

Ohio Company Cited for 33 Alleged Serious Safety Violations Following Fatal Fire

A metal treatment company was investigated by OSHA after an employee died in a fire in November 2007. OSHA says it found a number of workplace safety violations involving electrical hazards, unsafe handling of flammable liquids and vapors, failure to address respirator needs and hazards, and failure to protect employees against exposure to hexavalent chromium. The citations carry \$121,800 in proposed penalties.

[*Trans-Acc Inc., Cincinnati, OH*. Release number 08-401-CHI, May 6, 2008]

Oil Company Cited for Workplace Safety and Health Violations

OSHA initiated an investigation at a ConocoPhillips Co. refinery in Trainer, PA, in June 2008 as part of a National Emphasis Program focusing on petroleum refinery process safety management. As a result, the company was cited for one repeat and 26 serious safety violations. The repeat violation relates to the company's alleged failure to review operating procedures as often as necessary. Serious violations include the company's alleged failure to provide the appropriate devices for material storage; failure to properly document the company's use of equipment; failure to establish a system to promptly address hazard analysis findings; failure to address the hazard of explosion in occupied buildings; failure to address human factors; failure to develop and implement operating procedures; failure to provide appropriate

training; failure to confirm that all requirements of a pre-startup safety review were in place; failure to follow management of change procedures and failure to correct deficiencies that were outside acceptable limits.

[*ConocoPhillips Co., Trainer, PA*. Release number 08-1861-PHI (08-263), Dec. 23, 2008].

Oil Recovery Company Cited for 23 Alleged Serious Violations Facing \$50,000 in Proposed Fines

OSHA issued the citations following an investigation that began Jan. 3, 2008. The citations allege failure to provide machine guarding on belts and pulleys, failure to identify confined spaces and have a procedure in place for summoning rescue personnel, failure to provide energy control procedures and failure to provide adequate washing facilities for employees working with corrosives.

[*US Oil Recovery, Pasadena, TX*. Release number 08-823-DAL, June 13, 2008.].

Orlando Manufacturer Cited for

Three Repeat and Nine Serious Violations Issued \$105,000 in Proposed Fines

OSHA issued three repeat citations for alleged hazards associated with improperly guarded radial arm saws, radial arm saws extending past the table edge and a radial arm saw not returning to its starting position when the handle was released. Similar violations were cited in 2006 and 2007 at other company-owned plants. The serious violations allege hearing conservation, lockout/tagout, machine guarding, electrical and hazard communication issues.

[*Trussway Ltd., Orlando, FL.* Release number 09-527-ATL (149), June 9, 2009]

OSHA Cites Refinery for 31 Violations

An investigation of Hess Corporation's Port Reading, NJ, oil refinery was undertaken under OSHA's National Emphasis Program focusing on petroleum refinery process safety management (PSM). Serious violations alleged by OSHA include failure to properly document PSM information; failure to conduct a proper process hazard analysis; failure to evaluate contractor safety and health programs and failure to properly train employees. Other serious citations allege failure to conduct maintenance on critical instruments; update operating procedures; regularly conduct incident investigations; resolve incident investigation findings in a timely manner; properly install metal stairs; maintain ladders in a safe condition; support piping systems and protect against physical damage and excessive stresses. Proposed penalties

in this case total \$141,500.

[*Hess Corp., Port Reading, NJ*. Release number 08-525-NEW (OSHA 09-56), May 14, 2009]

