



Lake County Contractors Association Safety News

September, 2002

Safety Training – For scheduled classes, check the enclosed 2002 Safety Training Reservation Form for more information. The easiest way to get your employees trained is to let us schedule a class specifically for you. We will make sure the content is tailored to your employees and your industry.

We are pleased to announce that Lisa Grosskopf at the LCCA Office will be handling all requests for safety training. If you need any assistance with safety training or any other safety problem, contact the LCCA Office.

REMEMBER: If you have ten or more (or will pay for 10 students) **we will bring the training to your office**, or a site of your choice, or hold your class at the LCCA Office.

First Aid, CPR, OSHA 10-Hour, Excavation Competent Person, Power Line, Confined Space, Respiratory Safety/Silica, Scaffold User or Competent Person, and much more are available for you. Since the LCCA Safety & Education Fund subsidizes the cost, the price is hard to beat.

Training dates are subject to our instructors' schedules, so if you want a particular date, call the LCCA Office as soon as possible.

OSHA 300 Training Available – To help employers identify and analyze accident trends in the workplace, the Occupational Safety and Health Administration (OSHA) and the state of Illinois will present a seminar on the new OSHA 300 log of work – related injuries and illnesses on September 19 at Elgin Community College.

OSHA compliance experts will teach employers how to calculate incidence and days away, restricted, and transferred (DART) rates using the OSHA 300 log. In the hands-on practice session, attendees will learn how to improve their accident investigation process and analyze trends.

The seminar will be held from 8:00 a.m. to noon at Elgin Community College, Business Conference Center, 1700 Spartan Drive, Elgin, IL. From noon to 1:00 p.m., attendees are invited to visit The Consultant's Corner to have an OSHA compliance expert review their OSHA 300 logs and answer questions free of charge.

The fee for the seminar, handout materials, and refreshments is \$35. Advance registration is required. To register, contact the UIC School of Public Health at (312) 996-6904.

OSHA Targeting Hearing – The Occupational Safety and Health Administration (OSHA) is seeking comments on whether the agency should add a requirement for a hearing conservation program to its construction noise standard. This

could include providing hearing protection, hearing tests and periodic noise exposure monitors.

According to OSHA, as many as 750,000 construction workers are exposed to hazardous noise levels every year. And regular hearing protection is only worn about 15-33% of the time.

Who would this affect? Nearly everyone in construction! Currently in the General Industry Standards, any employee exposed to 90 dBA's in an 8-hour day must be monitored. This includes initial hearing tests for all exposed employees and regular tests thereafter, and monitoring of the worksite. Not a pretty picture for contractors.

And what constitute 90 decibels? Anything more than a Semi Tractor that is equivalent to 89.5 – 99.5 dB's. Diesel or gas powered equipment, power tools, breakers, and just about anything except paint drying is covered. To comment on the agencies proposal, send your comments to:

**Docket Office, Docket # H-011G
Room N-2625
OSHA, US Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210**

Because of security related problems, OSHA requests you send your comments by Express Mail or Overnight Delivery. Comments must be received by November 4, 2002.

Judge Tosses Heart Attack "Citation" – An Administrative Law Judge has vacated an OSHA citation issued to a company for failing to report a fatality caused by a heart attack, seemingly unrelated to a work exposure, OSHA argued that the company did not use reasonable diligence to determine the cause of the cardiac arrest and therefore did not know for certain that the death was not "work-related".

The Judge ruled that OSHA cannot shift the burden of proof to the company, simply because the fatality occurred at the workplace. According to the ALJ, the preamble to the revised record keeping regulation, makes it clear that under either the old or new regulation, such a geographic presumption may be applied only where the illness resulted from an event or exposure at the workplace.

The only "event" or "exposure" shown in this case was the heart attack itself, the Judge said. Consequently, the ALJ ruled that OSHA submitted no proof of any "event" or "exposure" at the workplace having a connection between the circumstance of the worker's employment and the heart attack, and the Agency therefore failed to show that the geographic presumption applies to the case.