



EH&S Compliance and Training Solutions

Friday, March 11, 2005

Greetings EH&S Clients and Colleagues:

This is my first Safety Note. If it is well received, I will continue the service and send out a Safety Note about once a month. The tips will cover a range of EH&S topics that span from hazardous materials management to general safety topics to possibly even some technical information on the chemistry of hazardous materials. I will of course be open to your comments and suggestions. If you would prefer not to receive Safety Note emails, please let me know.

I recently attended an Industrial Hygiene meeting where one of Cal/OSHA's senior inspectors discussed some of the most common violations and how to avoid them. I found the information valuable so I am sharing it with you.

Some Common Violations:

- 1) Incomplete, out-dated, or non-existent written programs. Common written programs include: Injury and Illness Prevention Program (IIPP), Hazard Communication Program, Bloodborne Pathogens Program, Chemical Hygiene Program, Respiratory Protection Program.
- 2) Failure to complete and document inspections (as required by the IIPP).
- 3) Incomplete contents of training programs (for example, not covering all of the 7 required elements of HazCom or 13 elements of Bloodborne Pathogens training).
- 4) Failure to provide training. Remember some programs, such as Bloodborne Pathogens, require retraining every year.

To Avoid Violations:

- 1) Have all of the required written programs.
- 2) Make sure everyone knows the name of the person responsible to implement the IIPP.
- 3) Make sure the programs are "meaningful". This generally means that employees are involved in the Safety Process.
- 4) Take employees' concerns seriously. Many of the complaints that Cal/OSHA receives are from disgruntled employees who believe that their safety is not a priority. Serious formal complaints result in inspections.
- 5) Ineffective transfer of information to employees. The best written Safety Programs are useless if employees are unfamiliar with them or have not been trained in a manner which is understandable to them (i.e., at their level and in a language they comprehend).
- 6) Video and online training alone do not necessarily constitute effective training. In fact, some programs, such as Bloodborne Pathogens, require an interactive component (i.e., a real, live and breathing person knowledgeable on the material).

Penalties:

As many of you probably already know, over the last several years, California has increased penalties that employers may be subject to for not complying with Cal/OSHA laws and regulations. Employers may be subject to a \$25,000 fine for non-criminal serious violations. Wilful violations that cause death or serious injury may result in a criminal penalty with a fine of up to \$250,000 or imprisonment of up to three years (or both). If the employer is a corporation of a limited liability company, the fine may be up to \$1,500,000. Anyone convicted of making a false statement or certification on records is subject to a fine of up to \$70,000 or imprisonment up to six months (or both).

Safety is everyone's business. Please feel free to contact me if you have any questions or may be in need of assistance in your EH&S programs. Also, please let me know what you think about the new Safety Note service.

Again, please let me know if you would like to be removed from Safety Note email list.

Kind Regards and Good Luck

Arthur Mahoney, MS, CHMM, REA
Hazard Solutions LLC
326 Sonora Drive, San Mateo, CA 94402

phone: 650-996-3228
fax: 650-963-3250
email: art@hazardsolutions.com
website: www.hazardsolutions.com

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