U.S. Workplace Deaths Spike – Third Consecutive Year: OSHA Resources Shrinking

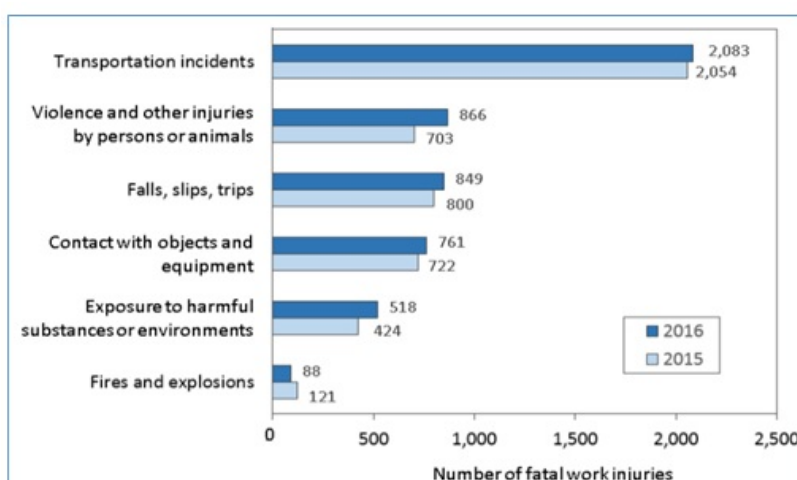
The Loss

5,190. That's how many workers lost their lives in 2016 to fatal work injuries, an average of 14 people a day. This is a **7% increase** from the 4,836 fatal injuries in 2015, according to a recent report from the [U.S. Bureau of Labor Statistics](#).

This is also the **third consecutive increase** in annual workplace fatalities and the first time more than 5,000 fatalities have been recorded by the Census of Fatal Occupational Injuries (CFOI) since 2008.

Type of Incident

[Fatal Occupational Injuries by Major Event – 2015-2016](#)



- Transportation incidents remained most common fatality cause in 2016 at 40% (2,083).
- Violence and injuries by persons or animals up 23% - 2nd most common fatality cause.
- Exposure to harmful substances or environments up 22%.
- Good news - fires and explosions down 27 %.

Other Concerns

The increase in worker deaths isn't the only thing to be concerned about. Budget and staffing cuts at OSHA over the last few years and more cuts proposed by Congress for 2018, are also cause for concern.

Why? These reductions mean less federal oversight, inspections, enforcement, and support for employers and workers. The effects of the cuts and loss of inspectors and staff, could last for years – even if the budget allows for rehiring or hiring new/additional inspectors and staff in the coming few years.

Peg Seminario, AFL-CIO Director of Occupational Safety and Health, [offered this insight](#), “Federal OSHA now has fewer than 800 inspectors and can inspect workplaces on average only once every 159 years. OSHA’s budget has declined since 2010 and been frozen for years...Fewer resources and less oversight will mean more injuries and workplace deaths. Workers need more safety and health protection, not less.”

For comparison, Seminario also noted in areas where OSHA concentrates money, staff and inspections, death rates stayed stable or dropped. But growing economic sectors “which receive little attention and oversight,” such as health care and food services, saw jumps in death rates on the job. “The same is true for groups of workers that lack OSHA protection, including state and local government employees and many agriculture workers,” she noted.

Call to Action

So, what does all this mean for “safety people”? Safety managers and anyone responsible for safety, have always had their work cut out for them when it comes to doing more with less – and our role and the need for strong safety and health leadership is needed even more now.

It means we must fill in the void left by decreased federal

support, as we have done in the past when a change in administration changes OSHA's focus and resources. It means we must be even more diligent with our inspections, hazard assessments, corrective actions, and training. It means using our resources smartly, keeping in contact or making connections with, other "safety people" to share ideas and lessons learned. Finally, it means to keep on doing what we been called to do; keep our workers safe and healthy.

<https://www.bls.gov/news.release/pdf/cfoi.pdf>

Metal Casting Supplier Cited for 33 Serious Violations Facing \$96,000 in Proposed Fines

An OSHA inspection found that the company allegedly failed to perform a PPE assessment and failed to provide PPE to protect against silica dust and open flames. It also allegedly failed to train employees about the hazards of noise exposure and ensure that they used hearing protection; and failed to perform an evaluation of respiratory hazards. Other hazards being alleged include a lack of machine guarding on different equipment, a lack of confined space training and procedures, a lack of energy control procedures and hazards involving forklifts and cranes.

[*Matrix Metals LLC, Richmond, TX.* Release number 08-1196-DAL, Aug. 29, 2008].

Metal Company Hammered for Alleged Serious, Repeat Violations Carrying \$212,000 in Proposed Fines

Fifty-eight serious and five repeat violations were cited for workplace hazards that allegedly put employees at risk for cuts, crushing injuries, amputations, falls, electrocution, asphyxiation, burns and struck-by injuries. Repeat citations allege water-covered floors, lockout/tagout issues, unlabeled electrical devices and failure to remove defective forklifts from service.

[Ansonia Copper and Brass Inc., Waterbury, CT. Release number 08-1057-BOS/BOS 2008-226, Aug. 5, 2008].

