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Indiana Labor Insider
FALL 2018 EDITION

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**A Letter From
Commissioner Rick J. Ruble**

Welcome to the 2018 fall edition of *Indiana Labor Insider*. From everyone at the Indiana Department of Labor (IDOL), we are excited to head into the next part of the year and reaching new Hoosier workers in our strides to spread workplace safety and health culture.

The agency, in partnership with the Indiana Chamber of Commerce and the Central Indiana Chapter of American Society of Safety Professionals (ASSE), are pleased to announce applications are now open for the **2019 Governor's Workplace Safety Awards**. Along with these prestigious annual awards, we are reopening nominations for the **Everyday Safety Hero Award**, an opportunity for Hoosier employers to recognize outstanding individuals for protecting workers. More information is available on **Pages 10 and 11**.

Within this edition of *Insider*, we have featured technical articles regarding several topics relevant to Hoosier employers, managers, safety directors, employees, and more. Topics covered include the prevention and dangers of mold, fall protection needed for roofs, and the appropriate response procedures for amputation injuries in the workplace.

Thanks to our agency's General Counsel, we have included a technical update to an article previously published in *IN Review 2018, Should You Be Electronically Reporting?* We receive a lot of questions regarding electronic reporting of federal forms and will do everything we can to keep Hoosiers informed.

We encourage our readers and all Hoosiers to take advantage of the fall season to prepare to be safe in the winter months ahead. Now is the time to make sure that your vehicles are in good working order, tires are in good shape, and your emergency preparation kits are ready and stored inside.

Remember that all of us at the IDOL are here to protect Hoosier workers and intend to serve our state with integrity. You are always welcome to contact us if you need assistance.

To your health and wealth,

Commissioner

BREAKING THE

MOLD

Molds are microscopic organisms found nearly everywhere in our environment. **With thousands of species found both indoors and outdoors, molds are the most common forms of fungi found on the earth.** Generally speaking, we are all exposed to mold spores in the air we breathe on a daily basis, whether we step outside or not. Mold seems likely to grow and become a problem when there is water damage, high humidity, or dampness. When left unchecked, molds can eventually destroy the surfaces they grow on. They can be any color, and also often produce foul, musty, or earthy smells.

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When mold is present in large quantities, it has the potential to cause adverse health effects. Undesirable health effects of mold exposure can include sneezing, runny nose, irritation of the eye(s), cough and congestion, skin rashes, and aggravation of asthma. Individuals with allergies, asthma, sinusitis, or other lung diseases, or those with a weakened immune system are at the greatest risk of suffering adverse health effects.

There are no standards that say how much mold is hazardous to your health. However, there should not be visible mold growth or moldy odors in the workplace. Employees who see, smell, or experience mold-related health problems should report the concern to the employer so it can be investigated. Employees who believe there is a mold hazard in the workplace, have a right to file a complaint with the Indiana Occupational Safety and Health Administration (IOSHA).

Prevention

The prevention of mold growth is key, and the key to mold prevention is **moisture control**. Employers and workers can work together to prevent the growth of mold by following a few simple steps:

1. Remove any excess moisture with a wet-dry vacuum and dry out the building as quickly as possible.
2. Use fans to assist in the drying process.
3. Clean wet materials and surfaces with detergent and water.
4. Discard all water-damaged materials and any porous materials that have been wet for more than 48 hours.

Regarding Clean-Up

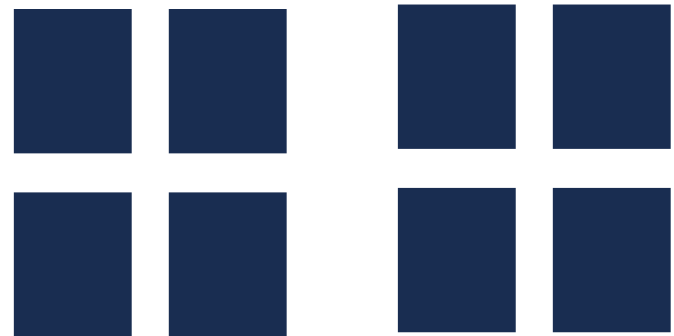
Worker safety and health during mold clean-up efforts are critical as well. Prior to the clean-up process, be sure to do the following:

1. Identify and correct the moisture problem. If the problem source is not identified, it can potentially resurface.
2. Make sure the work area is well-ventilated.
3. Discard mold damaged materials into plastic bags.
4. As indicated above, be sure to clean all wet items and surfaces with detergent and water as quickly as possible.
5. Disinfect clean surfaces with ¼ to 1 ½ cups of household bleach in one gallon of water. (TAKE CAUTION: Be sure not to mix bleach with other cleaning products and agents that contain ammonia.)
6. Use the appropriate respiratory protection. An N-95 respirator is generally recommended. Ensure workers outfitted in respirators have been medically evaluated and cleared to wear them, as well as properly fit tested.
7. Use both hand (e.g. appropriate gloves) and eye protection (e.g. goggles).

