

Indiana Labor Insider

September/October 2010

Advancing the safety, health and prosperity of Hoosiers in the workplace

Mitchell E. Daniels Jr., Governor
Lori A. Torres, Commissioner of Labor

Dedication to Hoosier Occupational Health and Safety

The mission of the Indiana Department of Labor (IDOL) is to advance the safety, health and prosperity of Hoosiers in the workplace. The most recent release of the Bureau of Labor Statistics' (BLS) Census of Fatal Occupational Injuries (CFOI) shows us that Hoosier workers and employers are just as dedicated to this mission as we are. We are aware that the national recession has led to a decrease in the number of Hoosier workers, likely contributing to the reduction of occupational fatalities statewide; however, a decrease in work-related fatalities in Indiana is a move in the right direction. Later this month we will be releasing the 2009 injury and illness rates for all industries. We are hopeful that the trend for improvement continues.

We are also doing our part in scrutinizing recordkeeping and underreporting. We are participating in the national emphasis program and are doing in depth inspections on a limited number of employers regard recordkeeping. We have also nearly completed a separate, independent study

comparing IOSHA records with those of the Workers Compensation Bureau, again for the purpose of scrutinizing recordkeeping. We'll be reporting on both of these matters, and you can find these discussions on our website when they are released.

We are reminded that the IDOL's efforts alone cannot prevent workplace injuries, illnesses and fatalities. It is through our partnerships with Indiana employers, businesses, organizations and their employees that we are able to make Indiana a safe place to work, live and do business.



Lori A. Torres
Commissioner of Labor

To your health and wealth,

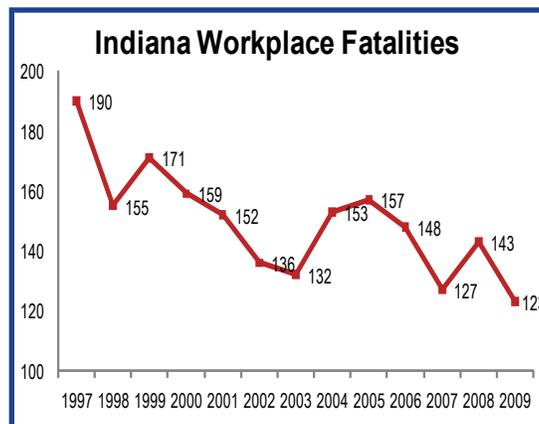
Lori Torres
Commissioner

2009 Indiana Worker Fatality Report Released

The Indiana Department of Labor released Indiana's 2009 Census of Fatal Occupational Injuries (CFOI) in late August 2010. Indiana reported 123 fatal occupational injuries, the lowest experienced since the report was introduced in 1991, and 20 fewer deaths than in 2008.

"Fewer workplace fatalities is welcome news," said Lori A. Torres, Commissioner of Labor. "The number of fatal incidents in Indiana has been trending down over the past five years. Fewer workers, however, due to the national recession also likely contributed to the decline in 2009."

No major Indiana industry saw an increase in fatalities from 2008 to 2009. Agriculture reported the highest number of work-related fatalities (23), the majority of which involved accidents with tractors and other harvesting machinery. For the fourth year in a row, construction fatalities declined, but it remains the second deadliest Indiana



industry, along with transportation & warehousing, with 17 fatalities each. Retail (-38 percent) and manufacturing (-22 percent) reported the largest percentage decrease of fatal injuries.

The top causes of occupational fatalities in 2009 included highway accidents (25), falls (20) and assaults & violent acts (20). Overall, approximately one-third of all work-related fatalities experienced in 2009 were transportation-related events, which

includes highway accidents (25), employees struck by vehicles (8) and accidents involving vehicles in non-highway settings (13). Falls were predominantly from a non-moving vehicle (6), ladder (5) or stairs (3). Assaults & violent acts include workplace homicide (10) and suicide (9).

For additional information, please view the IDOL's CFOI summary [here](#). The Survey of Occupational Injuries and Illnesses (SOII) will be released by the BLS in October 2010.

