

ADOSH ADVOCATE

Improving Workplace Safety and Health



<http://www.ica.state.az.us>

Darin Perkins, Director

Spring 2002

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Comments and suggestions are welcome

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Getting Inspected

As I meet with different employer groups throughout the state, more often than not I am asked to explain what a typical ADOSH inspection is like. While many people would say there is no such thing as a "typical" inspection, there are many similarities and if a compliance officer shows up at your workplace, there is a general "flow" that you can expect to see.

When a compliance officer first arrives at your workplace, he/she will typically present their identification and ask to see the safety director, plant manager, superintendent or foreman or whomever may be in charge. If no one is immediately available, the compliance officer may wait up to

one hour for someone to arrive, prior to proceeding with the inspection.

Always ask to see a compliance officer's identification. It is your way of

assuring that this person really does represent ADOSH. If in doubt, ask the compliance officer for the name and phone number of his/her supervisor and call.

Once the formalities are out of the way, the compliance officer will hold an opening conference. (On a construction site, a representative of each subcontractor is asked to participate in the opening conference). The opening conference is a time to provide information regarding the reason(s) for the inspection and to gather basic information on each

company to be inspected. The compliance officer will state the reason why the inspection is being conducted, what areas, in general, that he wishes to inspect and the things that he will do during the inspection (interview employees, take photographs, etc.). He will also ask for some basic information on the company, such as the correct legal name, mailing address and workers compensation carrier.

The compliance officer will then ask to look at the company's written safety and health programs. He may ask to see all programs, or he may ask only for specific types of programs, depending upon the reason for the inspection. If appropriate,

he may also ask to see information on employee monitoring (i.e., for exposure to airborne contaminants) and certain employee medical records pertinent to occupational safety and health.

Finally, the inspector will ask to see the injury and illness log.

At this point, it's time for the actual inspection, or "walk-around", of the establishment or worksite. It is important to understand that, while the employer is in charge of his/her own workplace, the compliance officer is in charge of the inspection. As such, he has the authority to dictate who will accompany him during an inspection. Generally, this is not an issue. However if there are several people who wish to be part of



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the inspection, the compliance officer may limit the size of the group to what he believes is most manageable. The compliance officer will also dictate the areas of the establishment or worksite to be inspected and/or in what order he would like to see those areas. During the walk-around, the compliance officer will be taking notes, interviewing employees (privately) and taking photographs, as appropriate. Employers should also take notes or photographs of those items that the compliance officer believes need to be corrected.

Once the inspection is finished, the

compliance officer will hold a closing conference. This is an opportunity for the compliance officer to inform the employer representative of any items that he feels are apparent violations and for which he will be recommending citations. The compliance officer should also discuss time frames for correction of the conditions and whether or not the employer can expect monetary penalties. He must also inform the employer of his/her rights, including the right to contest any citations and penalties and the process involved. Finally, the compliance officer will inform the employer

that employees have the right to participate in an ADOSH inspection and that the employer must not discriminate against those employees who did.

Overall, most ADOSH inspections take place without any problems. Most employers, whether they view ADOSH with respect or disdain, are cordial to our compliance officers and cooperative during inspections. Hopefully, by providing the basic information above, employers will feel more comfortable with the inspection process.

Darin Perkins

Fatal Mistakes

Reflective vests, shirts that are bright orange or the new iridescent green, and orange barricades and barriers are all signs of warning. These bright colors make people notice the person or barricade showing the "warning" color.

The profusion of construction, repair work, traffic changes and excavations

throughout the State of Arizona has created some terrible employee exposures to hazards that can kill very quickly and dramatically. An employee that feels

tive shirt, vest or jacket of a bright warning color, is less likely to get injured.

Not long ago an employee was using spray paint to mark an area on a sidewalk and out into the street, where a ramp was to be installed. He was only going to be out of his truck for a minute or two to do this

"cheat" across the curb as we sometimes see, but stayed properly in the street. A driver following the truck saw the rear wheels of the truck run over the employee. Neither driver had noticed the employee before that happened. His injuries were fatal.

The few minutes it would have taken

to place warning barricades and put on a reflective vest, maybe even get a second employee to spot traffic for him, could have saved this employee's life.