To learn more about mold and how to prevent it from invading your workspace, please visit federal OSHA's website. *A Brief Guide to Mold in the Workplace* is available online at www.osha.gov/dts/shib/shib101003.html.

If you have specific questions regarding mold or would like to have an industrial hygienist visit your site or facility, please contact the **INSafe** consultation division. INSafe not only provides over-the-phone assistance for occupational health-related questions, but can also perform on-site sampling. To reach INSafe, please call (317-232-2688 or email insafe@dol.in.gov. You may also visit www.in.gov/dol/insafeconsultaiton to request a limited scope consultation for occupational health aspects.

UP ON THE ROOFTOP



On any given day as a safety consultant, I receive a call from a construction, manufacturing, or other Hoosier business with one very important question: “What type of fall protection is required for our workers on the roof?” I respond, “It depends.”

Federal Occupational Safety and Health Administration (OSHA) construction standard 29 CFR Part 1926, Subpart M, Fall Protection covers fall protection in construction workplaces and applies to employment and places of employment for employees engaged in construction work.

WHAT ACTIVITIES ARE BEING PERFORMED ON THE ROOF?

The fall protection provisions of this subpart do not apply when employees are on the roof making an inspection, investigation, or assessment of workplace conditions prior to the actual start of construction work or after all construction work has been completed. So if we are on the roof doing these activities, then according to the construction OSHA standards, no fall protection is needed.

ARE THERE UNPROTECTED EDGES OF THE ROOF?

An unprotected side and edge means any side or edge where there is no wall or guardrail system at least 39 inches high. If there is not an unprotected side or edge then no fall protection is needed, but if an unprotected side or edge exists and is at least six (6) feet above a lower level, then employees need to be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems or by other means allowed in the standards while on the roof.

WHAT IS THE PITCH OF THE ROOF?

While performing roofing work on low-sloped roofs, which is a roof having a slope of 4:12 or less, employees have to be protected from falling by guardrail systems, safety net systems, personal fall arrest systems, or a combination of warning line system and guardrail system, warning line system and safety net system, or warning line system and personal fall arrest system, or warning line system and safety monitoring system. Or, on roofs 50-feet or less in width, the use of a safety monitoring system alone, without the warning line, is permitted. These systems have to be used anytime employees are on the roof performing roofing work.

WHAT TYPE OF STRUCTURE IS THE ROOF ON?

We have to look also at what type of structure the roof is on because there is another exception allowed for people doing roofing work during “residential construction”. To fall within the definition of “residential construction,” the building in question must be constructed using traditional wood frame construction materials and methods and the end-use of the building in question must be a home or dwelling. During residential construction an employer can develop and implement a site specific written fall protection plan when they can prove that conventional fall protection methods such as using personal fall arrest systems, guardrails, or safety nets is infeasible or creates a greater hazard. However, there is a presumption

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that conventional fall protection methods are feasible and do not create a greater hazard. Accordingly, the employer has the burden of showing this infeasibility or greater hazard defense in lieu of using conventional fall protection methods.

WHERE WILL EMPLOYEES BE ON THE ROOF?

If there is an unprotected side or edge then fall protection is needed by the use of guardrail systems, safety net systems, or personal fall arrest systems. The fall protection standards do not allow a warning line 6 feet from the edge of the roof and the use of a safety monitor when employees are performing a different type of work on a roof other than “roofing work” on low sloped roofs.

The general industry standard states that employees on a walking-working surface such as a roof with an unprotected side or edge which is 4 feet or more above a lower level have to be protected from falling by guardrail systems, safety net systems, or personal fall protection systems or when it is not feasible, create and implement a written fall protection plan. Remember though, that there is a presumption that conventional fall protection methods are feasible and do not create a greater hazard and the employer has the burden of showing this infeasibility or greater hazard defense in lieu of using conventional fall protection methods.

Specifically, the general industry standard requires, that employees performing any type of work on a low sloped roof (4:12 or less in pitch) have to be protected from falling from the roof by a guardrail system, safety net system, travel restraint system, or personal fall arrest system when the work is performed less than 6 feet from the roof edge.