SAFETY ALERT:

Developing Job Hazard Analyses to Prevent Severe Injuries & Illnesses

Contributed By: Katie E. Wall, INSafe Administrative Assistant and John E. Duncan, INSafe Health Consultant

Every year, thousands of Hoosier employees suffer severe and disabling work-related injuries. Far too often, these injuries could have been prevented. Regular job hazard analyses, employer provided training and employee utilization of safe work practices are imperative when developing a culture of safety and health in the workplace, and should be performed in that order.

One of the best ways to determine and establish proper work procedures is to conduct a job hazard analysis. Ultimately, without a job hazard analysis for each job, training and safe work practices will be less effective.

Supervisors can use the findings from a job hazard analysis to reduce employee exposure to workplace safety and health hazards. This will likely result in fewer work-related injuries and illnesses, as well as a safer and more productive atmosphere for employees.

Job hazard analyses are techniques that focus on specific job tasks as a way to identify hazards before they occur. These job hazard analyses focus on the relationship between the worker, the task, the tools and the work environment. Ideally, after you identify uncontrolled hazards, you will take steps to eliminate or at least reduce them to an acceptable risk level.

A job hazard analysis may be conducted on many jobs within an organization. Priority in developing a job hazard analysis should be given to the following classification of jobs: jobs with the highest injury or illness rates, jobs with the potential to cause severe or disabling injuries or

illnesses (even if there is no history of previous accidents), jobs in which a simple human error may lead to a severe accident or injury, jobs that are new to your operation or those that have undergone changes in processes and procedures, and jobs that are complex enough to require written instructions.

Employers should begin by involving employees in the job hazard analysis process. Employees are an employer's best asset in the identification and elimination of occupational safety and health hazards. Involving employees in this process will help employers minimize oversights, ensure a quality analysis and get workers to "buy-in" to the solutions because they will share ownership in the safety and health management system.

Employers should review their workplace's history of accidents and illnesses, especially those incidents which required medical attention. Don't forget or overlook any "near miss" incidents. These events may be indicators that the existing hazard controls are not adequate and require additional attention.

Be sure to discuss with your employees the hazards they know exist in their current work and surroundings. Brainstorm with them for ideas to eliminate or control those hazards.

Next, employers should list, rank and set priorities accordingly. Begin this process by listing jobs with hazards that present unacceptable risks, based on those most likely to occur and with the most severe consequences. These jobs should be your first priority for analysis.

Nearly every job can be broken down into job tasks or

Developing Job Hazard Analyses

To begin developing a Job Hazard Analysis (JHA), be sure to review OSHA's *Job Hazard Analysis* guide, which may be found online at www.osha.gov/Publications/osha3071.pdf. When developing Job Hazard Analysis, be sure to ask yourself the following questions:

- **What can go wrong?** What are any possible negative outcomes of the situation?
- **What are the consequences?** Could the worker receive a severe injury or die?
- **How could it happen?** Can the employee modify their actions to reduce negative outcomes?
- **What are other contributing factors?** Some hazard occurs very quickly, and do not give the worker much opportunity to recover or prevent it once it occurs. How quickly things can go from normal to hazardous is important, because this helps you determine the severity and likelihood of an accident when selecting appropriate hazard controls. Unfortunately, experience has shown that training is not very effective in hazard control when triggering events happen quickly because humans cannot react quickly enough in many situations.
- **How likely is it that the hazard will occur?** This determination requires some judgment. If there have been "near-misses" or actual cases of injury from the task, then the likelihood of a recurrence would be considered high. If the job is performed frequently, this also increases the likelihood.

steps. Finish the job hazard analysis process by outlining the appropriate steps or tasks done to perform the job.

As a result of the job hazard analysis, a safe way of performing the job is developed. In addition to this, a written procedure should be developed to ensure that all affected employees are performing the job in the same safe manner.

For a job hazard analysis to be effective, management must demonstrate its commitment to safety and health and follow through to correct any uncontrolled hazards identified. Without commitment and follow through, management will lose any established credibility and employees will hesitate to go to management when dangerous conditions are present.

While training is a component of the corrective process, the job hazard analysis and the resultant safe operating procedure are the first items that should be considered after all accidents or near miss injuries. These can be developed by an accident investigation team designated to determine the cause of the accident and ways to correct it and prevent reoccurrence.