Mine Cited for Repeat Violations

The US Mine Safety and Health Administration (MSHA) recently issued \$291,600 in fines against a West Virginia mine for coal dust accumulations and failure to follow an approved ventilation plan.

Big River Mining LLC, owner of the Broad Run Mine in Mason County, WV, was issued a high-negligence unwarrantable failure order for allowing coal and coal dust to accumulate around an energized coal conveyor belt tail and bottom belt roller.

MSHA noted that the accumulations were packed so tightly around the turning rollers that the rollers and bearing housings were too hot to touch. A mine fire easily could have resulted. MSHA had issued the same operator three unwarrantable failure orders for violations of the same standard during the previous six months.

On the same day an MSHA inspector issued a high-negligence unwarrantable failure order for failure to follow the approved ventilation plan. Miners were observed working in a cloud of silica-bearing dust being generated during cutting of a sandstone roof at the mine.

Broad Run Mine was fined \$147,300 for accumulation of combustible materials and \$144,300 for failure to follow the approved ventilation plan.

Multiple Safety Violations Bring \$357,750 in Proposed Fines

Two oil refineries in Mississippi and Alabama have been cited for three willful and 58 serious safety violations. Hunt Refining Co.'s Sandersville, MS plant has been cited for two willful and 35 serious safety violations, including alleged willful failure to recognize and evaluate fire and explosion hazards from electrical equipment in the process area and willful failure to address hazards to employees situated in a control room in close proximity to process equipment. Serious safety issues being alleged at that facility include numerous violations of process safety management (PSM) standards, a lack of safety training for employees and employee exposure to electrical and fall hazards. Hunt's Tuscaloosa, AL, facility has been cited for willful failure to inspect and test process vessels, which could lead to equipment

being unable to contain hazardous chemicals. Twenty-three serious violations at the Tuscaloosa plant include alleged excessive dust accumulation, employee exposure to electrical hazards and 16 violations of PSM standards.

[Hunt Refining Co's Sandersville, MS and Tuscaloosa, AL oil refineries. Release number 08-1443-ATL, Oct. 14, 2008].

Manufacturing Plant Cited for 29 Alleged Serious Violations Issued \$109,500 in Proposed Fines

An OSHA inspection found that a worker was exposed to a potential fall of 50 feet from a roof as a OSHA says it conducted two inspections, one under its Site-Specific Targeting Program and the other in response to a Dec. 23, 2008 incident in which two employees were struck by a 700-pound forging that shot up in the air. The workers, who were injured, had been attempting to free the forging from a malfunctioning die on a power press. The serious citations relate to alleged damaged support structures for overhead cranes; damaged support frames for large metal dies; slipping and tripping hazards; unguarded floors and platforms; missing access stairs and a damaged access ladder. Other alleged violations include non-functioning emergency exit lights; an overloaded fork truck; an overloaded lifting attachment; defective wire rope slings; unguarded machinery; improper storage of compressed gas cylinders; electrical hazards and failure to develop procedures to prevent the build-up and release of hazardous energy generated by a press during servicing.

[Wyman Gordon Co., Grafton, MA. Release number 09-262-BOS/BOS

Manufacturing Plant Issued 30 Alleged Serious Violations Under OSHA's Site-Specific Targeting Program

An OSHA inspection found alleged hazards associated with cranes, scaffolds, flammable liquids, forklifts, PPE, machine guarding, electrical equipment and exit access. Employees were potentially exposed to the dangers of fire, amputation, lacerations, chemical burns, crushing, falls, and eye, face and hand injuries. Proposed fines total \$68,000.

[Kennedy Valve, a division of McWane Inc., Elmira, NY. Release Number 07-1722-NEW/BOS 2007-346, Nov. 8, 2007]

Masonry Company Cited for Four Serious, 11 Repeat Safety Violations Carrying \$210,000 in Proposed Penalties

OSHA issued the citations following an inspection that began in August 2007. The serious violations allege failure to provide scaffold working platforms of sufficient width, failure to remove

and replace damaged scaffold components, and failure to provide fall protection at the ends of scaffold platforms. The repeat violations allege failure to provide fall protection on balconies, failure to fully plant scaffold working platforms, failure to provide safe access to scaffold platforms and failure to provide adequate protection from falling objects.