Employees have to stay within the designated area at all times while work is being done. When a designated area is established then no other form of fall protection is needed.



IT HAPPENED HERE Wayne County

JUNE 26, 2017

Employees had been repairing a concrete wall while on top of a flat roof. They'd been knocking out the concrete cracks with pump hammers, installing rebar, and patching with cement mortar around the face of the building wall — a very messy job. Although the fine details of the accident are vague, the worker is suspected to have tripped and fallen approximately 34 feet to the concrete floor below, where coworkers found him. There were no witnesses. He suffered blunt force trauma and was pronounced dead.

LESSONS LEARNED

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

- Ensuring appropriate and frequent fall protection training and maintaining certification records will be vital in protecting employees on a regular basis.
- Conduct a comprehensive worksite assessment at the beginning of each job or task. Identify potential safety hazards, then implement safeguards to protect employees from these hazards.
- Install appropriate fall protection, arrest gear, guard rails, or netting as required by OSHA standards.
- Clearly close off and limit areas that are safe walking surfaces for employees.
- Determine safety equipment needed based on type of activity and pitch of the roof.

RESPONDING TO AN AMPUTATION

The Bureau of Labor Statistics (BLS) estimates that **nearly 700 Hoosier workers suffered a workplace amputation in the last five years.** These injuries are among the most serious and, if not treated quickly and correctly, can lead to additional injuries or ailments, even death. Unfortunately, amputations occur in a variety of circumstances and work environments and are not limited to a particular industry or type of equipment. Amputation hazards can occur at the point of operation when using powered equipment or working around moving parts.

The federal Occupational Safety and Health Administration (OSHA) defines an amputation as “the traumatic loss of a limb or other external body part [...] that has been severed, cut off, amputated (either completely or partially) [...] with or without bone loss,” within OSHA 1904.39(b)(11). OSHA standards covering amputations are the 29 CFR 1910 Subpart O and 29 CFR 1926 Subpart I.

PREVENTION

Prevention, of course, will be your first line of defense. Self-audit inspections are vital to capture and correct hazard exposure before an accident can affect your employees. Implementing these audits as standard, proactive procedures in your safety program will make a significant difference in hazard communication and understanding. Engineering controls can be implemented by maintaining machine guards, light curtains, and emergency stops on machinery. Employees will need appropriate training on all equipment and need to have the comprehensive knowledge to visually inspect equipment prior to each use. The more hazardous equipment on-site should allow for safe access to adjustments by employees or engineers. If at all possible, employers should implement methods of preventing any contact with the points of operation that create amputation hazards. It is the responsibility of the employer to protect employees from amputation hazards.

FACING THE WORST

Mistakes can be made. Miscommunication can occur. Poor judgment can turn a safe situation into a dangerous one. Even when employers take appropriate action to train employees in maintaining a safe work environment, there may still be a risk for injuries. Although it is ideal to eliminate these hazards, sometimes the best you can do is limit them.

Responding to a serious injury can make a significant difference in the employee’s severity of the injury, lasting effects on work capabilities, and recovery time. If an amputation does occur, the most important thing for the employer and/or management to do is act appropriately to give the employee the best possible chance for full recovery. Developing a response plan to an amputation is a highly recommended, proactive approach to enhancing your workplace safety and health program.

HOW TO RESPOND TO AN AMPUTATION

Secure the Scene

Do not panic. Make sure the accident scene is secure from further incident before any one enters the perimeter. Equipment may need to be cut from power or shut down prior to providing assistance.

Immediate Care

Lay the employee down. Elevate the body part that has been amputated. Elevate the legs. Cover the employee with a blanket to maintain body heat that may have been lost due to bleeding. Basic First Aid will be following the “A, B, C’s” – open the Airway, control the Bleeding, and maintain Circulation.

Emergency Medical Services (EMS)

If needed, call for local EMS. Determine the most appropriate contact information for local emergency responders to come to your job site or facility. If the injury is an emergency, dial 911 immediately. Depending on the type of amputation or injury, a designated employee or member of management may be able to transport the employee in a personal vehicle to save time. It will be in your best interest to designate a person(s) to transport injured employees to a local hospital or medical facility.

Recovering the Amputated Part

When safe to do so, recover the amputated body part. Wrap the body part in a dry, sterile gauze. Place the wrapped part in a plastic bag or container, and then onto ice. The part should be transported with the injured employee as soon as possible following the accident.

AFTER THE ACCIDENT

First and foremost, the employer must report the amputation to the Indiana OSHA division within 24 hours or first knowledge of the incident.