For additional information or to get started with developing job hazard analyses, please visit www.osha.gov and click on “P” for publications on the “A-Z” index. For questions, please contact INSafe by e-mail at insafe@dol.in.gov or by phone at (317) 232-2688.



It Happened Here: Johnson & Lake Counties

Background: In calendar year 2009, 272 workers in the United States were killed on the job when they were struck by a falling object. This particular event occurred in a multitude of industries, occupations and worksites. The most common falling object was a tree or log, which accounted for 26% of the events. However, the other contributing objects had no discernable patterns and included machinery parts, containers, and tools. Of the 272 workers killed by falling objects, nine were Hoosiers.

Event #1: In Johnson County, on the morning of March 15, 2010, a stock room worker was working on the receiving dock at her place of employment. Her duties were to receive shipments from vendors, and stock them in the store. On this day, the employee was receiving and stocking pallets of bottled water. Each pallet weighed approximately 2,050 lbs. In order to clear floor space, the victim stacked two pallets on top of each other and proceeded to move them using a powered industrial truck (PIT).

As the victim began to move the stacked pallets, the stack began to lean. After two unsuccessful attempts to re-adjust the stacked pallets using the PIT, the victim walked to the leaning side of the pallets. The stack then collapsed, trapping the victim. Co-workers came to her aid, removing the water bottles, and emergency services personnel transported her to a nearby hospital. The victim died five days later from asphyxiation due to crushing beneath weight.

Event #2: On the afternoon of May 11, 2010, in Lake County, two employees of a home improvement company were moving a chest freezer from the lower level of a building to the main level. Upon reaching the top of the stairs, the employees determined that the freezer was too large to fit through the door frame.

While his coworker was attempting to widen the open space in order to move the freezer, the victim was standing behind the freezer, with his back to the descending stairs.

At this time, the freezer chest became loose and fell back down the stairs. The victim fell approximately ten feet to the cement floor of the basement. He was transported to a nearby hospital, where he later died of severe head trauma.

Lessons Learned: To reduce the likelihood and prevent similar incidents from occurring in the future, employers and employees should:

- Work together to complete and revise job hazard analyses for each job and review job hazard analyses as often as necessary.
- Ensure that all personnel are trained in the safe operation of the machinery they are using and the types of loads they are handling.
- Materials stored in tiers should be stacked, blocked, interlocked and limited in height so that they are stable and secure against sliding or collapse.
- Employees operating powered industrial trucks should ensure their loads are stable and safely arranged. When an off-center load cannot be centered, caution should be exercised.
- Provide and train employees on the proper use of tools that are used to secure and move large or heavy loads. These tools include, but are not limited to, ropes, belts, straps and dollies.
- Never stand on the side of a leaning object, such as the stacked pallets. If attempts to straighten a moving load are unsuccessful, back-up assistance should be called.
- Investigate all near-miss incidents to determine causality, as well as perform root cause analysis.
- Foster a culture of workplace safety and health, and hold yourself accountable for your employees understanding, and following, all written safety and health policies, rules, procedures and regulations.

IOSHA “Emphasis” Programs Focus on the Most Timely Hazards and Industries

OSHA’s Directorate of Training and Education (DTE) develops, directs and oversees the implementation of OSHA’s national training and education policies and procedures. The DTE recently made modifications to the guidelines for outreach training, including OSHA 10 and 30-hour courses. Authorized OSHA Outreach Trainers are limited to teaching no more than 7 ½ hours per day. Therefore, OSHA 10-hour courses must be conducted over a minimum of two days, and OSHA 30-hour courses must be conducted over a minimum of four days. For more information on the OSHA Outreach Training program, please click [here](#).

For the most up-to-date information on OSHA regulations, enforcement programs and answers to Frequently Asked Questions, please visit the Indiana Department of Labor’s website at www.in.gov/dol.

Enforcement Programs

Grain Handling & Storage Facilities

IOSHA adopted a local emphasis program (LEP) for the inspection of grain handling companies. The grain handling LEP applies to grain handling facilities within IOSHA’s jurisdiction. The LEP focuses on the six major hazards found in such facilities: grain bin engulfment, falls, augers entanglement, struck by, combustible dust and electrocution. To advise companies of the emphasis program, in August 2010, IOSHA sent letters to more than 100 of these facilities. For more information on this LEP, please click [here](#).