[*Metroplex Masonry Inc., Kaufman, TX*. Release number 08-140-DAL, Feb. 4, 2008]

Masonry Contractor Cited for 21 Alleged Safety Violations

The company was cited for eight repeat and 13 serious violations, including failure to address fall protection, failure to properly erect scaffolding and allowing employees to work without proper PPE. Proposed penalties total \$195,000.

[*Herrera's Construction, Pelham, AL*. Release number 08-96-ATL (035), Feb. 19, 2008]

Meat Processor on Hook for Repeat and Serious Safety and Health Violations

OSHA issued four repeat citations carrying \$45,000 in proposed penalties for failing to conduct proper lockout/tagout procedures on production equipment and for failing to maintain OSHA records

as required by law. The company was cited for those same violations in 2005. In addition, OSHA has cited four serious safety violations including a lack of lockout/tagout procedures specific to each piece of machinery, not providing machine guarding, not correcting electrical hazards and failing to repair a broken eyewash station. The company was also cited for eight other-than-serious violations, including three recordkeeping violations.

[Henry's Hickory House, Jacksonville, FL. Release Number 07-1894-ATL (381), Dec. 19, 2007]

Have you Posted Your Form 300A Yet?: Injury and Illness Reporting and Posting

If you haven't already done so, here's a reminder!

Employers must prominently display [a summary of work-related injuries and illnesses](#) – Form 300A – in their workplaces from Feb. through April.

OSHA Injury and Illness Recordkeeping and Reporting Requirements

Recordkeeping Requirements

Many employers with more than 10 employees are required to keep a record of serious work-related injuries and illnesses. ([Certain low-risk industries are exempted](#).) Minor injuries requiring first aid only do not need to be recorded.

- [How does OSHA define a recordable injury or illness?](#)
- [How does OSHA define first aid?](#)

This information helps employers, workers and OSHA evaluate the safety of a workplace, understand industry hazards, and implement worker protections to reduce and eliminate hazards –preventing future workplace injuries and illnesses.

Maintaining and Posting Records

The records must be maintained at the worksite for at least five years. Each February through April, employers must post a summary of the injuries and illnesses recorded the previous year. Also, if requested, copies of the records must be provided to current and former employees, or their representatives.

- [Get recordkeeping forms 300, 300A, 301, and additional instructions.](#)
- [Read the full OSHA Recordkeeping regulation \(29 CFR 1904\).](#)

Electronic Submission of Records

The Injury Tracking Application (ITA) is accessible from the [ITA launch page](#), where you can provide the Agency your OSHA Form 300A information.

- [Learn about OSHA's rule on submitting injury and illness records electronically.](#)

Severe Injury Reporting

Employers must report any worker fatality within 8 hours and any amputation, loss of an eye, or hospitalization of a worker within 24 hours.

- [Learn details and how to report online or by phone.](#)
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How to Get an Extension to Correct a Violation

When OSHA inspectors show up at a worksite, they generally don't leave without handing out a citation or two – or more. One of the things found in the typical citation – or, to use the technical term, the Citation and Notification of Penalty letter (CNP)- is a deadline for correcting the violation for which you've been cited. Unfortunately, sometimes the deadline (which is referred to as the "abatement date") is not a realistic one. This can create major problems because the failure to meet the abatement date is grounds for additional penalties.

The good news is that abatement dates aren't set in stone. Under OSHA rules, employers can get extensions to correct problems. But there are certain hoops you need to jump through to secure an extension. This article will explain the requirements and how to comply with them. There's also a Model Form that you can adapt and use to request an extension.

The Extension 'Petition'

The starting point: The OSHA [Field Inspection Reference Manual](#) says that when inspectors issue citations, they should set an abatement date that gives the employer enough time "within which the employer can reasonably be expected to correct the violation."

The rules governing the abatement of violations and the securing of extensions are set out in the OSHA [Petitions for Modification of Abatement Date Standard](#). According to the standard, employers can get additional time to complete the corrective action only by filing a letter known as a "petition" formally requesting an extension. "Filing a petition that meets OSHA requirements essentially stops the clock and gives you enough time to continue your work on correcting the problem," notes Thomas J. Huser, safety manager of an Indiana hospital.

But getting the petition process right is easier said than done. The procedures and requirements for sending petitions can be tricky and it's easy to get tripped up. Here's a look at what you need to know about the process.

