The Compass

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Learning Through Operational Experience

By Jonathan Jacobi, CSP

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Think about the headlines for recent catastrophic incidents at the workplace. Chances are you watched an interview or read an article in which one or more people said they saw it coming or knew it was just a matter of time.

What one person recognizes as a serious hazard can look less serious or like no hazard to someone else. Near hits and general observations are often not captured. Many smart,

Early detection of trends often paves the way for efficient, cost-effective correction and better allocation of scarce resources.

well-intentioned people have been caught completely off guard by incidents they never thought would happen.

Differences in hazard perception also affect how they are addressed. Actions will not be taken until hazards are understood. And if actions are not being taken to mitigate hazards, it really is just a matter of time until something bad happens.

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Thanks to

Welcome All!

It is my great honor to serve as your new Management Practice Specialty Administrator. We had a terrific conference at Safety 2014 in Orlando, FL, as well as a successful annual meeting. I would like to thank David Natalizia for his leadership and guidance as administrator for the past 2 years. As I review the work of David and other past administrators, I realize I'm stepping into big shoes. With the assistance of the advisory team, we will continue to advance the work that David and others have done, remaining focused on management, supervisory, safety program oversight, culture and leadership issues.

As safety leaders, more so than any other professionals, we understand the art and importance of sharing lessons learned and making continuous improvement. It is in this spirit that I share with you my philosophy and engagement request: "Define one or two key initiatives and execute them well." With your support, the Advisory Committee will review and refine our strategic plan over the next few months, and define those key initiatives to execute over next year.

Our practice specialty's success depends on you. I promise, we will never turn away a volunteer. We need members to contribute articles, share information and opinions, represent our group at the annual conference and other ASSE events, and volunteer for committees. I'm so excited to serve as your Administrator–I love this profession and have a great passion for the work we do. I encourage each of you to get involved and stay tuned for another great year for the Management Practice Specialty. Do not hesitate to contact me or any member of the advisory team to find out more.

Demonstrate active leadership, lead by example and get involved!

KIM JACKSON

VOLUNTEERS NEEDED

Take this opportunity to get involved, advance your own career and give back to the professional. We are searching for volunteers to fill the following positions on our advisory team:
- Membership Chair
- Website Chair
- Conferences and Seminars Chair
- Nominations Chair

The success, growth and achievements our practice specialty is grounded in the strength of our advisory team, raise your hand and volunteer. Interested or need more information, contact **Kimberly Jackson** or **Anita Muller**.

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By **David I. Levine** & **Michael W. Toffel**

OSHA Inspections Should Be Welcome

Results from a Natural Field Experiment in California

OSHA and Cal/OSHA inspections are contentious and have been even since the agency was created in 1971. While some criticize the agency for being too **slow to regulate** important safety hazards, others have charged OSHA and its corresponding state agencies with being too aggressive, undermining economic growth and **killing jobs**. OSHA conducts 40,000 inspections per year at America's 7.5 million workplaces, implying that on average the agency and its state counterparts inspect work sites **less than once a century**. Even large sites with a history of injuries are inspected only once every few years or even once a decade.

For companies with strong internal occupational safety and health (OSH) auditing programs, OSHA inspections might seem a formality that risk uncovering, at most, nitpicky deviations from the thousands of pages of safety regulations. For those with poor safety practices, OSHA inspections can result in penalties and bad press that risk impugning the company's reputation. Both of these accounts suggest that for managers the fewer OSHA inspections, the better.

The results of our research published in *Science* calls for a much more welcoming attitude. We found that companies realized substantial reductions in injuries and workers' compensation costs following inspections conducted by Cal/OSHA, California's health and safety regulator. Specifically, random Cal/OSHA inspections prompted a 9.4% reduction in the number of injuries associated with workers' compensation claims, and a 26% reduction in the medical expenses and wage replacement paid from those claims.

The 26% cost reduction amounts to annual savings of roughly $20,000 to $40,000 per year in direct and indirect costs. We find that the safety improvements prompted by inspections endure for at least 5 years, which means that the annual savings from a single inspection may well accumulate to savings of $100,000 to $200,000 over the 5-year period—and these figures do not even account for the pain and suffering that are avoided. These calculations are based on annual workers' compensation costs for medical care and replacing wages averaging just more than $25,000 for workplaces in our sample, and assuming (based on others' research) that indirect costs of injuries—including production down time, training replacement workers, repairing damaged equipment and completing paperwork—are typically 2 to 5 times the direct cost.