Cranes & Derricks

In early August 2010, Federal OSHA published a [final rule for cranes and derricks](#). Significant requirements of the cranes and derricks rule include a pre-erection inspection of tower crane parts, use of synthetic slings in accordance with the manufacturer’s instructions during assembly and disassembly work, assessment of ground conditions, qualification or certification of crane operators and procedures for working in the vicinity of power lines. A link to OSHA’s cranes and derricks webpage may be found by clicking [here](#).

Hexavalent Chromium

The NEP for [hexavalent chromium](#) focuses on health hazards presented by work-related exposure to hexavalent chromium and a number of other toxic substances often found in conjunction with this chemical. Exposure to this substance may cause health problems, including lung cancer, in workers who breathe airborne particles of hexavalent chromium. Also a possible side effect is irritation or damage to the nose, throat and lungs (respiratory tract) and irritation to the eyes and skin.



Industrial Compliance Safety and Health Officer Beth Jewel takes notes during a recent enforcement inspection.

Hexavalent chromium may be present in fumes generated during the production or welding of chrome alloys. The steel industry is a major consumer of chromium metal in the production of stainless steel. To review OSHA’s publication on hexavalent chromium, please click [here](#).

Severe Violators Enforcement Program

The national emphasis program (NEP) for [Severe Violators](#) went into effect in Indiana on September 1, 2010. The program concentrates on inspecting employers who are reluctant to comply with their obligations of the OSH Act. It is reserved for employers who willfully or repetitively violate the OSH Act or fail to correct violations. For more information on this program, please click [here](#).

FOR A WINNING GAME PLAN:



2011 INDIANA SAFETY & HEALTH CONFERENCE

FEBRUARY 28-MARCH 2, 2011
WWW.INSAFETYCONF.COM

Conference registration is now open!
Please visit www.insafetyconf.com for more details.

IDOL Proudly Recognizes Nationally Certified Safety Professionals

Employees of the Indiana Occupational Safety and Health Administration (IOSHA) endure rigorous training to develop the knowledge and skills required to ensure the safety and health of Hoosier workers. Some IOSHA personnel have gone beyond these requirements and have become nationally certified in their respective fields. Currently, the IDOL proudly employs staff credentialed as **Certified Industrial Hygienists**, **Certified Safety Professionals** and **Occupational Health and Safety Technologists**.



Pictured from left to right: CSHOs Jason Reason and Bradley Freeman, IOSHA Supervisor Scott Frosch and CSHO Matt Mitchell. Not Pictured: CSHO Gary Hulbert.

IOSHA Supervisor **Scott Frosch**, and Compliance Safety and Health Officer Bradley **Freeman** join **Jason** as **Certified Safety Professionals**. Individuals seeking this certification must have a bachelor’s degree or higher, or an associate’s degree in safety, health and environmental and at least three years professional experience. Upon completion of these prerequisites, candidates must pass the Safety Fundamentals exam and comprehensive practice exam, administered by the [Board of Certified Safety Professionals](#).

IOSHA Compliance Safety and Health Officer **Jason Reason**, is dually certified as both a **Certified Industrial Hygienist and a Certified Safety Professional**. To become a **Certified Industrial Hygienist**, an individual must have a bachelor’s degree with a minimum of 60 credit hours in applicable course work, four years of professional industrial hygiene experience and college or continuing education courses in industrial hygiene fundamentals. In addition to these prerequisites, the individual must pass an exam administered by the [American Board of Industrial Hygiene](#). **Jason** has also been recognized for his expertise in combustible dust, by his appointment to more than one National Fire Protection Association committee.

IOSHA Compliance Safety and Health Officers **Matt Mitchell** and **Gary Holbert** hold the designation **Occupational Health and Safety Technologist**. **Occupational Health and Safety Technologist** candidates must work part or full time in occupational health or safety, and have job duties that require technical skills and knowledge in occupational safety and health. In addition, the candidate must have at least five years of experience in the field and pass the examination. To learn more about the this certification, please click [here](#).

The IDOL recognizes its staff who successfully pass these certification exams with a \$500 bonus, in addition to covering the expenses for prep courses, travel and exam fees.