1. When You Can Petition for an Extension

There are limitations on when it's permissible to petition for an extension. You can't do it simply because you haven't gotten around to fixing the cited problem. Nor can you just sit back and let the clock tick away and then, as the deadline approaches, realize that you're not going to make it.

The rule: You can't petition for an extension to correct a violation unless you first make a "good faith effort" to meet the abatement date listed in the citation.

2. Why You Can Petition for an Extension

Mere inconvenience is not grounds for requesting a petition, warns Chicago lawyer Janine Landow Esser.

The rule: You can't get a petition unless you can show that reasons beyond your control prevented you from correcting the violation by the abatement date.

3. Where to Send Your Petition

Make sure you send your petition to the right place.

The Rule: To get an extension, you must send a written request to the Area Director of the U.S. Department of Labor who issued the citation. You must send the petition no later than the close of business on the next working day after the original abatement date listed in the citation. For example, if the abatement date is December 12, 2009, your petition must be filed by Dec. 13, at the latest.

Waiting until the last minute to send your petition is not advisable, cautions Landow Esser. Send the petition as soon in advance of the abatement date as you can. Remember that things beyond your control can go wrong. In addition, you want to leave

time to respond to questions that OSHA might raise regarding your request, just having a competent person at your jobsite isn't enough. Once you find someone with the right qualifications, you need to make sure they do the job OSHA requires "competent persons" to do. That's important because OSHA has a job description for competent persons in your company – complete with a list of responsibilities and obligations they must live up to. And if they don't meet these performance requirements, you run the risk of citations, work orders and fines.

4. What to Say in Your Petition

Last but not least, it's essential to include the right information in your petition.

The Rule: The Model Form below illustrates the information that you must list in a petition. Like ours, your petition should:

Identify Your Request: Make sure that you date your petition and include the proper identifying information such as the official OSHA inspection number listed on the CNP and the inspection date [Model Form, intro].

Explain the Abatement Steps You've Taken: Tell OSHA the specific steps you've taken to try to correct the violation by the abatement date. For example, maybe you've ordered a new piece of machinery with appropriate safety devices but the manufacturer hasn't shipped it due to inventory shortages. **Important:** Keep in mind that OSHA standards require you to list dates for each corrective action that you've taken. The Model Form leaves space for you to insert this information [Model Form, par. 1].

Say How Much More Time You Need and Why: Just saying you need more time without saying how much isn't enough. You must request a specific extension date from OSHA. You must also explain why you need the additional time to abate the violation. Of course, the length of the extension must be commensurate with the reason for the delay. Thus, if you expect to receive the machinery you need to correct the problem from the manufacturer in two months and

another month to install it, asking for an extension of more than three months won't cut it. And, as a general matter, Huser says that if you request an "unreasonably long" extension, OSHA won't take your petition seriously [Model Form, par. 2].

Describe the Interim Steps You'll Take Until Abatement Is Complete: Tell OSHA what safety steps you plan to take until the abatement is complete. According to Landow Esser, OSHA won't be satisfied just to hear that you can't make the abatement deadline. The OSHA standard requires you to give the agency assurances that you're protecting workers in the interim by describing "all available steps being taken to safeguard the workers against the cited hazard."

For example, suppose you're waiting for new safety devices to be delivered to correct a cited machine hazard. You might want to assure OSHA that you've removed the hazardous device from service and are providing training to workers on the use of alternative procedures (and explain what those procedures are) until the new devices are in place [Model Form, par. 3].

Certify that You've Posted the Petition: The OSHA standard says that employers petitioning for an extension must post a copy of the petition in a conspicuous place, or near the location where the violation occurred so that all affected workers have notice of it. The petition must also stay posted for 10 working days. In addition, you may also be required to send a copy of the petition to your workers' union representative or other authorized representative. If you do have to send a copy of the petition to a representative of the workers make sure you have that person sign something acknowledging receipt, suggests Landow Esser.

Finally, make sure that your petition certifies to OSHA that you've complied with these posting and sending requirements [Model Form, par. 4].

A Final Caveat

If your state follows its own OSHA-approved plan, for example, CAL-OSHA, check with the state agency that issued the citation to

confirm the abatement deadline and other extension procedures and requirements.

Conclusion: What Happens Next

If OSHA approves your request for an extension, somebody from the agency will let you know no later than 15 working days after the date you posted the petition at your workplace or sent the copy to the workers' representative.

