

# SafetyAlert

## FOR SUPERVISORS

*The No. 1 source of actionable information to help supervisors keep their people safe*

Including:  
Supervisor's  
Safety Toolbox

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## Machine slices off head of staffer who ignored safety

*Coworkers found his body on a scale, his head on the floor*

### Incident summary

A worker who liked to play fast and loose with safety procedures ended his last work day ever with his body on a scale and his detached head on the floor.

### The damage

A crew member was responsible for operating a machine that sliced finished materials as they moved along a conveyor line.

The materials traveled along the conveyor belt onto a scale. Once the correct amount of materials was on the scale, a guillotine blade activated, then cut the materials.

Work was proceeding

normally when the manager told the machine operator to prepare the equipment for maintenance. That meant the worker had to remove the materials from the conveyor in order to get the machine ready.

Procedures called for the operator to lock out the device before attempting to remove the materials. However, it was well known that the man had a habit of not locking out equipment before working on it.

In this case, his failure to properly de-energize the machine proved tragic.

He was lying on the scale, pushing through materials in order to clear the area.

Without warning, the guillotine blade activated and sliced off his head.

Coworkers who rushed over to help him could only look away in horror when they saw his body on the scale and his head on the floor.

### Findings

Because the worker had a history of ignoring lockout/tagout steps, supervisors should've retrained him in safety procedures.

If the retraining didn't work, the man should've been subject to the employer's disciplinary policies, up to and including termination.

## Should employee who tested positive for marijuana receive workers' comp?

*Crew member struck from behind by vehicle with a broken backup alarm*

“Josh was stoned out of his mind when he got hurt,” said Debra, the supervisor.

“How do you know Josh had smoked marijuana prior to his injury?” asked Teresa, the plant manager.

“One of his coworkers, Paul, told us that the two of them had smoked marijuana that day,” said Debra.

“What was Josh doing when he suffered the

injury?” asked Teresa.

“Josh was sweeping up debris in an area of the loading dock,” said Debra.

“He had his back to a truck that was pulling in. The driver didn't see Josh. The vehicle struck Josh from behind and pushed him into the loading dock.”

### It's a miracle

“Didn't Josh hear the truck?” asked Teresa.

“Apparently, the backup alarm on the truck wasn't working,” said Debra.

“It's a miracle that Josh survived,” said Teresa. “Now, he's applied for workers' comp, and we might challenge his claim because of his marijuana use.”

“We should oppose his claim,” said Debra. “After Josh was taken to the hospital, I contacted the company that administers

our drug testing program and had them send someone to the hospital in order to get a urine sample.”

### Preparing for surgery

“Was the urine sample collected?” asked Teresa.

“Yes, it was,” said Debra. “It was taken from Josh while he was being prepared for surgery.”

“Who obtained the urine  
(Please see *Tested positive ...* on p. 2)

## Tested positive ...

(continued from p. 1)

sample?" asked Teresa.

"We think a nurse in the operating room got it," said Debra, "but we don't know for sure."

### Can't prove

"Josh claims that we didn't adhere to workers' comp laws," said Teresa, "because we can't prove the urine sample was taken by a certified medical professional."

"He's desperate," said Debra. "Besides, it doesn't matter who obtained the sample, as long as the urine revealed the presence of marijuana."

"Tell me more about what Paul said," probed Teresa.

"Paul claims that he and Josh were smoking

marijuana just hours before Josh got hurt. Paul also said Josh had a bag of marijuana in his pocket when he was injured."

"But no marijuana was discovered on Josh at the hospital," said Teresa.

### Not relevant

"That's not relevant, if you ask me," said Debra. "Josh must have been wasted. Otherwise, he would've heard the truck."

"I agree," said Teresa. "We'll fight this claim."

**Result:** The company lost. The court said the man was eligible for comp.

The judge decided that the employer was unable to prove that the worker's marijuana use caused the incident. The court said

the failure of the victim to hear the truck as it was backing up wasn't proof of marijuana use, pointing out that the vehicle's backup alarm was broken.

### Testimony dismissed

Further, the judge said the employer couldn't prove who got the urine sample from the worker, casting doubt on the company's contention that the sample was taken by a certified medical professional, as required by workers' comp laws.

The judge also dismissed the testimony of the coworker, noting that no marijuana was found on the victim.

*Based on Lingo v. Early County Gin.*

## What it means to you

Maintain a watchful eye on your crew members for the warning signs of marijuana use: bloodshot eyes, lack of motivation, slowed reaction times and poor coordination.

If you think someone might be under the influence of the drug, follow the procedures outlined in your employer's drug testing program. Also, make sure a potentially impaired worker doesn't undertake a dangerous job.