IDOL Enhances Efficiency by “Rolling Out” a New Electronic Form

The Indiana Department of Labor’s (IDOL) Wage and Hour division is responsible for administering the Common Construction Wage (Prevailing Wage) process in Indiana. The process is governed by the Common Construction Wage Act ([I.C. 5-16-7](#)), which requires a public hearing for most publicly funded construction projects. The hearing is held in the county of the project to establish a scale of wages to be paid to construction workers on that project.

In 2007, the IDOL developed a once-a-month system of scheduling Common Construction Wage hearings, which establishes a regularly-scheduled meeting day in each county. The monthly schedule allows for more efficient scheduling for committee members and minimizes confusion and miscommunication. Please view the monthly schedule, inset in this article.

Until now, persons requesting a Common Construction Wage hearing had to submit their request via fax or mail.

In September, the IDOL developed an electronic Common Construction Wage Hearing Request form and the Department of Labor will now accept Common Construction Wage hearing requests electronically. The request form can be found on the IDOL website by clicking [here](#).

Requests must still be submitted five (5) business days prior to the scheduled meeting date in order to ensure compliance with Indiana’s “Open Door” law. The IDOL will continue to accept requests via fax or mail, in order to accommodate requestors who may prefer this method of communication.

For more information on Indiana’s Common Construction Wage Act, please visit www.in.gov/dol/2723.htm or e-mail ccw@dol.in.gov.

Common Construction Wage Hearing Schedule			
FIRST MONDAY	FIRST TUESDAY	FIRST WEDNESDAY	FIRST THURSDAY
LAKE PORTER NEWTON JASPER	VANDEBURGH WARRICK KNOX POSEY PIKE GIBSON	ST. JOSEPH LAPORTE STARKE PULASKI MARSHALL	DUBOIS MARTIN DAVISS SPENCER PERRY CRAWFORD
SECOND MONDAY	SECOND TUESDAY	SECOND WEDNESDAY	SECOND THURSDAY
VIGO HENDRICKS PUTNAM CLAY PARKE	ALLEN DEKALB ADAMS WHITLEY HUNTINGTON WELLS	CLARK JEFFERSON HARRISON FLOYD SCOTT WASHINGTON	TIPPECANOE WHITE CARROLL CLINTON BENTON WARREN
THIRD MONDAY	THIRD TUESDAY	THIRD WEDNESDAY	THIRD THURSDAY
ELKHART KOSCIUSKO LAGRANGE NOBLE STEBEN	MONROE LAWRENCE MORGAN OWEN GREENE SULLIVAN ORANGE	MIAMI CASS WABASH HOWARD TIPTON FULTON	BARTHOLOMEW JOHNSON JENNINGS JACKSON SHELBY BROWN
FOURTH MONDAY	FOURTH TUESDAY	FOURTH WEDNESDAY	FOURTH THURSDAY
HANCOCK HENRY WAYNE RUSH FAYETTE UNION	MARION HAMILTON BOONE MONTGOMERY FOUNTAIN VERMILLION	DEARBORN DECATUR FRANKLIN RIPLEY OHIO SWITZERLAND	GRANT MADISON DELAWARE BLACKFORD JAY RANDOLPH

* Should a regularly scheduled hearing date fall on a state or federal holiday, the hearing will be scheduled for the following business day.

You Asked, We Answered - Child Labor Inspections



I own a small seasonal business in Indiana. Will I be inspected for Child Labor violations?

Child Labor laws apply to both seasonal and year-round employers. Most inspections are conducted by random selection or by complaint. If your business is randomly selected or if we receive a complaint about your business, we may initiate an investigation.

I have reason to believe that a business is in violation of Child Labor laws. If I file a complaint, will you inspect this business?

The Bureau of Child Labor investigates all complaints that are filed with our office. If the complaint pertains to minors working in prohibited/hazardous occupations or underage employment, we will conduct an investigation within two business days. Other complaints concerning work permit, break and hour violations will be addressed as quickly as possible.

What types of businesses does the Bureau of Child Labor inspect?

Indiana law gives the Bureau of Child Labor the authority to inspect any business operating in the state of Indiana, both public and private. The Bureau strives to inspect business in a variety of Hoosier industries, from restaurants and retail to manufacturing and construction.



Do violations remain the same if a business is re-inspected and still found to be in violation?

