

# 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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## Man makes rookie mistake, suffers fatal electrical injury

*Staffer touched energized component while standing in water*

### Incident summary

An untrained, new crew member didn't know it was dangerous to grasp an energized pressure switch while standing in water.

### The damage

A 27-year-old employee who'd been on the job for about a week was assigned to help a coworker repair a broken irrigation system.

After the repairs were completed, the coworker told the man to drive his truck to the power source to reactivate the system so that they could confirm their fixes worked.

The new staffer drove the truck 1,200 feet in reverse to

the power source. However, the rear of the truck struck the system's aboveground water main, which broke off the flow regulator and the pump's energized pressure switch and released a considerable volume of water from the main pumping system.

The new crew member called his coworker to let him know what had happened. The coworker told him that they'd fix the system the next day.

However, the employee didn't want to wait. Instead, he attempted to repair the broken pump himself. But as soon as he touched the energized pressure switch,

electricity coursed through his body to the puddle of water he was standing in.

When the coworker arrived a few minutes later, the new worker was already dead from electrocution.

### Findings

The newbie's on-the-job training didn't include guidance on electrical safety. If it had, the staffer probably would've known to not touch an energized circuit while standing in water.

He might also have been aware that electrified objects can cause muscles to contract, which would've made it difficult for him to let go of the energized switch.

## Injured man sues his bosses, claiming rotating auger should've been guarded

*Crew member entered zone of danger, became entangled in dangerous equipment*

"You're not going to believe this," said Karl, the plant manager, "but Doug has filed a personal lawsuit against his boss and several other supervisors. He claims that their gross negligence caused him to become entangled in an auger and suffer severe injuries."

"Doug's injuries were horrific," replied Mira, the supervisor. "However, he

can't pin the blame for the incident on his managers."

"Why do you say that?" asked Karl.

### Clear off debris

"Doug was instructed to stay away from the auger while it was in operation," said Mira. "His boss had established a zone of danger around the machine, but Doug entered the zone in order to clear some debris off

the auger. While he was removing the debris, his clothing got caught in the auger, and he was pulled into the device and badly hurt."

"According to Doug," said Karl, "the auger should've been guarded. He claims that it wouldn't have been a big deal to put a guard around the device while it was in operation."

"We looked into that a few years ago," said Mira,

"and determined that we couldn't guard the machine, because workers needed to be able to access it while it was in operation."

### Possible problem

"That might be a problem," said Karl.

"We can't guard every piece of equipment all the time," said Mira. "In this case, the only way Doug (Please see *Rotating auger ...* on p. 2)

# Rotating auger ...

(continued from p. 1)

could've gotten hurt was if he got too close to the auger, which he'd been instructed not to do."

"Have we had any other injuries involving augers?" asked Karl.

## Minor incidents

"We've had a few minor incidents over the years," said Mira, "but nothing as severe as what happened to Doug."

"I'm glad to hear that," said Karl.

"Keep in mind that Doug's boss and several of the other managers named in the lawsuit have personally operated augers over the years," said Mira. "If they were willing to run the devices themselves, it seems

unlikely that they thought the machines were unsafe to use."

"That's a good point," said Karl. "We'll advise the supervisors to challenge this lawsuit."

**Result:** The managers won. The court dismissed the case, ruling that the bosses couldn't be held personally liable for the employee's injuries.

## Direct instruction

The judge observed that the victim had disobeyed a direct order from his boss to stay clear of the zone of danger. The manager couldn't be on the hook for an injury that was primarily caused by the employee's own disregard for safety.

The court was also swayed by the company's argument that it couldn't guard the auger while it was in motion because workers needed to be able to access it.

## No previous injuries

Furthermore, the judge noted that the managers themselves had personally operated augers, which they wouldn't have done if they believed it was an unsafe behavior. And the court noted that the employer had suffered no previous significant injuries involving augers.

*Based on Oppedahl v. Various Employees of the Iowa Department of Transportation.*

## What it means to you

Keep in mind that your efforts to safeguard crew members from injuries will fall flat if staffers think it's OK to disregard safety warnings.

In this case, an employee suffered severe injuries because he thumbed his nose at his manager's instruction to stay out of the zone of danger.

The crew member probably wouldn't have ignored his boss if he thought he'd be punished for doing so.

That's why it's important to discipline workers when they disregard safety warnings. One key to effective discipline is to make sure everyone knows when a member of the crew has been punished – that knowledge will make everyone less likely to ignore future safety warnings.