Further, don't forget the importance of making sure workers inspect equipment before operating it, and that damaged devices aren't used.

In this case, the employer kept a truck with a broken backup alarm in service, which didn't help its effort to challenge the workers' comp claim.

## You make the call

### Was staffer hurt because he ignored procedures?

"Stephen was trained to keep his hands away from the zone of danger while operating that machine," said George, the supervisor. "If he'd done what he'd been told to do, he wouldn't have suffered a finger amputation."

"It doesn't matter whether the injury wouldn't have happened if your worker had adhered to his training," replied Tammy, the compliance officer.

"Why not?" asked George.

"The equipment wasn't properly guarded," said

Tammy. "A guard would've ensured that the man's glove didn't become entangled in moving machine parts."

### Guarded by distance

"We don't need a guard on that device," said George. "The operator's hands shouldn't get anywhere near the zone of danger because it's effectively guarded by distance."

"What do you mean?" asked Tammy.

"In order to work the machine," said George, "operators have to use a foot pedal. Due to the positioning of the pedal,

their hands shouldn't get anywhere near the danger zone if they follow safety steps. In this case, Stephen ignored procedures."

"You can only claim guarding by distance if you can prove there's no other way to keep people safe," said Tammy. "In this case, you could've installed a light curtain or something similar. I'm issuing a citation."

"This incident was caused by worker misconduct," said George. "We'll fight your penalty."

Did the company win?

■ *Make your call, then please turn to page 4 for the court's ruling.*

## SafetyAlert

FOR SUPERVISORS

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*Safety Alert for Supervisors* (ISSN 1541-7379) is published 24 times per year by Institute of Business Publications, P.O. Box 1340, Havertown, PA 19083; PHONE: 484-472-8227; FAX: 484-472-8708.

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## quick ideas

### Focus on the Three C's of hearing protection

When selecting hearing protection for crew members, remember the Three C's: comfort, convenience and compatibility.

Fact: Employees will be reluctant to use hearing protection that's uncomfortable, difficult to use, or interferes with their work.

### Encourage staffers to report flickering lights

If your staffers saw a burned-out or flickering light, would they report it to you or to the maintenance department? They should.

Here's one reason: It's helpful for the work area

to be well lit during an emergency to help those trying to exit the building.

Bonus: People should also report exit signs that are flickering or have gone dark.

### Matching safety gloves to each specific hazard

Here are some useful guidelines for your crew members when they're selecting safety gloves.

Leather gloves are best when working with wood splinters or rough metal edges.

Cut-resistant gloves are the preferred option when handling knives or when working with other sharp objects.

Chemical-resistant gloves are preferred when

handling substances such as acids, corrosives, poisons, ammonia, or petroleum products.

### Maintain the center of gravity on aerial lifts

Make sure workers who operate aerial lifts know the importance of maintaining a safe center of gravity when the basket is raised.

For instance, they should try to evenly disperse loads on the platform. And they should never attempt to increase the surface area of the platform by using planks, boards, or other devices.

And neither materials nor tools should extend over the sides or rails of the platform.

## Mistakes that hurt

### Unsafe transfer of dangerous chemicals

Do your crew members routinely ground and bond chemical containers before transferring hazardous liquids between them? If not, you might want to consider refresher training on the safe transfer of chemicals.

**Company:** H.B. Fuller Co., d/b/a Adhesives Systems, Inc., Frankfort, IL.

**Business:** Adhesives manufacturer.

**Agency:** OSHA.

**Fine:** \$587,564 (proposed).

**Reason for fine:** Workers were transferring chemicals at temperatures above their flash points without first electrically interconnecting and bonding the containers.

**Note:** OSHA also said high-velocity fans used in an area with flammable substances weren't intrinsically safe.

### No insulated gloves for electrical work

At your next tailgate talk on electrical safety, remind your staffers to never perform electrical work unless they're wearing insulated gloves and using insulated tools.

**Company:** Stulz Air Technology Systems, Inc., Frederick, MD.

**Business:** Temperature and humidity control equipment manufacturer.

**Agency:** Maryland OSHA.

**Fine:** \$82,800 (proposed).

**Reason for fine:** Staffers working on equipment energized to 480 volts weren't wearing insulated gloves.

**Note:** Inspectors said the exposed workers were testing the equipment. The company was also cited because those same employees weren't using insulated tools.



## safety news for supervisors

### A supportive response to an injury report can get people back faster

Despite your best efforts to head off worker injuries, you know there's always a possibility one of your crew members could get hurt.

If that happens, pay attention to how you respond.