Beyond revealing inspections' safety benefits, our research also found no evidence that workplace inspections worsened business outcomes. We found no discernable reduction in sales or credit ratings, and no evidence that inspections impeded companies' ability to stay in business. Nor did we find any effects of inspections on average wages, total payroll, or employment.

Two factors in our study design are critical to our ability to conclude that inspections caused companies to engage in activities that improved workplace safety, but did not worsen business outcomes. We focused on the inspections that Cal/OSHA conducted at random in dangerous industries, so our results are akin to those of an actual randomized experiment —the most convincing type of evidence when evaluating a program. Then, we compared the safety records of the randomly inspected factories (before and after the inspection) to those of similar companies that were not inspected over the same time period. ⊕

Random Cal/OSHA inspections prompted a 9.4% reduction in the number of injuries associated with workers' compensation claims, and a 26% reduction in the medical expenses and wage replacement paid from those claims.

Reference

Levine, D.I., Toffel, M.W. & Johnson, M.S. (2012). Randomized government safety inspections reduce worker injuries with no detectable job loss. *Science*, *336*(6083), 907–911.

David I. Levine *is the Eugene E. and Catherine M. Trefethen Professor of Business Administration at the Haas School of Business at the University of California, Berkeley. He is past chair of the University's Center for Health Research, of the Advisory Board for Center for Effective Global Action (CEGA), and of the Haas School's Economic Analysis and Policy Group.*

Michael W. Toffel *is an associate professor of business administration at Harvard Business School.*

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By **Darren Hunter**

OSHA Puts I2P2 on the Backburner

Job Hazard Assessments Remain a Priority

Over the last several years, OSHA proclaimed that the Injury and Illness Prevention Program (I2P2) is a rulemaking priority and announced it would propose an I2P2 rulemaking by fall 2014. On May 23, 2014, however, OSHA issued a surprise announcement that it had moved I2P2 to its long-term action list. Realistically, OSHA will not propose an I2P2 rulemaking until at least 2016, if at all.

OSHA did not state the reasons for its decision. The agency's resources are clearly taxed, as OSHA has a number of other key rulemakings on its agenda, including crystalline silica, and has ramped up its enforcement efforts. OSHA may have also come to the understanding that its current I2P2 proposal does not address certain gaps, such as how employers must prioritize and abate potential hazards that are identified as part of the I2P2 process.

HAZARD IDENTIFICATION STILL KEY

Regardless of OSHA's rationale, employers are still under a clear mandate to comply with existing hazard identification rules. Hazard identification comes in many different shapes and sizes. Some employers refer to the process as a job hazard analysis (JHA), whereas others refer to it as a job safety analysis (JSA). Indeed, OSHA's standards are replete with references to hazard identification, such as the process safety analysis under the PSM standard, identification of electrical safety hazards, periodic review of lockout/tagout procedures and recognition of fall prevention measures, to name just a few.

The primary method of hazard identification, however, is the requirement to perform a job hazard assessment under Subpart I of the General Industry Standards for the purpose of selecting the correct PPE. Specifically, under section 1910.132(d)(1), employers are required to assess the workplace to determine if hazards are present, or are likely to be present, that necessitate the use of PPE. If so, employers must select the correct PPE and ensure it fits each employee. To comply with the minimum standards,

Many employers perform what they believe is a complete hazard assessment, but the assessment is not comprehensive in scope and does not address all potential risk factors.

the hazard assessment should include a risk assessment of the workplace, including a survey of all hazards or potential hazards based on the equipment and the nature of the operations (e.g., impact, motion, sharp objects, chemicals, electrical, heat, dust, radiation), and an analysis of whether the hazards can be eliminated through administrative or engineering controls.

Under section 1910.132(d)(2), employers are required to certify that the hazard assessment was performed. At a minimum, the certification must identify the areas of the workplace that were evaluated, the date(s) the assessment was performed, and the person who certified that the evaluation was performed.

The use of PPE is a fundamental aspect of workplace safety, yet so many injuries occur because employees do not utilize proper PPE, which leads to the question: Why does compliance with the hazard assessment standard often fall by the wayside? There is not one simple answer, but several factors seem to indicate that many employers simply are not aware of the nuances of the OSHA standard and the hazard assessment requirements.