If OSHA denies your request, it will forward your file to the Occupational Safety and Health Review Commission within three working days after expiration of the 15-working-day period. The petition will then be subject to further review.

If you don't hear from OSHA after the 15-working-day period, it's a good idea to check on your request, advises Landow Esser.

[MODEL FORM] Request Extension to Correct OSHA Violations

Here's how to create a request – or petition – more time to correct a violation that OSHA has cited you for. You'll need to adapt this letter to meet the requirements of your specific situation. In particular, you'll need to list specific steps you've taken to abate the violation at the end of paragraph 1. Also make sure you show a copy of this note to your lawyer, particularly if you come from a state like California that is subject to state equivalent requirements. That's because the rules for requesting extensions is likely to differ in those states.

PETITION TO MODIFY ABATEMENT DATE

December 12, 2009

Re: OSHA Inspection #:000000

Inspection Date: November 10, 2009

Dear DOL Area Director:

On November 10, 2009, ABC Manufacturing received an OSHA Citation and Notification of Penalty (CNP) in the course of the above-

referenced inspection. Our CNP listed an abatement date of December 8, 2009.

Pursuant to OSHA regulation 29 CFR §1903.14a, ABC Manufacturing is hereby submitting this Petition for Modification of Abatement Date until [list extension date you want]. We respectfully submit for your consideration the following information in support of our Petition:

1. STEPS TAKEN TO COMPLY

ABC Manufacturing has taken the following steps to achieve compliance within the original abatement date set out in the CNP:

[List each step you've taken to correct the violation and the specific date of each step.]

2. ADDITIONAL TIME NEEDED TO ABATE

In order to enable ABC Manufacturing to complete its abatement efforts, we are requesting an extension until [list extension date you want]. This extension is necessary because: [insert a full explanation of why you need the extension].

3. INTERIM SAFETY STEPS TAKEN

ABC Manufacturing has taken appropriate interim steps to protect its employees against exposure to [list the hazard OSHA cited you for in the CNP] until such time as abatement can be achieved. Those steps include:

- [List each step your company has taken to date and those it plans to take before final abatement. List specific dates for each entry.]

4. CERTIFICATION OF POSTING

ABC Manufacturing hereby certifies that it has complied with OSHA 29 CFR §1903.14a by posting a copy of the petition in [list where in your workplace you posted the petition and the date of posting], so as to make it readily available to all affected employees. ABC has also served [insert name and title of employees' authorized representative, if any] with a copy of this Petition on [list date].

We appreciate your prompt attention to this matter. Please feel free to contact my office if you have any questions or require additional information.

Very truly yours,

Safety Manager
ABC Manufacturing

Ice Cream Company Issued \$90,500 in Proposed Fines for 22 Alleged Serious Violations

The majority of the citations allege deficiencies in the plant's Process Safety Management (PSM) program, specifically with reference to hazard analyses, written operating procedures, inspections, testing, incident reviews and other requirements surrounding more than 10,000 pounds of anhydrous ammonia used in the refrigeration system. Other alleged serious violations involve unguarded floors/platforms, electrical hazards, no emergency eyewash stations where required and inadequate lockout procedures.

[*Fieldbrook Foods Corp., Dunkirk, NY*. Release number 08-1067-NEW/BOS 2008-230, Aug. 7, 2008].

Ice Plant Cited for 20 Alleged Serious Violations Issued \$90,000 in Proposed Penalties

OSHA inspected an ice manufacturer and issued citations for 20 alleged serious violations, many of which targeted deficiencies with the plant's process safety management (PSM) program. Among other problems, OSHA says employees were not informed about the plant's PSM plan, there was no means of verifying employees' PSM training and there was a lack of proper procedures to manage process changes. Other hazards being alleged include forklift issues (including loading a forklift weighing almost 7,000 pounds into a 4,000-pound-capacity elevator), inadequate or unmarked emergency exit routes, unguarded, open-sided floors and the use of an electric heater in a battery charging area.

[*Arctic Glacier Inc., Fairport, NY.* Release number 08-678-NEW/BOS 2008-151, May 21, 2008]

Kitchen Cabinet and Countertop Manufacturer Cited for 34 Alleged Serious Violations

OSHA opened an inspection after a worker lost two fingers while operating an unguarded saw. The citations allege a cross-section of mechanical, chemical, electrical, health and fire hazards including unguarded saws, deficiencies in required safeguards for employees who cleaned up blood after the incident, a lack of PPE, a lack of forklift operator training and unlabeled containers of hazardous chemicals. Total fines of \$44,500 have been proposed.