No. The first time the Bureau of Child Labor finds a business in violation, a letter of warning will be sent to the business. If the Bureau reinspects within one year and finds the same type of violation, a civil penalty (fine) will be assessed. If the Bureau then re-inspects within two years and finds the same type of violation, the civil penalty will increase. There are four stages of penalties, beginning with a written warning and increasing to up to \$400 per violation.

My business was inspected and found to be in violation. How can I be sure I'm in compliance in the future?

The Bureau of Child Labor offers free training teleconferences every month that are open to all businesses, parents, educators and teens. Our goal is to assist employers in maintaining compliance through increased education and outreach. For more information on training opportunities, Frequently Asked Questions and educational materials and videos, please visit www.in.gov/dol/childlabor.htm or e-mail childlabor@dol.in.gov.

Upcoming Training Opportunities

Child Labor Law Teleconferences: These training opportunities are provided free of charge, however registration is required. To register for an upcoming teleconference, please e-mail childlabor@dol.in.gov. Please be sure to include your name, e-mail address and the date and time of the training in which you wish to participate. If enrolling a group of individuals, please list the name of each attendee.

Date	Sponsor	Class	Time
October 7, 2010	IDOL Bureau of Child Labor	Child Labor Laws (Teleconference)	10 a.m. EST / 1 p.m. EST
October 12, 2010	IDOL Bureau of Child Labor	Child Labor Laws (Teleconference)	10 a.m. EST / 1 p.m. EST
November 4, 2010	IDOL Bureau of Child Labor	Child Labor Laws (Teleconference)	10 a.m. EST / 1 p.m. EST
November 9, 2010	IDOL Bureau of Child Labor	Child Labor Laws (Teleconference)	10 a.m. EST / 1 p.m. EST
December 2, 2010	IDOL Bureau of Child Labor	Child Labor Laws (Teleconference)	10 a.m. EST / 1 p.m. EST
December 7, 2010	IDOL Bureau of Child Labor	Child Labor Laws (Teleconference)	10 a.m. EST / 1 p.m. EST

Workplace Safety and Health Training: For a listing of upcoming occupational safety and health related training, please visit click [here](#). (Please note: This is not a complete list of all occupational safety and health training provided throughout the State of Indiana.)

Save the Date! The 2010 General Election is Right Around the Corner



The Indiana Department of Labor wishes to remind all of our stakeholders that the 2010 General Election is fast approaching. The election will be held on **Tuesday, November 2, 2010**. As citizens of the United States, we are afforded the opportunity to elect our state and national leaders. This year, many of Indiana's elected offices (both state and federal) are up for re-election.

In order to vote in the November 2010 general election, voters must be registered in the county they live in **no**

later than October 4, 2010. To be eligible to register to vote, an individual must:

- Be a United States Citizen;
- Be at least 18 years of age;
- Have lived in their precinct for at least 30 days prior to the election (except certain military voters); and
- Not currently be imprisoned.

Individuals can register to vote online, by clicking [here](#). More helpful information for voters may be found on the Indiana Secretary of State's [Voter Information Portal](#). To find your polling place or to learn who's on your ballot this November, please click [here](#).

Recognizing Excellence

Recognizing Excellence spotlights Hoosier employers and their employees for their efforts in achieving status in either the Indiana Voluntary Protection Program (VPP) or Indiana Safety and Health Achievement Recognition Program (INSHARP). The Indiana Department of Labor congratulates the following employers and employees for their efforts to ensure Hoosier occupational safety and health. Additional information on INSHARP or VPP may be found online at www.in.gov/dol.

INSHARP

New Pre-Sharp:

American Licorice Company (LaPorte, IN)

Recertified:

SIRS Industries (Ferdinand, IN)

VPP

New:

Paoli Furniture (Orleans, IN)

Recertified:

Eaton Corporation, Heavy Truck Division (South Bend, IN)



The **Indiana Labor Insider** is a free electronic bi-monthly newsletter of the Indiana Department of Labor's INSafe Division. INSafe provides free on-site OSHA consultation, resources and training to Indiana small and high hazard employers. For questions or comments regarding content or to subscribe or unsubscribe, please e-mail INSafe at insafe@dol.in.gov.