## You make the call

### Was it feasible to install fixed guard on machine?

"I've concluded my investigation of your worker's hand injury," said Tammy, the compliance officer, "and I've determined that you were in violation of our machine-guarding rules. I'm citing you."

"You're jumping to conclusions," replied George, the supervisor. "We can't install a guard around the moving parts on that equipment because the operator has to be able to access that portion of the device. Instead, we provide staffers with a push guard they can use for protection."

"The fact that your crew member suffered severe laceration injuries is proof that your push guard isn't effective," said Tammy.

"You're wrong," replied George. "The operator got hurt because he failed to use the guard."

#### Alternative method

"You're trying to dodge the issue," said Tammy. "The machine wasn't equipped with a stationary guard, and you failed to provide an alternative method to ensure workers stayed safe while operating it."

"We have multiple

methods to keep people safe in lieu of a fixed guard," said George.

"For instance, we require operators to keep their hands at least four inches from moving parts while running that machine."

"Your methods didn't work very well this time," said Tammy. "Plus, our records indicate that you've previously been cited four times for failing to adequately guard machines."

"You can't drag up old citations to justify new ones," said George. "We'll fight your fine."

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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## quick ideas

### Avoiding the danger posed by blind cuts

At your next training session on tool safety, let your crew members know that they should never make blind cuts when using cutting tools.

In other words, they should clear the entire length of the surface before starting to cut, so that nothing unexpected is encountered during the job.

### Laceration injuries that cause more bleeding

Now might be a good time to remind workers that most small cuts or scrapes will stop bleeding in a short time frame. However, cuts to the face, head, or mouth usually

bleed more because these areas of the body are rich with blood vessels.

### Higher dust risk from pneumatic systems

A word to the wise: Your operation is at increased risk of a combustible dust explosion if you employ a pneumatic handling system to move materials throughout your facility.

That's because air pressure from the systems themselves can cause the dangerous dust to be blown into hard-to-reach areas.

Key: If you're using pneumatic handling systems, increase the frequency of your dust inspection and dust cleanup efforts.

### Identifying important data on safety sheets

When your crew members consult safety data sheets for specific chemical substances, do they know what information is important?

One of the first things they should look for is the chemical's threshold limit value (TLV), which is the airborne concentration of a substance that someone can be safely exposed to.

The lower the TLV, the more hazardous the chemical.

Note: Just because the TLV line is blank doesn't mean that the material is safe. It could just indicate that there isn't enough data yet to quantify the risks.

## Mistakes that hurt



### Unauthorized joyride leads to amputation

Remember the importance of enforcing your employer's safety policies. The policies have been created for a reason, and any violation of them should be punished.

**Company:** ITS Technologies & Logistics, LLC, Chicago.

**Business:** Intermodal services.

**Agency:** Occupational Safety and Health Administration.

**Fine:** \$156,038 (proposed).

**Reason for fine:** A crew member was allowed to ride unsecured on a stacker.

**Note:** OSHA paid a visit after finding out that a staffer had suffered a leg amputation after he fell off a reach stacker and was then run over by it. The victim was riding unsecured on the vehicle even though there was a corporate policy against doing that.



### Inspectors dismiss employer's excuses

When it comes to enforcement of safety regulations, officials are focused on compliance with the law, not on possible excuses for noncompliance.

**Company:** Evans Fruit Co., Cowiche, WA.

**Business:** Fruit grower.

**Agency:** Washington State Department of Labor and Industries.

**Fine:** \$156,000 (proposed).

**Reason for fine:** Workers were neither wearing masks nor social distancing, in violation of COVID-19 rules.

**Note:** This is the third time in the past few months that the employer has been cited for coronavirus-related violations. The company said workers weren't wearing masks because it made them too hot, but inspectors dismissed that justification.



## safety news for supervisors

### Brace for scrutiny of your efforts to protect staffers from COVID-19

When crew members express concerns about the steps being taken to protect them from the coronavirus, make sure you address their worries, then follow up with them about what you did.

Otherwise, you could risk unwanted scrutiny from the Occupational Safety and Health Administration (OSHA). Here's why: OSHA has announced a national emphasis enforcement program intended to prioritize inspections of workplaces where employees face a higher risk of contracting COVID-19.

That means OSHA inspectors will be fanning

out across the country citing companies for failing to protect workers from the coronavirus.

And the program puts extra emphasis on whistleblowers, instructing OSHA inspectors to seek them out during their walk-throughs, advise them of their rights and tell them how to file a complaint.

Inspection targets will be chosen based on industry, with priority given to

- meat processors
- animal slaughterhouses
- poultry processors
- warehouses

### Study: Employees with unaware bosses more likely to use cannabis

You might be surprised to learn that your ability to identify workers under

the influence of marijuana plays a major role in determining whether crew members will ingest cannabis before work or while they're on the job.