Some reasons explain noncompliance:

1) Clearly, most employers understand the importance of PPE and have implemented written PPE procedures, such as requiring all employees to use safety glasses, safety gloves, a hardhat, hearing protection and steel-toed boots. While these requirements demonstrate at least partial compliance with the PPE standard, it is important to understand that a written PPE procedure is not a substitute for a performing a hazard assessment.

2) Most employers correctly rely on the recommendations from equipment manufacturers and incorporate those recommendations into their PPE requirements. Although those recommendations must be taken into account as part of the hazard assessment, they are not, in and of themselves, a substitute for a hazard assessment.

3) It is common for employers to perform a partial hazard assessment of the workplace. For example, the assess-

ment may include all of the equipment and operations in each manufacturing department at the facility, but the assessment may not address the tasks that are performed in other departments, such as shipping and receiving. The hazard assessment must include all locations and operations where hazards and risks exist.

4) Many employers perform what they believe is a complete hazard assessment, but the assessment is not comprehensive in scope and does not address all potential risk factors. For example, the assessment may not include air sampling or noise monitoring. A hazard assessment that is not comprehensive is not complete.

5) Many employers also forget to update their hazard assessments after new hazards are introduced into the workplace. Under the law, whenever a new hazard is introduced, such as new equipment or new procedures, the hazard assessment must be updated. Consider the assessment and review of new hazards as part of the management of change process.

6) Many employers perform a hazard assessment for their regular operations, but do not perform a hazard assessment for "one-off" projects. Keep in mind that it is a good practice to perform a JSA whenever an employer embarks on a task where risks are present, even if it is a one-time only project.

7) Finally, many employers perform what can be considered a strong and thorough hazard assessment, but do not know that the assessment must be certified.

These gaps demonstrate a general misunderstanding of the scope of the hazard assessment standard. Simply stated, hazard identification is a key ingredient in so many existing OSHA standards. Thus, compliance with the existing hazard assessment standards is, in and of itself, a form of I2P2.

Given OSHA's heightened enforcement initiatives over the last couple of years, employers may consider reviewing their hazard assessments with an eye toward whether they are complete and up to date. ✪

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Learning Through Operational Experience
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PERSPECTIVES MATTER

To better understand why people see things differently, consider the popular game Jenga where wooden blocks are removed piece by piece, in alternating turns, until the tower of blocks becomes unstable and falls. The last person touching the tower before it falls is considered the "loser."

As explained by acclaimed consultant Todd Conklin and the U.S. Department of Energy *Handbook on Accident and Operational Safety Analysis*, this game provides an accurate analogy for what happens when safety systems fail to protect people and processes.

1) The game tower represents a safety system. A strong, stable safety system has most of its blocks intact. In this condition, the safety system is able to withstand minor issues without failure.

2) Each block removed makes the safety system less stable and less able to withstand future safety issues. Inaccurate and misleading job procedures, failure to plan, failure to communicate, and incomplete or absent job safety training are examples of system weaknesses.

3) If weaknesses are allowed to persist, instability can reach dangerous levels where even minor issues may cause system failure. Failure of the safety system may mean an OSHA recordable incident, or worse.

Looking at the tower in a top-down fashion where only the uppermost blocks are visible, a system with a compromised base that is on the verge of failure often looks no different than a strong, stable world-class safety system. In a traditional organization, this top-down perspective is what managers see right up to the point that failure occurs. Managers lulled into a false sense of security by low incident rates may have discounted the possibility tragedy that could occur at their facility.

On the other hand, progressive organizations solicit insight from all workers. These organizations encourage reporting of all incidents, even seemingly inconsequential incidents, near hits and observations. Once notified, these organizations identify and address underlying causes in a way that strengthens the safety system and prevents more serious incidents. These organizations are often described as learning organizations, because they learn through their operational experience.

LOW CONSEQUENCE DOES NOT MEAN LOW IMPORTANCE

Few serious incidents occur compared to the relatively large overall volume of minor incidents, near misses, and observations of unsafe acts or conditions. Focusing only on serious incidents, a small subset of the overall whole, means forfeiting valuable learning opportunities. Focusing on serious incidents also means accepting less information for trending and analysis.

