks.
- Check the ladder's steps and footpads for any oil, grease, residue, dirt, or other materials that may cause slips.
- Consider how the ladder's footpads will grip or slide against the surface on which the ladder is placed (polished, wet, rough, etc.) and how to best stabilize it.
- An extension ladder should be secured when an employee climbs it to prevent the ladder from moving out of place or kicking out from under them.





# STOP

# HAZARDS IN THEIR TRACKS

Contact INSafe to enhance your accident prevention programs!



 (317) 232-2688  
 insafe@dol.in.gov  
 www.in.gov/dol/insafe

# Playing it Cool

Visit [www.cdc.gov/niosh/topics/heatstress](http://www.cdc.gov/niosh/topics/heatstress) to build an effective and proactive heat illness prevention plan for your workplace!

*Stay Hydrated*  
DRINK PLENTY  
OF WATER

*Stay Cool*  
TAKE FREQUENT REST  
AND SHADE BREAKS

*Stay Aware*  
TRACK TEMPERATURE, AIR MOVEMENT,  
HEAT ILLNESS SYMPTOMS, AND MORE



# IN LAW UPDATE



# CHILD LABOR

**In** 2018, the Indiana legislature enacted House Enrolled Act 1420, an adjustment to Indiana’s Child Labor laws that permits new work hours for employees under 18 years of age. The Act became law on July 1, 2018. The changes made by this Act present unique challenges for Hoosier employers and the Indiana Department of Labor (IDOL) as some aspects of the new law conflict with existing federal laws. These conflicting aspects can lead to confusion and an increase in liability, violations, and penalties for employers.

*CONTRIBUTOR*  
**Michael Gordon**  
 Child Labor Inspector

The IDOL strives to protect the safety, health, and prosperity of Hoosier workers. As such, the Indiana Department of Labor and the United States Department of Labor both enforce wage and hour and child labor laws. In most cases, Indiana law mirrors federal law. With this recent change, however, Indiana law opens up the work hour restriction for 14- and 15-year-olds and becomes less restrictive than federal law.

The new Indiana law allows 14- and 15-year-olds to work until 10:00 p.m. on days not followed by a school day, and work more than three hours on Fridays when school is in session. This puts Indiana law at odds with federal law which, as shown in the chart below, is more restrictive on these work hours.

Indiana State law for 14- and 15-year-olds	Federal law for 14- and 15-year-olds
<ul style="list-style-type: none"> <li>• Three (3) hours per school day, and eight (8) hours on Fridays that are school days</li> <li>• Eight (8) hours per non-school day, and Fridays that are school days,</li> <li>• 18 hours per school week, or</li> <li>• 40 hours per non-school week.</li> <li>• They may not work before 7:00 a.m. or after 7:00 p.m. on school nights, but may work until 10:00 p.m. on nights not followed by a school day.</li> </ul>	<ul style="list-style-type: none"> <li>• Three (3) hours per school day,</li> <li>• Eight (8) hours per non-school day,</li> <li>• 18 hours per school week,</li> <li>• 40 hours per non-school week.</li> <li>• They may not work before 7:00 a.m. or after 7:00 p.m. on school nights, but may work until 9:00 p.m. from June 1st through Labor Day.</li> </ul>

In an effort to protect businesses that hire 14- and 15-year-olds from exposing themselves to financially compromising situations, the IDOL asks Hoosier employers to take the time to familiarize their managers with the risks of allowing 14- and 15-year-olds to work these extended hours.

**Allowing a 14- or 15-year-old to work past 7:00 p.m., or past 9:00 p.m. between June 1 and Labor Day, continues to violate federal law. Allowing a 14- or 15-year-old to work more than three hours on a school day, even Friday, continues to violate federal law. Federal law cannot be changed by any state legislature.**

There are four important factors to consider when employing 14- and 15-year-olds in violation of federal law:

**1. INSURANCE**

Insurance companies may include a clause in their policies relieving them of any liability for accidents occurring during illegal activities. If a 14- or 15-year-old is hurt while working prohibited hours or shifts, insurance companies may refuse to pay a claim.

**2. INJURY LAWYERS**

If a 14- or 15-year-old is injured while you are allowing them to work illegally, many injury lawyers may use this as a window to sue you for illegally working a minor.