So suggests a study by the Institute for Work & Health. Analyzing data from 2,000 employees, researchers determined that people who used cannabis just before work or during a shift were most likely to labor in jobs that were far away from other crew members and in places with few on-site smoking restrictions.

In addition, cannabis use was more prevalent among employees who perceived their bosses to be unskilled at identifying crew members using drugs or alcohol at work.



## legal developments

### Staffer labored in noisy area, but he wasn't given earplugs

**Safety insight:** Consider working with your safety manager to take dosimeter readings in those areas of your operation where noise levels are high. If the readings show an average sound level above 84 decibels, you have to provide hearing protection to people who regularly labor in the area.

**What happened:** A crew member worked in a job that continuously exposed him to excessive noise levels. He was provided with safety goggles and gloves, but he wasn't given earplugs.

**What people did:** When he woke up one day before going to work, the man felt ill,

so he went to the emergency room, where he was treated for motion sickness and vertigo. The staffer never returned to work. Instead, he went to multiple doctors for treatment, and he was eventually diagnosed with tinnitus and bilateral hearing loss. The employee applied for workers' comp, but his claim was denied.

**Legal challenge:** The worker sued, asking a court to overturn the unfavorable comp determination.

**Result:** The company won. The judge upheld the decision of the workers' comp board, ruling that the victim failed to prove his

tinnitus and hearing loss were related to his job.

The court noted that the crew member worked for the company for less than two months, so it was unlikely that his injuries were caused by his employment. Further, the staffer couldn't prove that the failure of the employer to provide him with earplugs directly contributed to his hearing loss.

**The skinny:** Employees who apply for workers' comp must draw a direct connection between their condition and the work; it's not the responsibility of the employer to prove that the job didn't cause the injury.

**Citation:** *Donzella v. SG Performance Plastics*, Superior Court of New Jersey, No. A-2048-19T3, 1/12/21.

## You make the call: The decision

(See case on page 2)

Yes. The company won. An administrative law judge tossed out the fine.

The judge first said that the employer couldn't install a stationary guard on the machine because it wouldn't have been feasible to operate the device with a fixed guard.

Then the judge ruled that the push guard was an acceptable guarding method. The injured crew member failed to use the push guard, but that was the result of employee misconduct rather than a violation of safety rules by the company.

And the judge noted that previous citations couldn't be used to justify future alleged violations.

### What it means: Creative methods for guarding

It can sometimes be difficult to figure out how to protect staffers operating dangerous machines that can't be easily guarded.

If certain equipment in your operation is difficult to guard, talk to your safety manager about your options. In this case, operators were provided with a push guard, which was a sensible alternative to a stationary guard.

You might also want to consider other creative alternatives. For instance, you could paint a yellow line on the floor around a machine that can't be guarded, then train crew members to stay outside the yellow line while operating the equipment.

*Based on Secretary of Labor v. H-E-B, LP.*



## horror stories

### 'Hero' killed when truck falls off jack stand, lands on him

#### Summary

A man who liked to help people so much that he was a volunteer firefighter for 30 years was killed when a dump truck fell off a jack stand and landed on him.

#### The incident

From the time he was a young boy, Peter Becker wanted to be a firefighter. So when he was offered an opportunity to work for the Berne, NY, Volunteer Fire Department when he was 16 years old, Becker didn't hesitate to take the position.

At first, Becker drove an ambulance. But over time, he became a fixture in the department, even

responding to a fire call on his wedding day. Eventually, he was named district chief.

In addition to his work as a volunteer firefighter, Becker was employed in the highway department for the Town of Berne.

One of his duties in that job was to repair trucks, which is what he was doing one day at the town's solid waste transfer station.

Becker had used a jack stand to elevate the dump truck so he could climb underneath it and make the repairs. However, as Becker was laboring beneath the truck, the jack stand failed, which caused the vehicle to fall and land on Becker.

#### The response

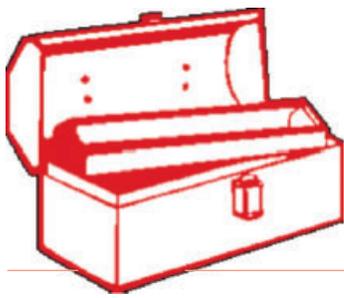
Emergency responders arrived to find Becker still pinned under the truck. He was pulled out, but his injuries were too severe and he was soon declared dead.