Reflective orange (or

invincible and takes chances with exposures to traffic hazards without wearing the "colors", is really risking a lot. When employees are going to be working in a situation that exposes them to hazards involving moving equipment or vehicular traffic, barriers, barricades and reflective clothing are required by ADOSH. An employee working in a barricaded area, wearing a reflec-

job. He did not set up the barriers he had in the truck, nor did he use the truck itself as a barrier to traffic. He did not use his orange vest. He marked the sidewalk area with spray paint, then stepped into the street to mark the asphalt where it had to be cut to install the ramp. An 18-wheeler turned from a side street, crossing the area being marked. The truck driver did not

green), with yellow reflective stripes will never be a high fashion statement, and will not make you "bullet-proof". However, these colors may save your life by making you more visible. They should be in every construction company employee's wardrobe. Make it your dress code for hazardous areas. Be a fashion leader and wear those bright colors.

Ernie Miller

Occupational fatalities investigated by ADOSH

October 1, 2001 through December 31, 2001

- An employee was crushed by mobile home when preparing the home for relocation. The victim had crawled under the home for unknown reasons.
- Two employees were overcome by toxic vapors in a sewage collection tank.
- An employee was struck by a pipe plug when it blew off of a pressurized pipe.
- An employee was crushed between a bus and a fixed guardrail. The employee was doing maintenance work on the bus and reached inside of the driver's window and put the bus into gear.
- An employee was struck by a forklift.

Did You Know

A good rule of thumb for installing guard railing is to set the top rail height at 42 inches plus or minus 3 inches.

Dip Tank Standard

The standards for dip tanks used for plating, caustic/corrosive and hot dipping applications, used to be found in 29 CFR 1910.94. That standard also deals with ventilation issues regarding abrasive blasting, grinding, polishing and spray finishing operations.

The requirements for dip tanks are now found within their own standards, 29 CFR 1910.121 through 1910.126. Please review these new standards, which are located in our 2001 general industry (29 CFR 1910) standards book, for a better understanding of the requirements for dip tanks. There have been some new requirements added to the standards that were not in the old 29 CFR 1910.94 standard.

The new standards address the coverage and definitions along with ventilation requirements and employee exposure to the liquids, fire, explosion, chemical reaction, drainage, hood & ductwork inspections, first aid supplies specific to the liquids being used, cleaning, flammable/combustible liquids, fire protection and hoist systems, including electrical hazards.

Steve Webberman

For an electronic copy of this newsletter, send an e-mail to adoshnews@ica.state.az.us with the phrase "electronic newsletter" in the subject or body. For a hard copy of this newsletter, send your request to the above e-mail address.

New Safety and Health Poster

ADOSH recently updated the workplace safety poster, entitled "Employee Safety and Health Protection." The new poster is in a different, easier-to-read format and is available in both English and Spanish. Arizona law requires all employers to post the ADOSH poster in their workplace where it will be readily visible to employees.

Since there are no substantive changes to the poster, both the old and the new format are acceptable. The new poster is available through the consultation sections, or on the Industrial Commission's web site at www.ica.state.az.us. *Note: When printing from the web, posters must be no smaller than 8.5 x 14 to be in compliance with the Act.*

EMPLOYEE SAFETY AND HEALTH PROTECTION

The Arizona Occupational Safety and Health Act of 1972 (AOSH), provides safety and health protection for employees in Arizona. The Act requires each employer to furnish his employees with a place of employment free from recognized hazards that might cause serious injury or death. The Act further requires that employers and employees comply with all workplace safety and health standards, rules and regulations promulgated by the Industrial Commission. The Arizona Division of Occupational Safety and Health (ADOSH), a division of the Industrial Commission of Arizona, administers and enforces the requirements of the Act.

As an employee, you have the following rights:

You have the right to notify your employer or ADOSH about workplace hazards. You may ask ADOSH to keep your name confidential.

You have the right to request that ADOSH conduct an inspection if you believe there are unsafe and/or unhealthful conditions in your workplace. You or your representative may participate in the inspection.