L.A. Garment Manufacturers Cited for Safety Violations

Garment manufacturers operating in the Los Angeles area have received a “dressing down” for safety hazards, including having exposed moving parts and unguarded pulleys on machinery, locked or blocked exit doors and exposed live wires in electrical panels.

Investigators with the Economic and Employment Enforcement Coalition (EEEC) issued 35 citations carrying \$163,200 in fines after inspecting 21 garment manufacturers. All 21 had safety violations and 18 were found to be violating California labor laws.

Labor violations included:

Failure to keep records and post labor notices as mandated by law, Failure to provide workers’ compensation insurance, Failure to keep accurate records for three years, as required by garment manufacturers and, Failure to register as a garment manufacturer.

“Our effort is to root out California’s underground economy by targeting businesses that avoid labor, tax and licensing laws, safety and health regulations and carry no workers’ compensation insurance,” said EEEEC Director David Dorame.

The coalition is a collaboration of California’s Department of Industrial Relations and the Employment Development Department. It conducts enforcement sweeps in the garment, agriculture, construction, pallet, car wash, auto body, restaurant and other industries to ensure that workers’ safety and labor rights are being respected by employers.

Linen Company Cited for 21 Alleged Safety and Health Violations Issued \$47,600 in Proposed Fines

OSHA conducted an inspection and found a range of hazards related to fall protection, flammable materials, confined spaces, lockout/tagout issues, bloodborne pathogens, personal protective equipment and inadequate hazard communication training.

[Morgan Linen Service, Menands, NY]

Louisiana Refinery Cited for 27 Serious Safety Violations

An inspection under OSHA's national emphasis program for petroleum refineries resulted in citations for numerous allegedly serious safety violations, including failure to provide process safety information for pressure vessels; failure to sufficiently develop a written mechanical integrity program; failure to conduct regularly scheduled inspections and failure to designate hazardous classified locations, conduct compliance audits and maintain an audible alarm system. Proposed fines totaling \$110,600 have been issued.

[Calcasieu Refining Co., Lake Charles, LA, July 30, 2009]

Manitoba Hydro Gets Hefty Fine for ATV Violation

A Manitoba Workplace Safety and Health investigation found that Manitoba Hydro employees working at a hydro diesel generating plant fueling site near Brochet, MB, were in breach of OHS laws.

Manitoba Hydro pleaded guilty to failing to ensure that a worker possessed Manitoba Hydro F100 All Terrain Vehicle or equivalent certification prior to performing assigned tasks requiring the use of a Polaris Sportsman ATV.

A Manitoba Crown Corporation has been fined \$75,000 for letting young workers operate an all-terrain vehicle (ATV) without possessing the required training or certification.

Here are some safety tips relating to the operation of all-terrain vehicles, courtesy of Alberta Agriculture and Forestry:

- Plan your travel route, drive at a reasonable speed, and pay attention.
 - Don't make tight turns and when driving downhill, drive straight down—not at an angle.
 - Stay in low gear when climbing hills to reduce the chances of a back flip. Avoid sudden turns and don't rev the throttle or pop the clutch.
 - Always wear a helmet approved for ATV or motorcycle use and wear proper protective clothing, including boots, gloves, long pants and proper eye protection.
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Manitoba Plans Substantial Hikes in Safety Violation Fines

Safety Violation Fine Hikes

Manitoba Labour Minister Jennifer Howard has introduced legislation to boost fines levied for workplace health and safety breaches.

“These amendments will substantially increase the fine levels under the (Workplace Safety and Health) Act to better reflect the serious nature of violating laws that protect workers,” she says.

Manitoba’s current fines for occupational health and safety violations are among Canada’s lowest, remaining the same since 1997. The current maximum fine under the Workplace Safety and Health Act is \$150,000 for the first offence and \$300,000 for a second or subsequent offence.

Acting on a recommendation from the Minister’s Advisory Council on Workplace Safety and Health, the Manitoba government intends to increase maximum fine levels to \$250,000 for a first offence and \$500,000 for a second or subsequent offence.”