#### The aftermath

Becker, 52, left behind a wife and two daughters. He was most remembered for his prominent role in the Berne Fire Department.

Friends said that for the 30 years he served as a firefighter, Becker was always there when needed. One person remembered how he helped her family recover from a devastating fire.

"Peter had a heart of gold, and he loved everyone and helped everyone who needed help," wrote his sister-in-law. "R.I.P., Peter, our hero."



# Supervisor's safety toolbox

## Safety meeting blueprint

✓ **Meeting Topic:** Welding and hot work

✓ **Today's Date:** \_\_\_\_\_

✓ **Attendee Signatures:**

_____	_____
_____	_____
_____	_____

Here's a statistic that might surprise you: One American worker dies every day from injuries related to welding or hot work.

That's according to data from the U.S. Bureau of Labor Statistics, which reported that 370 employees passed away from welding-related injuries during a recent year.

While welders can suffer a wide range of potential injuries, they're most likely to experience eye damage, respiratory impairments, electrical injuries and burns.

### Safety measures

To reduce the chances of getting hurt, it's important to implement adequate safety measures before, during and after welding assignments.

Always put on safety gear before hot work. To guard against eye injuries, wear a welding helmet with a proper filter shade to protect your face and eyes from the dangerous ultraviolet light emitted by the welding torch. You

should also wear safety goggles with side shields.

To prevent injuries from sparks and hot metal, cover your skin with protective clothing such as leather gloves, a shoulder cover, an apron and fire-resistant boots.

Reminder: Before putting on safety gear or protective clothing, examine it to make sure it doesn't have holes that could allow sparks to get through to your skin, and that there are no solvents or paints on it that could be ignited by sparks.

### Check the work area

In addition, check the work area before starting the job. Ideally, you can use a location already designated for hot work. If not, find a spot where the floor isn't made of wood and isn't wet and the workplace isn't cramped or littered with debris. Also confirm that all potentially flammable substances are at least 35 feet away from the welding area.

If it's not possible to relocate combustible items,

at least cover them with a welding blanket, a curtain, or a pad.

### Fire extinguisher

Don't start working until you've confirmed the location of the nearest fire extinguisher and arranged for a trained coworker to serve as a fire watch during the job and for at least 30 minutes after the welding work has been finished.

*(How can we protect ourselves from the hazardous fumes produced during hot work?)*

To safeguard yourself from dangerous fumes, ensure that the work area is adequately ventilated. Typically, your best bet is a local exhaust ventilation system that can maintain a capture velocity of at least 100 feet per minute.

Keep fume hoods, fume extractor guns and vacuum nozzles as close as you can to the welding area to remove the highest possible volume of fumes.

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

*(See next page for test)*

## Tailgate talk

Today's Subject:

**Warehouse safety**

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

When you consider the wide range of potential injuries you could suffer while laboring in a warehouse – slips, trips and falls from wet floors and crushing injuries from poorly stacked items – you know it's important to pay attention to safety.

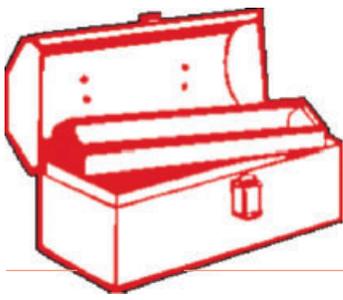
### What to focus on

Here are three things to keep in mind in order to prevent warehouse injuries.

**1. Be aware of high-risk areas.** Certain work areas inside a warehouse are more dangerous than others. For instance, the space between the loading dock and a parked truck can be risky because the truck could move and cause a potentially fatal crushing injury. And conveyor systems can be fertile ground for pinch point mishaps.

**2. Wear safety gear.** Steel-toed safety shoes can safeguard you from injuries caused by falling objects. And hard hats protect against head injuries.

**3. Remember the value of housekeeping.** A high percentage of slip-and-fall injuries are caused by poor housekeeping techniques. That's why it's important to remove oil, dirt and debris from floors and docks. Excess garbage, baling materials and other items should be cleared from the work area and stored properly.



