

The Safety & Health Advisor

Spring 2023



Distracted Driving Awareness Month

Based on the latest data from the National Highway Traffic Administration, at least eight people a day are killed in distracted driving crashes. Many distractions exist while driving, but cell phones are a top distraction because so many people rely on them for communication, news, and entertainment. While no state has a law prohibiting all cell phone use while driving, employers are putting policies in place banning the use of handheld and hands-free devices.

On February 23, 2020, the state of Massachusetts enacted a [Hands-Free Law](#). The law prohibits operators of motor vehicles from using any electronic device, including mobile telephones, unless the device is used in hands-free mode.

Distracted driving isn't just risky for you, it can be deadly for every nearby driver, pedestrian, bicyclist and worker. Join the National Safety Council in observing Distracted Driving Awareness Month and help everyone get home safe. See [NSC - April Distracted Drivin Awareness Month](#) and [NSC - Distracted Driving Education](#) for additional details.

On-The-Job Deaths Remain Too High

There were 5,190 fatal work injuries in the United States in 2021, meaning a worker died every 101 minutes from an occupational injury over the course of the year. The number of fatal work injuries increased 8.9 percent from 4,764 in 2020 but decreased 2.7 percent from 5,333 in 2019 before the COVID-19 pandemic. Other than 2020, there have been consistently over 5,000 fatal work injuries every year since 2016.

Transportation-related fatalities remain the leading cause of death, resulting in 1,982 incidents and nearly 40% of all fatal work-related injuries. Transportation and material moving jobs had the highest number of fatalities.

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Transportation-related fatalities are preventable. The National Safety Council (NSC) noted that the three (3) biggest causes are impaired driving (due to alcohol, drugs (including opioids, cannabis and some over-the-counter medicines), speeding, and lack of seat belt use.

NSC commissioned a report, Mobility, Technology and Safety: The Next 20 Years, in 2021 to consider the potential evolution of transportation and its implications for traffic safety in busy urban areas. The report is intended to provide research-based insights to inform future efforts and serve as a guidebook for those whose work intersects with traffic safety.

Here is a link to the executive summary and report:

[NSC - Roadway Urban Mobility Report](#)

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ANSI/ASSP Z359 Fall Protection Update

ANSI/ASSP Z359.14-2021 is the latest version of the standard addressing “Safety Requirements for Self-Retracting Devices for Personal Fall Arrest and Rescue Systems”. It was approved in June 2021 with the effective date moved several times. The effective date is now August 1, 2023.

It provides several new additions and updated changes from the previous version including the categories and classifications used for Self-Retracting Lifelines (SRL) and Self-Retracting Devices (SRD) as well as the performance and testing criteria for these devices and label requirements.

Most of the changes affect only product manufacturers; however, there are also some items that may impact end-users. These include understanding the new categories for SRD including SRL (Self-Retracting Lifeline), SRL-P (Personal) and SRL-R (Rescue). There are also two (2) classifications for SRD being Class 1 for connections at or above the dorsal D-ring of a full body harness or Class 2 when connection is above or below the dorsal D-ring (the latter SRL are typically used for leading edge work). *Note: Due to changes in force ratings, it will be important to confirm that any existing anchorage points that are used meet the new arresting force requirements.*

The 3M company (while not endorsed by Atlantic Charter) has a short YouTube video available that explains some of the changes at: [3M Worker Safety - Fall Protection](#) If you want to purchase a copy of the ANSI standard, it is available from the their webstore at: [ANSI/ASSP Z359 Standard](#)

All such products manufactured after August 1, 2023, and claiming compliance to ANSI/ASSP Z359.14, will be required to conform to the most current revision of the standard. Products manufactured prior to the most recent version of the ANSI Z359.14 standard may continue to be used so long as the product continues to meet the inspection requirements as defined by the manufacturer and are conducted at the recommended intervals by a Competent Person.

The OSHA standard that addresses general fall protection for General Industry is 29 CFR 1910.140; for Construction, the standards are 29 CFR 1926.501-503. OSHA provides a Safety and Health topics page about fall protection at <https://www.osha.gov/fall-protection>

OSHA Update

On January 15, 2023, OSHA increased its penalty structure based on the annual cost-of-living adjustment. Below are the **maximum** penalty amounts, with the annual adjustment for inflation, that may be assessed after Jan. 15, 2023 (See [OSHA Memo, Dec. 20, 2022](#) for additional details).

Type of Violation	Penalty
Serious, Other-Than-Serious and Posting Requirements	\$15,625 per violation
Failure to Abate	\$15,625 per day beyond the abatement date
Willful or Repeated	\$156,259 per violation

On January 26, 2023, OSHA also expanded its application of instance-by-instance (IBI) citations from exclusively willful violations to “*high-gravity serious violations specific to falls, trenching, machine guarding, respiratory protection, permit required confined space, lockout tagout, and other-than-serious violations specific to recordkeeping. The scope applies to general industry, agriculture, maritime, and construction industries.*” A decision to use IBI citations would be based on consideration of one or more of the following factors:

- The employer has received a willful, repeat, or failure to abate violation within the past five (5) years where that classification is current.
- The employer has failed to report a fatality, inpatient hospitalization, amputation, or loss of an eye pursuant to the requirements of 29 CFR 1904.39.
- The proposed citations are related to a fatality/catastrophe.
- The proposed recordkeeping citations are related to injury or illness(es) that occurred as a result of a serious hazard.

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The IBI policy goes into effect on March 27, 2023. See [OSHA Memo, Jan. 26, 2023](#) for additional details.

Finally, OSHA is proposing to require establishments with 100 or more employees in designated industries to submit annually [Forms 300 \(injury and illness log\)](#), [301 \(recordable case incident report\)](#), and [300A](#) (summary). Currently only the 300A must be submitted.