An employer should conduct and document an accident investigation. It’s important to collect all information pertaining to the injury and may include employee interviews of witnesses. Determine the root cause of the injury and any contributing causes. It’s then time to begin drafting adjustments or additions to the in-place safety and health program to prevent similar incidents from occurring in the future. Maintaining thorough records of details surrounding the incident are highly recommended and important to the company in protecting its employees, assets, and future.

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INSafe Safety Consultant



SHOW US YOUR BEST SAFETY AND HEALTH GAME PLAN



2019 GOVERNOR'S WORKPLACE SAFETY AWARDS

The annual **Governor's Workplace Safety Awards** will be presented during the **2019 Indiana Safety and Health Conference and Expo** at the Indiana Convention Center! All award categories are open for applications, including the distinct **Everyday Safety Hero Award**!

★ **LEARN MORE AND APPLY TODAY AT WWW.IN.GOV/DOL/2934.HTM**

The annual Governor's Workplace Safety Awards and the Everyday Safety Hero Award are opportunities to provide recognition for companies and professional individuals across the state of Indiana. These awards are based on best practices for eliminating workplace injuries and illnesses and salute those who have made safety and health a top priority. All award applications and nomination forms may be submitted through January 11, 2019. ★



SAVE THE DATE

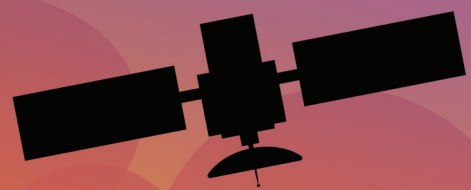


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SHOULD YOU BE ELECTRONICALLY REPORTING?



The following is an update to a technical article published in the 2018 edition of *IN Review*, the Indiana Department of Labor (IDOL)'s annual report. Information within this article is accurate as of the publish date of this newsletter.

As previously reported in the 2018 edition of *IN Review*, federal Occupational Safety and Health Administration (OSHA) finalized a rule in May 2016 that, among other things, included changes to **29 CFR 1904.41** (Electronic submission of injury and illness records to OSHA). The rule required electronic submission of certain records by specified employers and businesses. To view the OSHA standard online, visit <http://tiny.cc/OSHArecordkeeping>.

On July 30, 2018, federal OSHA proposed an additional rule as a modification. According to the proposed rule summary, the changes “would amend OSHA’s recordkeeping regulation by rescinding the requirement for establishments with 250 or more employees to electronically submit information from OSHA Forms 300 and 301.” The summary continued with, “In addition, OSHA is proposing to require covered employers to submit their Employer Identification Number (EIN) electronically along with their injury and illness data submission.” The comment period for the proposed new rule ended on September 28, 2018.

To accept electronic submission of injury records, federal OSHA launched the **Injury Tracking Application (ITA)** on August 1, 2017, and it is currently operational. Early in the roll-out of the system, Indiana OSHA sought to educate and assist rather than apply penalties to employers learning to comply. As of July 1, 2018, with more than a year of cushioning, IOSHA has begun enforcing compliance with electronic reporting of the previous year OSHA Form 300A data. IOSHA encourages Hoosier employers to be proactive about understanding and using the new system. Access to the ITA and additional information about submitting records to federal OSHA is available at www.osha.gov/injuryreporting.

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Tony Hardman
General Counsel

Under the newly proposed rule, no employer would be required to electronically submit information from its OSHA Form 300 or 301. The ITA will only accept the data from Form 300A by employers required to report. Since not every employer is required to electronically report injury data, this must first be determined by the size and industry classification of an employer’s establishment.

Employers meeting the following criteria must electronically report using the ITA:

- 250 or more employees and *not* one of the exempt industries found in *Appendix A of 1904 Subpart B*.
- At least 20 employees, but less than 250 and *must be* in an industry found in *Appendix A of 1904 Subpart E*.

“IOSHA encourages Hoosier employers to be proactive about understanding and using the new ITA system as required.”

For employers meeting the criteria above, the 2018 OSHA Form 300A must be submitted by March 2, 2019.

The submission date for each previous year’s data will be March 2nd each year thereafter.

Access to the ITA and additional information about submitting records to federal OSHA is available at www.osha.gov/injuryreporting.

While reading information on the federal OSHA website, please remember that IOSHA adopts many federal rules identically, but enforcement deadlines may vary by comparison.

INSafe, the occupational safety and health education and consultation division of the Indiana Department of Labor, can provide policy and OSHA standard support for Hoosier employers. If you have questions regarding OSHA injury and illness forms or requirements, please feel free to call (317) 232-2688 or email insafe@dol.in.gov. Be advised that neither INSafe nor other Indiana Department of Labor agency staff can provide technical support for the ITA, as the system is managed by federal OSHA.