**3. WORKER’S COMPENSATION**

If a minor is injured while working in violation of federal laws, Indiana laws may entitle them to double the compensation.

**4. FEDERAL ENFORCEMENT**

The penalties for violating these federal laws can be severe.

The Indiana Department of Labor recommends that you contact your attorney before allowing 14- and 15-year-olds to work these extended hours, be aware of the risks involved, and act accordingly.

For more information, please contact the Indiana Child Labor division by calling (317) 34-5164 or emailing [childlabor@dol.in.gov](mailto:childlabor@dol.in.gov).



## Frequently Asked Questions Workplace Emergency Preparedness

CONTRIBUTOR  
Maynard Evans, IV  
INSafe Safety Consultant

### Q: What is emergency preparedness?

**A:** Emergency preparedness means taking preventative measures and establishing plans. The objective is to simplify decision-making if an emergency should strike.

### Q: What is a workplace emergency?

**A:** A workplace emergency is a situation that threatens workers, customers, or the public and disrupts or shuts down operations. Emergencies may be natural or man-made. Many types of emergencies can be anticipated in the planning process, which can help employers and workers plan for other unpredictable situations.

### Q: What type of training do workers need?

**A:** Workers must be educated about the types of emergencies that may occur, natural or man-made, as they apply to your workplace or location. It is the employer's responsibility to ensure that all workers understand the company or organization's emergency action plan. The employer must help workers in understanding special on-site hazards, such as flammable materials, toxic materials, etc., and communicate the emergency responsibilities to employees.

### Q: What are OSHA's requirements for emergencies?

**A:** Employers are responsible for providing a safe and healthy workplace for their employees. An emergency action plan must be in writing, kept in the workplace, and available to employees for review. However, an employer with 10 or fewer employees may communicate the plan orally to employees. More specifics can be found within 29 CFR 1910.38.

### Q: What should your emergency action plan include?

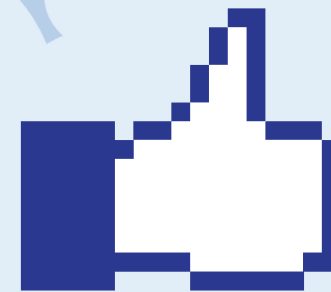
- A:** At minimum, an emergency action plan should include the following:
- A preferred method for reporting fires and other emergencies
  - An evacuation policy and procedure
  - Emergency escape procedures and route assignments
  - Names, titles, departments, and phone numbers of those both within and outside of your organization to contact for assistance
  - Procedures for employees who remain to perform or shut down critical operations, operate fire extinguishers, or perform other essential services
  - Adequate training for all employees who may have been assigned any of the listed responsibilities

## Upcoming Safety Training & Seminars

Course	Date(s)	Location	More Information
OSHA 511	August 7-10, 2018	Vincennes University	<a href="#">CLICK HERE</a>
OSHA 501	August 28-31, 2018	Vincennes University	<a href="#">CLICK HERE</a>
OSHA 503	September 11-13, 2018	Vincennes University	<a href="#">CLICK HERE</a>
OSHA 10-HR General Industry	September 17-18, 2018	Indianapolis	<a href="#">CLICK HERE</a>

Additional training and seminar opportunities are listed on the [Indiana Department of Labor's website, www.in.gov/dol/2383.htm](http://www.in.gov/dol/2383.htm). If you would like to list your company or organization's training and invite other Hoosier workers, please contact us at [insafe@dol.in.gov](mailto:insafe@dol.in.gov).

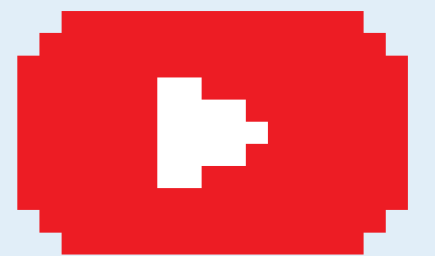
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IDOL



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**We're your partner in  
workplace safety and health.**



The ***Indiana Labor Insider*** is a free, electronic newsletter of the Indiana Department of Labor's onsite workplace safety and health consultation division, INSafe.

Learn more about INSafe online at [www.in.gov/dol/insafe.htm](http://www.in.gov/dol/insafe.htm) or email INSafe with questions, suggestions or comments at [insafe@dol.in.gov](mailto:insafe@dol.in.gov).

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