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Safety Zone: Getting Specific

Analyzing Your Written Programs

Health and Safety compliance, (as frequently stated in our Safety Corner), is not one that is fixed. OSHA is continually re-interpreting (or as they put it, "changing the emphasis") in many areas. A broad spectrum under scrutiny currently is that of the Written Program. As most of you are aware, compliance is comprised typically of three main components—Training, Written Programs and Documentation. For example, Forklift compliance would be made up of training on the hazards of forklifts, a Written Program based upon the Standard, with a policy reinforcing training. You also need documentation, such as sign in sheets, practical application or "driving" tests, forklift daily inspections sheets, written tests and licenses. (Whew!)

All of the above is required for this one division of compliance. Among other areas that call for Written Programs are Emergency Action Plans, Bloodborne Pathogens, Lockout and Tagout, Hazard Communication, PPE, and Respirator—each with their own definitive set of documentation.

And for many of you, (even those who survived an OSHA inspection in the last four years), your Written Programs were sufficient. However, being the ever changing force that OSHA is, several areas have come to light that may make it necessary for many of you to take those Written Programs from the shelf, dust them off and revise them. The Internet has brought a ready capability to download almost anything in a nanosecond, and too many companies are relying on "boiler plate" Written Programs. Additionally, workplace injuries and fatalities are still on the rise, making OSHA look more closely during inspections now. In other words, if you downloaded a Written Program from a site a few years ago and doused it with mentions of your company's name, added in a few notations of the address and employees names, and perhaps sprinkled throughout a few paragraphs of your company's policy—even though it may have passed an inspection recently—it may not be "site specific" for today's (or future) stricter inspections. What most inspectors we have encountered recently want are "site specific" hazard analysis of each area, AND the documentation showing this analysis, (along with what you have done to engineer out the hazards) AND documentation showing you have trained the employees on the particular hazards of your company- in each area of compliance.

This would, of course, be in addition to the current Written Programs content. (All readers are allowed to pause here, and wipe the accumulating beads of perspiration from their brows).

In deference to the inspectors, I might state as a consultant nationwide for many companies, I have seen several downloaded Written Programs that screamed of Internet piracy- right down to other companies' names still in the documentation. One factory I was auditing had an Emergency Action Plan, downloaded from a State University lab across the country, with the names of the employees from that lab still in it! It is easy to see why this might trip the trigger of OSHA inspectors as they look at your facility. Written Programs as active documents in use at your company, written for your company, is what OSHA wants to see.

Taking forklift again as an example, a site specific Written Program would be one where you have gone out in the plant and looked at all areas where forklifts are utilized and the possible hazardous conditions. A short list of those could be;

- Pedestrian/vehicular traffic,
- Inclines,
- Docks,
- Tight/blind corners, etc.

To make your Forklift Written Program truly "site specific," you will need to do a hazard analysis of where forklifts are driven, what the potential hazards are in your facility for incident or injury and document this. Then you would need to determine what you have done to remove or safeguard (engineer out) those hazards. An analysis could be that you have determined that "pedestrian traffic is an issue at the north shipping corner of the plant". What you have done as a company to mitigate this hazard might be a policy for forklift operators to sound the horn as they enter that part of the building and to post signage warning drivers and pedestrians. You will need to document this as part of your Written Program, and then, the most important part, to "train the authorized/affected employees" on this hazard. (And of course, document in your Written Program the training of these employees on these potential hazards).

This is why boilerplate Written Programs simply don't "cut it" with OSHA. It is nearly impossible, given these requirements, to expect a downloaded Written Program and a

training DVD to suffice.

Though the terminology of assessing a hazard has been an ever present part of OSHA compliance, the difference currently is the "enforcement" of it. Inspectors now want to see your programs as site specific. The chief area that makes your program indigenous to your company is a hazard analysis of your facility. However, determining what is hazardous, means also that you must identify how to safeguard your employees.

Of great importance for those in the outdoor advertising industry, is of course, Fall Protection. The Department of Labor lists falls as one of the leading causes of workplace fatalities and as such is stringent on evaluating this area. According to the OSHA website, "Identifying fall hazards and deciding how best to protect workers is the first step in reducing or eliminating fall hazards". This is code for, "we are telling you to document a hazard analysis". A fall protection program meeting the Standard begins with identification of all fall hazards in the workplace. Typically, any time a worker (General Industry) is at a height greater than 4 feet or 6 feet (Construction) a fall hazard exists according to OSHA. Where a fall hazard exists, there are two acceptable options: (1) eliminate the hazard, or (2) protect against it. Eliminating the hazard is ideal. When this is not possible, other means such as the wearing of personal protection equipment (PPE) are mandated. A hazard analysis of Fall Protection, according to OSHA, might include the following:

How workers will access elevated surfaces to perform their tasks? Will workers be using portable ladders, supported scaffolds, aerial lifts, or suspension platforms to reach their work areas? Which ones will they use? How and where will they use the equipment?

- Identify tasks that could expose workers to falls.
- Identify hazardous work areas.
- The frequency workers will do tasks that expose them to falls.
- The number of workers exposed to fall hazards. (Note: The higher frequency and/or the greater number of workers exposed mean a greater probability of hazard) (And yes, OSHA will ask this question of you. Typically if you have an inspection, it is how the fines are determined)
- Do workers need to move horizontally, vertically, or in both directions to do their tasks?
- Identify walking/working surfaces that could expose workers to fall hazards.
- Establish fall distances from walking/working surfaces to lower levels.
- Ensure that existing guardrails and covers meet the Standard.
- Determine whether anchorages are necessary.
- Consider other factors that could increase the risk of falls. (Inclement weather, slippery conditions, heat, worker fatigue, etc.)
- Document fall hazards that you can eliminate.
- Document fall hazards that you can't eliminate and how to safeguard them.

This is what a sound hazard analysis will look like of Fall Protection. Remember to document this as clearly as you can. Use your analysis as the cornerstone of training your employees, whether it is Fall Protection, Forklift or any other avenue of compliance. Your employees should know the specific hazards of the job site/tasks along with how to prevent injury or accident. Be ready to re-train if a near miss or incident occurs. Review your Programs annually or if changes occur. This might mean re-evaluating the hazards and safeguards. If you are in doubt if a given compliance area requires hazard analysis, consult the Standard, (Code of Federal Regulations), the OSHA website, (http://www.osha.gov), or contact our firm for clarification, (genesis@kconline.com). You will find upon evaluation of the Regulations, hazard analysis is indeed a component in most if not all, areas of Environmental Health and Safety.

Understandably, this is a huge undertaking for most companies, especially given the number of areas of compliance that necessitate this. However, we have found, in our clients who have begun this process, it is a gratifying one when accidents and injuries decline. A noteworthy reward, as well, is penalty reduction in the event of an inspection. This is especially important when legislation pending seeks raising OSHA fines significantly over the next several years. Democrats in both the House and the Senate are requesting similar proposals to increase penalties. It would be advisable to begin this hazard analysis process now, in lieu of waiting for more serious consequences, either from a monetary position or an injury. During the analysis process, many of our clients have found new hazards they were previously unaware of and developed means to prevent what could have been a devastating, costly incident. Remember to utilize employee input and make this a group effort. Often employees know hazards management is unaware of. Using a team approach will strengthen your company's safety and make certain that your Written Programs stand the test of site-specific requirements.