Establishments in those same industries with 20 or more employees would need to submit only Form 300A under the proposal. See [Safety+Health, February 2023](#) for additional details.

Additional OSHA updates from the latest regulatory agenda:

- The [Hazard Communication standard](#) update was moved from the proposed rule stage to the final rule stage.
- Also listed in the final rule stage is a [permanent COVID-19 standard for the health care industry](#). It's expected to appear sometime in the fall.
- [OSHA's Infectious Diseases standard](#), meanwhile, is listed in the proposed rule stage, with a notice of proposed rulemaking slated for May at the earliest.
- [OSHA's Emergency Response standard](#) moved from the pre-rule to the proposed rule stage, and a notice of proposed rulemaking is not expected to appear until at least May as well.

Staying Safe in the Sun

Spring is here and the sun will be ablaze soon! Working in the sun produces many benefits such as staying physically active, exposure to vitamin D which helps strengthen bones (preventing fractures and chronic muscle pain), regulation of sleep cycle, and deeper recovery. It also exposes employees to hazards such as ultraviolet (UV) rays, heat-related illnesses, and sunburns. Even on cloudy days, about 90% of the sun's UV rays can pass through causing burns. The combination of refraction and reflecting between varying clouds results in significantly greater UV strength at ground level.

Excessive exposure to UV rays can cause damage to the skin, eyes, and immune system resulting in cancer or premature skin aging (photoaging).

The likelihood of developing skin cancer is 3.5 times higher for those who work outdoors than those who do not.

Workers in the landscaping, construction, or roofing industries are the most vulnerable. Wear protective clothing such as long-sleeved shirts, pants, brimmed hat, and sunglasses while working outdoors. Sunscreen application is the easiest and most cost-effective way to protect yourself as well. Apply sunscreen before sun exposure and re-apply every two hours to avoid burns (SPF 15 or greater).



Other ways to avoid overexposure and reduce heat exhaustion include seeking shade when appropriate, incorporating frequent rest/fluid breaks, and wearing light-weight clothing. Incorporating pop up shelters like portable tents, canopies, or umbrellas when possible are other suggested prevention measures.

New workers may require gradual exposure to the warmer or brighter environments for adaptation. This can minimize the effects of heat and increase tolerance to extreme sun. It is important to train and implement policies to the workforce as everyone is affected differently based on work pace, nutrition, and hydration. Enlighten employees by providing training on the signs and symptoms of heat stress and sun exposure and how to react if/when it occurs in themselves or others.

Remind employees to rest and get a good night's sleep in a cool environment to recover from heat related illnesses. See www.osha.gov/heat for additional heat exposure facts and prevention measures.

For more information visit: [CDC - Sun Safety Resources](#).

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Insect Awareness



It's that time of year.
**FIGHT
THE BITE**

Thousands of people are stung by insects each year, and as many as 90–100 people in the United States die as a result of allergic reactions.

Early spring is typically when insects become more active and temperatures reach about 70 degrees or greater. In most of the country, this means mid-March or early April. Being aware of what type of pests reside in your area and associated allergic reactions is important when it comes to working outdoors.

Preventative methods to avoid bites and stings include application of insect repellent containing diethyltoluamide (DEET), wearing long clothing to keep skin covered, enclosed shoes, working away from nests, and keeping bug repellent on hand. Worksites should be kept clean and free of sweet foods/drinks that may attract insects. Perfumes, deodorants, or colognes may also attract unwanted attention from pests.

Nests and hives may be found in trees, under roofs, underground, or within equipment containing small openings. Other areas to avoid insects include dark basement corners, sheds, wood piles, and areas with stagnant water. Bees, hornets, and wasps are typically less attracted to light-colored clothes. Stings should be treated by washing the area with soap and water, then applying cold water or ice. If there appears to be an allergic reaction to a sting with a breakout of hives, nausea, fever or trouble breathing— seek medical attention immediately.

Ticks live in shady, moist areas at ground level including gardens, stone walls, or wooded areas. They tend to cling to tall grass, shrubs or bushes and get on humans and animals only by direct contact. Luckily for us, ticks cannot jump or fly. Once a tick gets on the skin, it generally climbs upward until it reaches an unprotected area. Light-colored clothes also allow for ticks to be easily spotted. Ways to avoid ticks include checking clothes and exposed skin frequently, staying on clear (well-travelled) pathways while hiking, and tying back long hair while gardening.

Although most insect bites or stings are not serious, diseases can spread through bites including West Nile Virus (WNV) from mosquitos and Lyme disease from ticks. Cases of WNV are most common in summer, continuing through the fall. There are no vaccines to prevent or medications to treat WNV in people. Fortunately, most people infected with WNV do not feel sick. About 1 in 5 people who are infected develop a fever and other symptoms.

In Boston, this winter was the 5th warmest on record. Unfortunately, warmer than normal winter temperatures increase the overall tick population. Infections from Lyme disease can cause serious health complications, especially bites from deer ticks. Trust your instincts and always inspect for insects.

NIOSH Fast Facts: Protecting Yourself from Stinging Insects: <https://www.cdc.gov/niosh/docs/2010-117/default.html>

NSC Releases Free First Aid Mobile App

The National Safety Council (NSC) has launched a new mobile app! The [First Aid, CPR & AED Reference Guide](#) is designed to help you save lives by providing timely and proper medical assistance. Download the free app to your device, so that you will always have it with you. You never know when you may be able to save a life! Search for “NSC First Aid” in the app store on your phone or download the app for [Apple](#) or [Android](#) devices.



If you need assistance in evaluating your ergonomics or safety and health program, please contact Neal Freedman, John Cotnam, Mark Hickox or Colin Trombley from Atlantic Charter's Safety and Health Department at (617) 488-6500.