Improving the recognition and reporting of minor incidents and observations allows greater sensitivity to emerging trends. Early detection of trends often paves the way for efficient, cost-effective correction and better allocation of scarce resources.

An unprotected roof-level floor opening is more than just an observation; it is a workplace fatality waiting to happen. The thin margin between incident outcomes underscores the need for proactive reporting and assessment of all types of incidents and observations.

One close-call or incident is enough. Through sharing, individual employees can find lessons learned in someone else's experience without needing to suffer a similar experience themselves. Considering other shifts/crews, production lines, areas, sites and operating divisions also helps to drive consistency in work practices across the larger group.

Adults learn situationally and learn best from what is clearly relevant and can be directly applied. A company's own operational experience is as relevant as it gets. Learning through everyday operational experience reinforces classroom lessons with real-world applications and moves difficult employees beyond arguments that "it cannot happen here."

CHALLENGES TO REPORTING

Even well-meaning organizations can find it difficult to gather the information they need. Employees are not used to telling everything they know. Every year, UL Workplace Health and Safety hears from thousands of

> *Each block removed makes the safety system less stable and less able to withstand future safety issues. Inaccurate and misleading job procedures, failure to plan, failure to communicate, and incomplete or absent job safety training are examples of system weaknesses.*
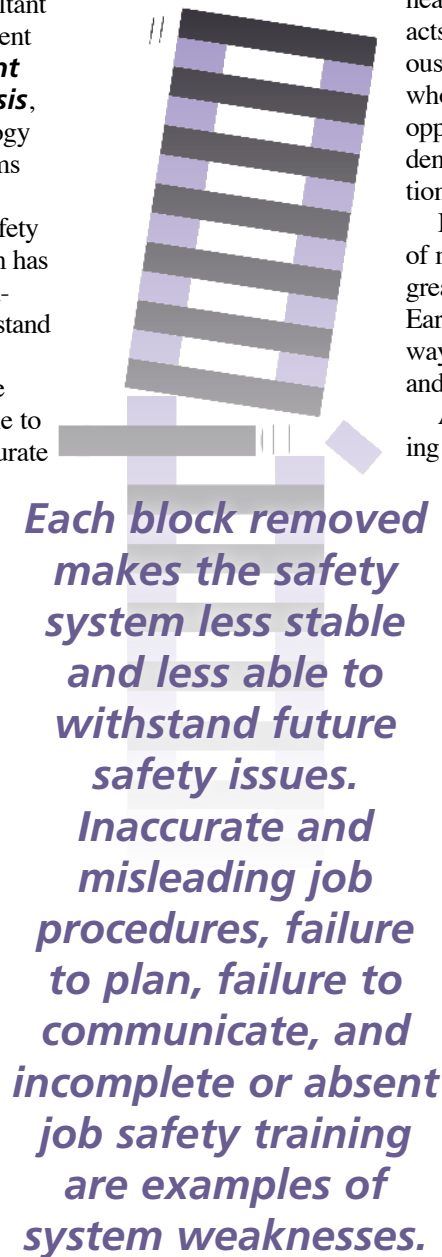
individuals in companies seeking to enhance operational learning. Year after year, workshop participants cite the same reasons for withholding personal learning experiences:

•Fear disciplinary action.

•Avoid perception as a "do good," whistleblower or "rat."

•Dodge time associated with reporting and follow-up.

•Doubt reporting will result in swift appropriate actions.

•Assume minor issues are accepted as a part of everyday work.

OVERCOMING CHALLENGES

Operational learning depends on reporting, and reporting processes are sustainable only when the perceived benefits outweigh the perceived risks of reporting. Mitigating the negative aspects of reporting and making the most of learning opportunities will promote and perpetuate the reporting process.

Managers cannot simply say "report all incidents" and walk away or, worse yet, blame the first person willing to step forward to report a near hit or observation. Managers need to get behind the reporting initiative. More importantly, managers must practice what they preach. Employees will believe it is safe to report when they see this evidenced in action.

When reporting happens, companies must take time to determine underlying factors. Incidents happen because of system weaknesses. Correcting system issues rather than placing blame builds trust and a culture of involvement. To this end, companies have a few responsibilities to uphold:

•**Correct issues identified.** This strengthens the safety system and encourages even more reporting. Be sure to celebrate initial successes. Share successes and lessons learned across your organization, who knows who may benefit from the information.