Reason: A supportive response could improve the chances that the injured employee will return to the job faster.

That's your takeaway from a recent survey by the Institute for Work & Health, Toronto, ON, Canada. Researchers found that workers who received a supportive response from their supervisor to their injury report were 2.3 times more likely to come

back to the job within four months than those who endured a negative response from their boss.

What's a supportive response? Express sympathy for the worker's plight. Also reassure the victim that you'll do everything you can to make sure he or she is treated fairly.

An unsupportive response might include skepticism and blame, e.g., "It's your own fault that you got hurt!"

### The cost of letting an untrained man handle risky job: \$2.5 million

By making sure your crew members aren't assigned to hazardous tasks before they've been trained in safety steps for the job, you could save

your employer big bucks.

Example: Two companies have been forced to pay \$2.5 million to settle a lawsuit filed by the family of Raymond Crosby.

In September 2015, Crosby was ordered by a manager with E.P. Equipment to cut the support columns for a building being demolished in Berkeley, NJ, even though Crosby had zero experience in demolition work.

Crosby was fatally crushed when he cut the last column and the building fell. Crosby's family sued E.P. Equipment and Berkeley Redevelopers, and the companies just agreed to the settlement in order to resolve the lawsuit.



## legal developments

### Injured man refused light-duty work – should he get comp?

**Safety insight:** If an injured staffer turns down a light-duty assignment, you might be able to have his or her comp benefits ended.

**What happened:** After suffering injuries to his right knee, ankle and foot, a crew member began to receive workers’ comp payments.

**What people did:** After the man was out of work for a while, the employer offered him a position that would fit his light-duty restrictions. But the injured staffer turned down the job offer, saying it would require him to drive a car in order to get to work and that he was unable to operate a motor vehicle

because of his leg injuries. He also dismissed a proposal from the employer’s insurance company to modify his automobile so he could drive it using only his hands.

**Legal challenge:** The company asked for the termination of the injured crew member’s comp benefits, claiming that his refusal to accept the light-duty assignment meant that he’d forfeited his right to continue to receive workers’ comp payments.

**Result:** The employer won. The court said the workers’ comp benefits should end. The company

fulfilled its responsibilities by offering the injured crew member a light-duty position. The judge said the employee couldn’t continue to receive benefits while turning down suitable light-duty assignments. The court noted that the employer’s insurance company had offered to modify the man’s vehicle, which defeated his argument that he couldn’t accept the job because he couldn’t drive to work.

**The skinny:** Employers that act in good faith and try to accommodate injured employees usually get favorable rulings in court.

**Citation:** *Nahas v. WCAB (Synergistic Partners, Inc.)*, Commonwealth Court of Pennsylvania, No. 726 C.D. 2017, 5/4/18.

## You make the call: The decision

(See case on page 2)

No. The company lost. The OSHA Review Commission refused to overturn the penalty.

The commission dismissed the employer’s argument that the incident was the result of the failure of the worker to follow safety steps as he’d been trained to do.

Pointing out that the machine guarding standard is intended to eliminate the possibility of human error, the commission said the equipment wasn’t guarded, so it didn’t matter whether or not the worker followed safety procedures.

The commission also said the employer couldn’t successfully argue that the device was guarded by location. Reason: The location argument is only valid if the employer can prove there’s no other feasible way to guard the equipment. In this case, a light curtain could’ve been installed for guarding.

### What it means: No gloves for certain jobs

In addition to making sure moving machine parts on all the equipment used in your operation are properly guarded, don’t forget the importance of insisting that workers not wear gloves when handling tasks that could expose their hands to entanglement hazards.

In this case, the machine operator was injured when his glove became entangled and his hand was pulled into the danger zone of the equipment.

*Based on Secretary of Labor v. TMD Staffing.*



## horror stories

### Employee pinned underneath equipment, dragged 80 feet

#### Summary

A woman who’d been on the job for less than three days was pinned underneath a machine used to load and unload cargo, then pulled 80 feet across an airport tarmac.

#### The incident

A three-person work crew was responsible for moving a cargo loader into place in order to unload a FedEx plane that had just landed at the company’s Memphis, TN, hub.

One staffer operated the cargo loader while another served as a guide. The third person, FedEx employee Ellen Gladney, 60, was responsible for standing in

front of the loader and operating an E-stop controller to make sure the loader didn’t slam into the plane. It was her third day on the job.

Because of where Gladney had to position herself, she was out of the sight line of the cargo loader operator.

As the operator maneuvered the loader into position, the unit struck Gladney and pinned her beneath the equipment, the bottom of which was about 10 to 12 inches above the ground.