If you believe you have been discriminated against for making safety and health complaints, or for exercising your rights under the Act, you have a right to file a complaint with ADOSH within 30 days of the discriminatory action. You are also afforded protection from discrimination under the Federal Occupational Safety and Health Act and may file a complaint with the U.S. Secretary of Labor within 30 days of the discriminatory action.

You have the right to see any citations that have been issued to your employer. Your employer must post the citations at or near the location of the alleged violation.

You have the right to protest the time frame given for correction of any violation.

You have the right to obtain copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

Your employer must post this notice in your workplace.

The Industrial Commission and ADOSH do not cover employers of household domestic labor; those in maritime activities (covered by OSHA); those in atomic energy activities (covered by the Atomic Energy Commission); and those in mining activities (covered by the Arizona Mine Inspector's office). To file a complaint, report an emergency or seek advice and assistance from ADOSH, contact the nearest ADOSH office:

Phoenix:
800 West Washington
Phoenix, AZ 85007
602-542-5795



Tucson:
2675 East Broadway
Tucson, AZ 85716
520-628-5478

Industrial Commission web site: www.ica.state.az.us

Note: Persons wishing to register a complaint alleging a violation of the Arizona Occupational Safety and Health Act may do so at the following address:

U.S. Department of Labor - OSHA
324 N. 4th St., Suite 100
Phoenix, AZ 85009
Telephone: 1-800-475-4239

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PROTECCION DE SEGURIDAD Y SANIDAD PARA EL EMPLEADO

El Acta de Seguridad y Sanidad Ocupacional de 1972 (Acta) provee protección de seguridad y sanidad para los empleados en Arizona. El Acta requiere que cada patron les ofrezca a sus empleados un lugar de empleo libre de riesgos reconocidos que pueden causar daño o muerte. El Acta también requiere que los patronos y empleados cumplan con las normas, y los reglamentos de seguridad y sanidad promulgados por la Comisión Industrial. La ejecución de esta ley se lleva a cabo por la División de Seguridad y Sanidad Ocupacional, un brazo de la Comisión Industrial de Arizona.

Como empleado, Ud. tiene los derechos siguientes:

Tiene el derecho de notificar a su patron o a ADOSH sobre peligros en su lugar de trabajo. Puede pedir a ADOSH que mantenga su nombre confidencialmente.

Tiene el derecho de solicitar una inspección por parte de ADOSH si cree que existen condiciones peligrosas o poco saludables en su lugar de trabajo. Usted o su representante puede participar en la inspección.

Si cree que su patron lo ha discriminado por presentar reclamos de seguridad y sanidad o por ejercer sus derechos bajo el Acta, puede presentar una queja a ADOSH durante un plazo de 30 días después de la acción de discriminación. También tiene protección de discriminación bajo el Acta federal de seguridad y sanidad ocupacional y puede archivar una queja con el Secretario de Labor de los Estados Unidos dentro de 30 días después de la discriminación alegada.

Tiene el derecho de ver las citaciones enviadas a su empleador. Su empleador debe colocar las citaciones en un lugar visible en el sitio de la supuesta infracción o cerca de él.

Tiene el derecho de protestar el tiempo dado para corregir una violación.

Tiene el derecho de recibir copias de su historial médico o de los registros de su exposición a sustancias o condiciones tóxicas y peligrosas.

Su empleador debe colocar este aviso en su lugar de trabajo.

La ley de seguridad y sanidad en el trabajo no aplica a aquellos patronos que emplean a servicio doméstico, a patronos de actividades marítimas (protegidos bajo OSHA), a patronos en actividades de energía atómica (protegidos bajo la Comisión de Energía Atómica), o a patronos en actividades mineras (protegidos por la Oficina del Inspector de Minas del Estado de Arizona). Para registrar una queja, reportar una emergencia o pedir asistencia de ADOSH, póngase en contacto con la oficina más cercana:

Phoenix:
800 West Washington
Phoenix, AZ 85007
602-542-5795



Tucson:
2675 East Broadway
Tucson, AZ 85716
520-628-5478

Industrial Commission web site: www.ica.state.az.us

Note: Personas que deseen registrar quejas alegando falta de adherencia en la administración del plan de seguridad y sanidad ocupacional de Arizona pueden dirigirse a la siguiente dirección:

U.S. Department of Labor - OSHA
324 N. 4th St., Suite 100
Phoenix, AZ 85009
Teléfono: 1-800-475-4239

Revisado 1/01

Since You Asked

Question. I noticed that in February 1, 2000, edition of the construction Industry Standards (29 CFR Part 1926) the training requirements for forklifts were not included as part of the standard and that the reader needed to consult the general industry standards (29 CFR Part 1910). Using both sets of standards for one industry is very confusing, can anything be done to include the training requirements in the next revision?