•**Adopt a balanced scorecard to track the success of safety efforts.** This means measuring completion of safety activities in addition to tracking incident rates and other lagging indicators. Measuring incident rates alone may inadvertently promote low rates by not capturing information on near hits and observations.

•**Capture positive observations.** Recognize safe work as much or more than pointing out items needing improvement. Thank and even reward people for reporting and participating in the implementation of safety solutions.

No two companies are alike, and time should be spent evaluating and addressing cultural obstacles that might hinder implementation. New data can also present challenges, so consider software systems that facilitate efficient collection, management, and trending of incident and observation data.

FEW COMPANIES CAN BEAR THE COSTS OF NON-REPORTING

Loss incidents are more costly than ever due to soaring medical and indemnity costs. Discriminating customers and society are also demanding improved environmental, safety and health protections. Preventing incidents is more than just a legal or moral obligation; it is essential for business profitability. ☉

Jonathan Jacobi, CSP, *a senior environment, health and safety Advisor with UL, has more than 20 years' safety and health leadership experience. He is an OSHA authorized outreach trainer who earned graduate and post-graduate degrees in occupational health and safety from Murray State University. Jacobi helped establish and currently leads UL's OSHA Outreach Training Program. His insight and experience managing safety systems is shared with the safety and health community through various forms of consultation and thought leadership such as national seminars, presentations, articles and white papers.*

JOIN THE PUBLIC SECTOR PRACTICE SPECIALTY

The **Public Sector Practice Specialty** (PSPS) began as the Public Sector Division in 1986. PSPS's initial objectives were to:

•Develop and implement training and orientation programs pertinent for governmental safety personnel to assist them in upgrading their skills and sharing ideas.

•Initiate information programs to promote the image and need for high-quality public sector safety programs and personnel.

•Redefine the true role of public sector safety professionals to recognize their true scope of responsibility (safety, occupational health, fire prevention, hazardous wastes, tort claim investigation and administration, emergency preparedness and disaster planning).

Initiate, through Society leadership, dialogues between governmental leaders and division leadership to open lines of communication to demonstrate the true value of an effective program.

Today, PSPS's members continue to meet these objectives and to serve those SH&E professionals working for governmental agencies and facilities at federal, state, county, municipal and institutional levels in urban, suburban and rural communities.

PSPS also publishes *Perspectives* its triannual technical publication, and helps develop technical sessions for ASSE's annual Professional Development Conference.

Click here to join PSPS today or **click here** to follow PSPS on LinkedIn.

By Cathy Hansell, CCSR, M.S., J.D.

Helping Our Leaders to Successfully Lead Safety

Consider leadership in its broadest sense: business, functional business support and supervisors. Without continued leadership drive, at all levels, even strong safety processes and employee ownership will not yield the desired and sustained safety culture and performance.

The sustained drive and commitment of senior and middle management is continually identified as the most critical aspect of creating and maintaining a strong safety culture. It is challenging to achieve and sustain. This is reflected in circumstances where new leaders enter an organization as new hires or into new roles from internal restructures, where complacency with high levels of performance are reached in mature organizations or where an organization struggles to make its first significant strides in incident reductions. No one wants their employees injured or ill while at work, but some leaders may lack the understanding of exactly what to do and the fortitude to do it every day, throughout all the daily business challenges.

How do the leaders fulfill this important role? Is it their fault when safety performance lapses or they do not consistently act as safety champions? I propose there is a dual responsibility here—a partnership of S&H professionals and leaders. As safety professionals, we have a key responsibility to become the leaders that we need to be, so that we can partner with our businesses leaders so that they may become the safety champions whom they need to be.

Many aspects make up superior safety leadership. All aspects and issues must be made clear, easy and desirable, even for our leaders. SH&E professionals, as teachers and coaches, step in at this point. Our role is to help our leaders, and every employee, to realize their roles and to successfully meet their responsibilities. Successful safety is a joint role—we are business partners.

We provide the leadership and offer help and clarity in the context of:

•What to do. What is the role of leadership to drive and champion safety, and why?

> *The degree to which safety culture succeeds in a company is due to the drive of the business and functional leaders, alignment with the businesses, engagement of all employees, and provision of clear strategies and tools to help the business succeed.*

•How to do it. What are the specific actions leaders should take?