# Supervisor's safety toolbox

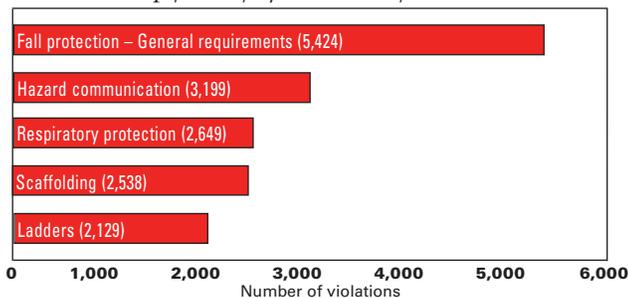
## Safety meeting blueprint: Test your knowledge

### Meeting Topic: Welding and hot work

- |   |  |   |  |
|---|--|---|--|
| <p><b>1. When choosing an area for hot work, you should confirm that the floor isn't made of</b></p> <ul style="list-style-type: none"> <li>a. Concrete</li> <li>b. Wood</li> <li>c. Linoleum</li> <li>d. Any of the above</li> </ul>                                 | <p><b>4. To remove the highest possible volume of fumes, you should keep fume hoods as close as possible to the welding area. True or False?</b></p> <ul style="list-style-type: none"> <li>a. 37</li> <li>b. 370</li> <li>c. 3,700</li> <li>d. 37,000</li> </ul>    | <p><b>7. Before starting a welding job, you should move all flammable materials how far away from the work area?</b></p> <ul style="list-style-type: none"> <li>a. Three feet</li> <li>b. 20 feet</li> <li>c. 35 feet</li> <li>d. It doesn't matter how far away the materials are</li> </ul> | <p><b>9. As long as you're wearing a welding helmet, there's no reason to also put on safety goggles with side shields. True or False?</b></p>   |
| <p><b>2. A fire watch should be maintained for at least how long after a welding assignment has been completed?</b></p> <ul style="list-style-type: none"> <li>a. Five minutes</li> <li>b. 15 minutes</li> <li>c. 30 minutes</li> <li>d. None of the above</li> </ul> | <p><b>5. Among the protective gear you could wear to guard against injuries from sparks and hot metal is</b></p> <ul style="list-style-type: none"> <li>a. Earplugs</li> <li>b. Leather gloves</li> <li>c. A safety harness</li> <li>d. None of the above</li> </ul> | <p><b>8. Local exhaust ventilation systems should have a capture velocity of at least</b></p> <ul style="list-style-type: none"> <li>a. 10 feet per minute</li> <li>b. 50 feet per minute</li> <li>c. 100 feet per minute</li> <li>d. None of the above</li> </ul>                            | <p><b>10. Which of the following is an injury most likely to be suffered by a welder?</b></p> <ul style="list-style-type: none"> <li>a. Eye damage</li> <li>b. Respiratory impairments</li> <li>c. Electrical injuries</li> <li>d. All of the above</li> </ul> |
| <p><b>3. According to the U.S. Bureau of Labor Statistics, how many workers died from injuries related to welding or hot work</b></p>   | <p><b>6. To guard against eye injuries during welding</b></p>  | <p><b>11. Before putting on safety gear prior to welding jobs, you should examine it to make sure it doesn't have</b></p> <ul style="list-style-type: none"> <li>a. Holes</li> <li>b. A blue trim</li> <li>c. A reflective appearance</li> <li>d. None of the above</li> </ul>                |  |

## Did you know?

**Wear a harness when working at heights**  
*Top five safety violations for 2020*



By wearing safety gear when laboring at heights, you make it less likely that your employer will be fined. In 2020, for instance, the No. 1 violation cited by the Occupational Safety and Health Administration was fall protection.

Source: Occupational Safety and Health Administration

## Test your knowledge: The answers

- |   |  |
|---|--|
| <p><b>1. b.</b> Wood is never a suitable flooring surface for hot work, because of the risk that sparks could ignite it.</p>  | <p><b>11. a.</b> Tattered clothing could allow hot slag to damage exposed skin.</p>  |
| <p><b>2. c.</b></p>   | <p><b>10. d.</b> The use of a local exhaust ventilation system is one of the most effective ways to prevent injuries from welding fumes.</p>   |
| <p><b>3. b.</b></p>   | <p><b>9. False.</b> Safety goggles with side shields can prevent injuries from flying debris generated during hot work.</p>  |
| <p><b>4. True.</b> The use of a local exhaust ventilation system is one of the most effective ways to prevent injuries from welding fumes.</p>  | <p><b>8. c.</b></p>  |
| <p><b>5. b.</b></p>   | <p><b>7. c.</b> If items can't be moved, cover them with a welding blanket.</p>  |
| <p><b>6. To guard against eye injuries during welding</b></p> <ul style="list-style-type: none"> <li>a. Earplugs</li> <li>b. Leather gloves</li> <li>c. A safety harness</li> <li>d. None of the above</li> </ul>   | <p><b>1. b.</b> Wood is never a suitable flooring surface for hot work, because of the risk that sparks could ignite it.</p>   |
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