

TerranearPMC Safety Share

Week of May 20, 2013 – It Takes Commitment

The Occupational Safety and Health Act was first passed by Congress in 1970. It was introduced by Democratic Senator Harrison Williams of New Jersey and Republican Representative William Steiger of Wisconsin. Since its inception, OSHA has sought to make workplaces safer and healthier by creating and enforcing regulations as well as offering consultation services for all businesses in the United States. While there have been many regulations established under the OSH Act, they all are based and have been promulgated under the umbrella of the *General Duty Clause*, which states "Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."

Meanwhile, according to the Bureau of Labor and Statistics, approximately 5000 workers are killed every year. That's 3.5 per 100,000 full-time equivalent workers. That's almost 90 workers per week or 13 deaths every day. Imagine; every day in America, 13 people go to work and never come home. In addition, every year in America, nearly 4 million people suffer a workplace injury from which some may never recover. These are preventable tragedies that disable our workers, devastate our families, and damage our economy. Like so many of us, the average American worker is not looking for a handout or a free lunch. All of us are looking for a good day's pay for a hard day's work. In short, the American worker just wants to go to work, provide for their families, and get home in one piece.

What is going on? We have rules and regulations designed to protect workers, established by a federal organization whereby those that do not comply are subject to penalties. Yet workplace incidents seem to be occurring at a consistent rate and severity level. Have we reached a level of acceptance where the American worker's risk should be tolerated? Not really. A review of occupational accidents seems to suggest that if workers and employers work together for the purpose to control workplace injuries and illnesses, tragedies similar to what is reported in the news would not happen. Take the following two recent cases:

In a Florida resort, firefighters were called in to respond to recover the body of a worker crushed by an elevator. Apparently, the resort had hired a company to clean up water at the bottom of the elevator shaft and while a hotel staffer had locked the elevator car on the upper floor before the worker entered the bottom of the shaft, the main power to the elevator itself wasn't turned off. The responsibility to ensure that the elevator mechanism was completely de-energized was that of the resort's safety rep, who was not on the premises during the assigned task. In addition, the assigned work activity must be performed by either be a Certified Elevator Technician or a person that is working under the supervision of a Certified Elevator Technician. In this case, the affected employee did not hold this certification and was working alone.

It is apparent that this worker's death could have easily been avoided, if the elevator was properly de-energized and locked-out (and tagged out). Because the worker was not qualified to perform this

task (not a certified elevator technician) and was working alone, this operation was being performed without anyone ensuring the proper safe-guards were employed.

According to the *Census of Fatal Occupational Injuries*, being struck by an object (mostly elevators themselves) is the third most common cause of fatalities for construction employees working on elevators. The most likely cause of death: falls. Second most likely: caught in or between elevators and shafts. Other causes of these deaths include elevator collapses and electrocutions. The US Bureau of Labor Statistics has reported that in 2011, there were 38 deaths related to elevators in the U.S. The point being is that this work is acknowledged to be dangerous yet no one bothered to ensure the task was performed safely, while the worker, himself, was unaware of the requirements necessary to perform this work.

In another incident, Hugo Avalos Chanon, 41, was cleaning the large blender at Interstate Meat Distributors, a meat processing plant in Clackamas, Oregon, when he fell into the machine. Another worker hit an emergency stop switch, but it was too late: Chanon was already dead. While Oregon OSHA's (OROSHA's) investigation is ongoing, any safety pro can see the possible cause of this death: The machine wasn't turned off, let alone locked out, while it was being cleaned.

The company of the deceased worker had been inspected previously by OROSHA and had been issued several citations, including one for not effectively supervising employees to ensure procedures for controlling hazardous energy were implemented. Previously, three machines weren't locked out during a tear down process, and employees were exposed to the potential unexpected start-up of the machines which had the potential to cause serious injuries to fingers and hands. As a matter of fact, in a previous occurrence at the same facility, an employee did lose a finger. Other violations previously identified by OROSHA included exposing employees to:

- Electric shock because of an exposed electrical panel
- Finger and hand injuries because the point of operation wasn't guarded on a rotating saw blade, and
- Catastrophic failure and fire hazard from filling propane cylinders that didn't have the required requalification once they reach 12 years old.

It is typical that tragic events are foreshadowed by less serious safety violations. If these minor violations were properly addressed at the moment they were discovered, investigations have shown that more tragic events could be prevented. While these initial events may not be directly related to the subsequent fatalities, these incidents do point out a certain lack of attention to those job tasks that require rigorous controls. As such, the lack of controls and attention to worker safety laid the foundation of an attitude and reduced commitment to ensuring the basic premise of the OSHA General Duty Clause, "Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."

Tell me and I will forget, Show me and may not remember, Involve me and will understand

Native American Proverb