•Tools to help our leaders fulfill their responsibilities—make it clear, easy and desirable.

Let's begin with the leaders. Do they have the clear understanding, easy processes, helpful tools and coaching to be successful safety leaders and champions? SH&E professionals can help leaders with the following:

•**Set a mission, vision, goal and timeline.** Discuss and define the organizations' expectations for safety performance and culture; what are the safety goals; how do the safety expectations and goals align with the organization mission and values? What is the timeline for excellence? Is there a sense of urgency—union drives, employee grievances, OSHA attention or fines, customer requests, high workers' compensation costs or a new senior leader with new safety expectations?

•**Define a strategy.** A successful strategy provides a balanced and simple framework, which guides actions and behaviors. A proven effective model is culture-(safety) process-(safety) talent. All three elements encompass safety prevention and value: pro-active, foundational processes and programs; supportive and leading resources and a culture which enables safety to become a value, integrated into all business processes, decisions and behaviors.

•**Define culture and metrics.** A culture must be clearly defined, so it may be worked and measured. An effective definition has four components: active leadership drive, employee engagement, safety integration with the business processes and system-based root cause analysis (Hansell, 2007; 2010). Together, these four components form a new culture—a new way of working and thinking, with safety as a core business value.

•**Clarify expected roles and responsibilities for everyone, and how people will be held accountable.** Target key actions and behaviors for all leaders, at all levels, and employees. Accountabilities are then set, communicated and tracked, and are integrated with performance reviews, recognition and reward, and discipline processes.

•**Enable the organization to fulfill its roles and responsibilities.** Provide specific education, tools and

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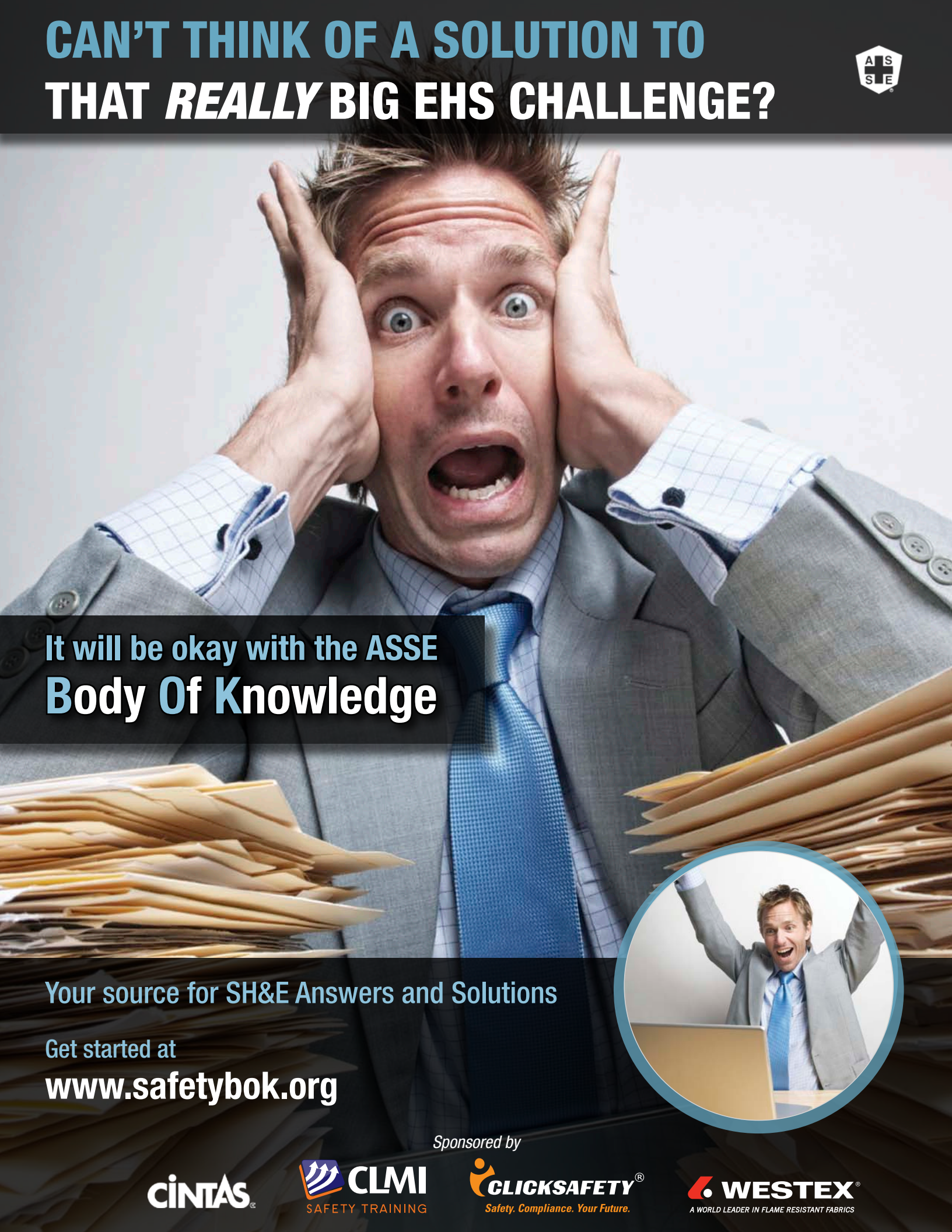
processes in the organization, to enable it to fulfill its roles, embrace safety, actively get involved and drive it forward.