#### The response

Because the loader operator couldn’t see her,

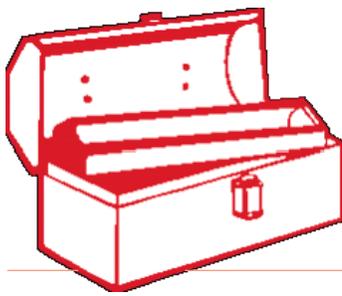
Gladney was dragged under the loader for about 80 feet before the operator realized what had happened.

The machine was shut off right away, but by the time coworkers reached Gladney, she was already dead.

#### The aftermath

Tennessee OSHA investigated the incident and slapped FedEx with a proposed fine of \$7,000.

The fine means little to Gladney’s daughter, La Vonda Gladney, who wrote in her mother’s obituary, “Momma. You will always be forever in my heart. I’ll always remember our saying to each other, ‘I love you more than all the numbers in the world; numbers never stop, and I’ll never stop loving you.’”



# Supervisor's safety toolbox

## Safety meeting blueprint

✓ **Meeting Topic:** Repetitive motions

✓ **Today's Date:** \_\_\_\_\_

✓ **Attendee Signatures:**

_____	_____
_____	_____
_____	_____

When we engage in movements such as bending, twisting, gripping or reaching, we probably don't think too much about it. After all, these body movements are so common that they can't possibly lead to job-related injuries, right?

Wrong! Awkward movements can put tremendous strain on our bodies and lead to debilitating injuries. Consider: Repetitive motion afflictions account for about 60% of all job-related injuries in the U.S.

That's why we need to pay attention to the risks of repetitive motions and avoid disabling injuries.

### Overuse of the bones

Remember that repetitive motion injuries are usually the result of overuse of the bones, muscles, or nerves. Conditions caused by excessive repetitive motions include tendinitis, carpal tunnel syndrome and bursitis.

To help prevent repetitive motion afflictions, drink water frequently throughout the day to

reduce muscle strain and keep the muscles hydrated. Figure about one cup of water every 20 minutes.

You can also engage in stretching exercises before, during and after work in order to reduce muscle tension and promote blood circulation.

### A few basic procedures

Another way to lower the chances of a repetitive motion injury is to follow a few basic procedures while sitting at your workstation.

Adjust your chair so you can sit with your back straight and your spine aligned with your natural curve. Roll your shoulders back and maintain a slight arch in your lower back. Confirm that you have enough space between the front edge of your seat and the back of your knees so blood can freely flow to your legs.

Also try to keep everything within arm's reach. Position work materials so you can reach for them by turning your chair rather than by twisting your waist. Plus, be aware of

your body positions. For instance, keep your wrists straight, your feet flat on the floor and your elbows bent by your sides at right angles.

### *(What are the most common symptoms of a repetitive motion injury?)*

Despite your best efforts to head off a repetitive motion injury, you still need to be aware of the first signs of trouble. Injury symptoms include pain, swelling, redness, tingling, numbness, aching, fatigue, loss of strength and clumsiness.

If you experience any of these symptoms, let your supervisor know and seek medical attention right away.

### Obtaining relief

If the injury is minor, you might be able to obtain some relief by applying a hot or a cold compress to the affected area. For quick muscle relief, use a hot compress such as a warm towel. For inflammation or swelling, apply a cold compress such as an ice pack.

Thanks for your attention. And remember, let's stay safe out there!

*(See next page for test)*

## Tailgate talk

Today's Subject:

### **Fall protection**

Date: \_\_\_\_\_

Don't be misled into thinking your cat-like reflexes will protect you if you start to fall from an elevated location.

They won't!

Proof: Falls accounted for 38.7% of construction-related deaths in 2016. In a high percentage of these incidents, the victim wasn't following fall protection procedures.

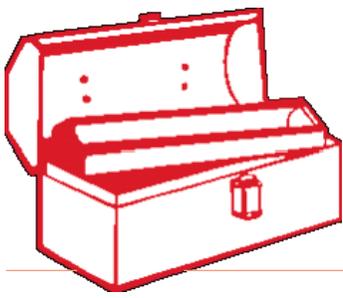
### What to focus on

Here are three things to keep in mind in order to avoid fall-related mishaps.

**1. Perform the job from the ground, if possible.** The best way to prevent fall-related injuries is to handle tasks from the ground. For instance, tool extensions might allow you to perform work from below. If you must elevate yourself, use an aerial work platform or scaffolding, if you can.

**2. Use a personal fall arrest system.** If you must elevate yourself in order to handle an assignment, be sure to put on a safety harness and lanyard. Always inspect the equipment for wear, damage, defects, or deterioration prior to using it. Remove broken gear from service right away.