Join us in November for our annual Best Practice Meetings with our Indiana Voluntary Protection Program (VPP) and Indiana Safety and Health Achievement Recognition Program (INSHARP)! These meetings are open to the public and will provide networking and program-building opportunities to Hoosier businesses statewide!

You're invited!

VPP

Indiana Voluntary Protection Program

INSHARP

Indiana Safety and Health Achievement Recognition Program

REGION	LOCATION	DATE & TIME
SOUTH INDIANA	HOLIDAY WORLD THEME PARK 52 E. Christmas Blvd. Santa Claus, IN 47579	November 1, 2018 10:00 a.m. - 5:00 p.m. CDT
CENTRAL INDIANA	OSCAR WINSKI COMPANY 1449 Veterans Memorial Pkwy. Lafayette, IN 47905	November 8, 2018 9:00 a.m. - 3:00 p.m. EDT
NORTHERN INDIANA	NUCOR FASTENER DIVISION 6730 County Rd. 60 St. Joe, IN 46785	November 29, 2018 9:00 a.m. - 3:00 p.m. EDT

Please R.S.V.P. to Rebecca Ellson via email at rellson@dol.in.gov.

Frequently Asked Questions What To Expect When IOSHA Inspects

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Ellen Osborne
Construction Safety Inspector

Q: Do we get a warning that IOSHA is coming to our facility/site?

A: The Indiana Occupational Safety and Health Administration (IOSHA) doesn't inform employers or contractors that they will be coming to the site for general schedule, complaint, or referral inspections. Of course, employers should expect an IOSHA investigation if an accident or fatality has been reported by the employer.

Q: Why would we get an inspection?

A: An inspection occurs when there has been an accident or fatality reported, a workplace safety or health complaint, a referral from another agency or organization, or general schedule.

Q: Can I ask the CSHO to leave and come back later?

A: Yes, you can ask the compliance safety and health officer (CSHO) to leave. However, it will be considered a denial of entry. Following this, the CSHO and their supervisor will make every effort to contact the company's managers and/or owner to gain entry. If denial continues, IOSHA will seek a search warrant.

Q: How long does an inspection take?

A: The inspection process could take anywhere from just one day (for an inspection with no alleged violations) up to four months. Fatalities and accidents require more investigation time due to other entities involved, such as a local fire department, law enforcement, hospitals, and/or a coroner.

Q: How do I find out how much we're being fined?

A: The fine amounts are determined by the IOSHA Director of Construction or General Industry. When the Director is done reviewing the inspection, the findings will be sent via certified mail to the company as safety orders, which will contain the proposed penalties.

Q: How long do I have to correct hazards found during the inspection?

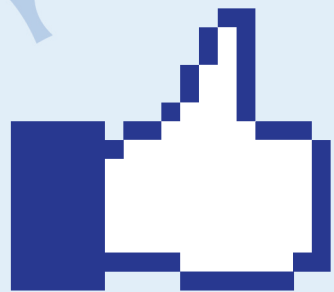
A: If there are any alleged violations that have not be corrected, the CSHO will make suggested abatement times (usually 30 days). Abatement dates are determined by the Director of Construction or General Industry and do not take effect until safety orders are received by the employer or contractor.

Upcoming Safety Training & Seminars

Course	Date(s)	Location	More Information
OSHA 501	October 16-19, 2018	Indianapolis	CLICK HERE
OSHA 7205 Health Hazard Awareness	October 30, 2018	Indianapolis	CLICK HERE
OSHA 7210 Pandemic Influenza Preparedness	November 7, 2018	Indianapolis	CLICK HERE
OSHA 7000 Training Guidelines for Safe Patient Handling	November 8, 2018	Indianapolis	CLICK HERE

Additional training and seminar opportunities are listed on the Indiana Department of Labor's website, 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.

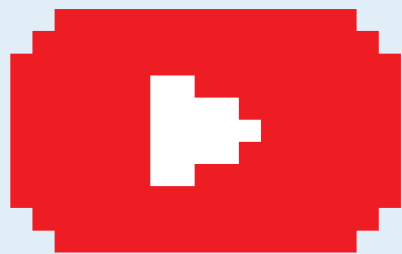
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We're your partner in workplace safety and health.



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www.in.gov/dol/insafeconsultation

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 or email INSafe with questions, suggestions or comments at insafe@dol.in.gov.

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