Answer. There were several inquiries such as yours from the field on powered industrial trucks and on other standards that were not fully printed in the 2000 edition. Also not included were the hazard communications and respiratory protection standards. The July 1, 2001, revision of the construction industry standards has been printed with all of the training requirements for industrial trucks (forklifts) and includes the other standards that were referenced as identical in the general industry standards. OSHA standards are routinely updated and improved to provide the user with an easy to follow format.

Carlos Rodriguez

If you have a question concerning on the job safety and health and would like to see it printed, please feel free to contact Carlos at carlos.rodriquez@osha.gov

ADOSH Education and Training Calendar

Registration for each course begins no earlier than 30 days prior to the date of the course. Location address and time of course will be determined at the time of registration. All ADOSH classes are free of charge and are subject to change or cancellation without notice.

Date	Course	Location	Trainer	Phone
April 2	Construction Safety Management	Phoenix	Joe Gates	602-542-1641
April 3	Hazard Communication	Benson	Sue Oliva	520-320-4229
April 9	Construction Safety Management	Avondale	Joe Gates	602-542-1641
April 10	OSHA Recordkeeping	Phoenix	Fernando Mendieta	602-542-1640
April 11	OSHA Recordkeeping	Tucson	Sue Oliva	520-320-4229
April 16	Forklift Train-the-Trainer	Tucson	Sue Oliva	520-320-4229
April 16	OSHA Recordkeeping	Holbrook	Joe Gate	602-542-1641
April 16	Hazard Communication	Camp Verde	Fernando Mendieta	602-542-1640
April 23	Excavation Safety Awareness	Phoenix	Joe Gates	602-542-1641
April 24	OSHA Recordkeeping	Phoenix	Joe Gates	602-542-1641
April 25	Back Injury Prevention	Flagstaff	Fernando Mendieta	602-542-1640
April 25	Excavation Safety Awareness	Flagstaff	Joe Gates	602-542-1641
April 30	Lockout/Tagout	Yuma	Joe Gates	602-542-1641
May 7	Back Injury Prevention	Tucson	Sue Oliva	520-320-4229
May 7	Construction Safety Management	Phoenix	Joe Gates	602-542-1641
May 9	Safety Management	Yuma	Joe Gates	602-542-1641
May 14	Forklift Train-the-Trainer	Prescott	Joe Gates	602-542-1641
May 15	OSHA Recordkeeping	Tucson	Sue Oliva	520-320-4229
May 16	OSHA in the Medical Office	Avondale	Fernando Mendieta	602-542-1640
May 22	Fall Protection	Phoenix	Joe Gates	602-542-1641
May 23	Excavation Safety Awareness	Tucson	Sue Oliva	520-320-4229
May 29	OSHA Recordkeeping	Phoenix	Joe Gates	602-542-1641
June 4	Construction Safety Management	Phoenix	Joe Gates	602-542-1641
June 7	OSHA Recordkeeping	Tucson	Sue Oliva	520-320-4229
June 11	Scaffold Safety	Phoenix	Joe Gates	602-542-1641
June 13	Safety Management	Tucson	Sue Oliva	520-320-4229
June 14	OSHA in the Medical Office	Yuma	Fernando Mendieta	602-542-1640
June 19	Scaffold Safety Awareness	Tucson	Sue Oliva	520-320-4229
June 19	OSHA Recordkeeping	Phoenix	Joe Gates	602-542-1641

Trainers may also be contacted by e-mail at joe.gates@osha.gov, fernando.mendieta@osha.gov, sue.oliva@osha.gov and mark.norton@osha.gov

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800 West Washington
Phoenix, AZ. 85007