**3. Use anchorage points.** Always make sure the safety gear is attached to an anchorage point, which must be able to support at least 5,000 lbs. for each person tethered to it.



# Supervisor's safety toolbox

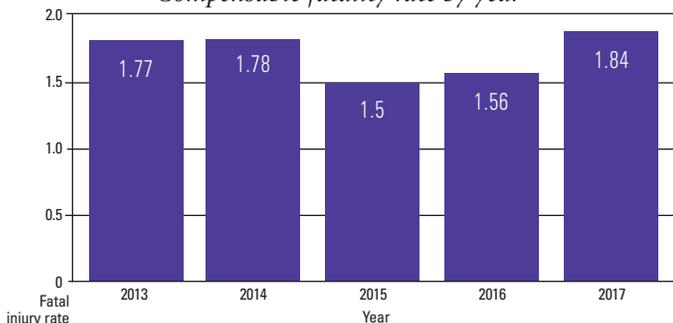
## Safety meeting blueprint: Test your knowledge

### Meeting Topic: Repetitive motions

- |  |  |  |  |
|--|--|--|--|
| <p><b>1. In order to reduce the chances of a repetitive motion injury, you should position work materials so you can reach for them by</b></p> <p>a. Turning your chair<br/>b. Twisting your waist<br/>c. Stretching your arms<br/>d. None of the above</p> <p><b>2. For quick muscle relief, what should you apply to the affected area?</b></p> <p>a. Sunscreen<br/>b. A hot compress<br/>c. Cold water<br/>d. None of the above</p> <p><b>3. You should engage in stretching exercises before, during and after work in order to reduce muscle tension and</b></p> <p>a. Keep yourself mentally</p> | <p>sharp</p> <p>b. Verify that your sweat glands work<br/>c. Promote blood circulation<br/>d. None of the above</p> <p><b>4. Repetitive motion afflictions account for what percentage of all job-related injuries in the U.S.?</b></p> <p>a. 40%<br/>b. 60%<br/>c. 80%<br/>d. 100%</p> <p><b>5. In order to prevent repetitive motion injuries, you should bend your wrists as much as possible when working. True or False?</b></p> <p><b>6. Which of the following is</b></p> | <p><b>a condition caused by excessive repetitive motions?</b></p> <p>a. Carpal tunnel syndrome<br/>b. Melanoma<br/>c. Multiple myeloma<br/>d. None of the above</p> <p><b>7. Which of the following is a symptom of a repetitive motion injury?</b></p> <p>a. Swelling<br/>b. Redness<br/>c. Numbness<br/>d. All of the above</p> <p><b>8. You should drink water frequently throughout the day to reduce muscle tension and</b></p> <p>a. Prevent yourself from sweating<br/>b. Head off skin cancer<br/>c. Keep the muscles hydrated</p> | <p>d. None of the above</p> <p><b>9. What should you apply to the affected area to treat inflammation or swelling?</b></p> <p>a. Hot water<br/>b. Baby oil<br/>c. A cold compress<br/>d. None of the above</p> <p><b>10. To stay hydrated, you should drink one cup of water every</b></p> <p>a. 10 minutes<br/>b. 20 minutes<br/>c. 30 minutes<br/>d. 40 minutes</p> <p><b>11. To head off repetitive motion injuries, you should sit so that your spine is aligned with the natural curve of your body. True or False?</b></p> |
|--|--|--|--|

## Did you know?

**U.S. workplaces are becoming more dangerous**  
*Compensable fatality rate by year*



Keep in mind that U.S. workplaces are becoming more dangerous. A recent report on the rate of fatal workers' comp claims in one state, for instance, has revealed an increase to 1.84 for every 100,000 workers in 2017 from 1.56 in 2016.

Source: Oregon Workers' Comp Division

## Test your knowledge: The answers

- |   |   |
|---|---|
| <p><b>6. a.</b> Other conditions caused by repetitive motions include tendinitis and bursitis.</p> <p><b>7. d.</b> If you notice any of these symptoms, seek medical attention right away.</p> <p><b>8. c.</b></p> <p><b>9. c.</b></p> <p><b>10. b.</b></p> <p><b>11. True.</b> Also make sure that your back is kept straight.</p> | <p><b>1. a.</b> Avoid awkward body movements such as stretching and twisting as much as possible.</p> <p><b>2. b.</b></p> <p><b>3. c.</b></p> <p><b>4. b.</b></p> <p><b>5. False.</b> As much as possible, you want to keep your wrists straight, your feet flat on the floor and your elbows bent at your sides at right angles.</p> |
|---|---|