•**Explain why** safety performance and culture are good for the organization's people well-being, is aligned with company values, and facilitates business value and success. It enables a common, unifying vision for all people. It is well-established that superior safety results in increased productivity, quality, employee morale and teamwork. Safety culture also directly aligns with sustainability, and can actually accelerate sustainability progress (Hansell, 2011).

How to do it- what are the specific actions that leaders should take. Help leaders to identify specific actions that need to be taken, to fulfill the purpose and goals of a safety culture.

•**Define a roadmap.** Provide a simple tool, like a maturity path, to help the organization understand the characteristics of the desired end-state and to assess the current state, against that desired end- state. It provides a tool for self-assessment, identifying needed areas of improvement and a metric to track progress.

•**Business planning.** Include safety issues and culture in business and location planning.

•**Mechanisms to review status of goals and expectations.** Keep accountabilities visible and tracked, discussed in planning and business review meetings and performance reviews.

•**Review incidents**. Review and discuss incident trends, root causes and corrective action closures.

•**Assist troubled sites.** Target locations with safety culture or performance issues. Conduct leader and employee interviews, safety culture assessments, work task and equipment risk reviews, and functional process review for effective safety integration.

•**Role model behavior.** Leaders are actively and personally engaged.

•**Provide support** with time, resources, funds for safety improvement and involvement activities by employees and leaders, at all levels.

•**Safety ownership by everyone.** Safety professionals are not solely held responsible for safety performance. Instead, the entire organization owns safety. The roles and responsibilities of each function or level are understood and adopted.

•**Professional development.** Performance reviews are conducted and professional management plans are developed. Developmental assignments are identified, and succession planning done.

Helpful tools, provided by safety professionals. Provide leaders with helpful tools to make it clear, easy and desirable to accomplish the needed tasks and purpose of the culture.

•**Safety leadership training.** Designed for each level or functional group, to provide core messages of organizational safety expectations and specific activities, pertinent for each group.

•**Provide helpful, easy-to-use and practical tools** that make it clear and easy for leaders to fulfill their leadership roles. Tools and tips should cover the topics below:

—safety basics: understanding rates, costs, incident reporting, system-based root causes;

—roles, responsibilities and accountabilities for all;

—reinforce the desired behaviors and results (positive with recognition);

—integrate safety with company vision, values, processes and decisions;

—visible commitment, participation and involvement;

—engagement-enable and empower everyone to be personally involved.

•**Maturity path.** Guidance framework for desired end-state of safety culture.

•**Templates.** Business planning, annual operating plans, scorecards, culture surveys, walk-around audits, safety skip level meetings, incident reviews, good root-cause analyses and safety Kaizen events.

•**Safety integration points** with 24 business processes, owned by human resources, engineering, operations, product and process development, quality, maintenance, procurement, IT and communications.

ROLE OF S&H PROFESSIONALS

The degree to which safety culture succeeds in a company is due to the drive of the business and functional leaders, alignment with the businesses, engagement of all employees, and provision of clear strategies and tools to help the business succeed. The SH&E professional has a critical role to help the businesses to achieve these actions and the safety culture (Hansell, 2013).

The role and needed skill sets of the safety professional are now as a teacher, guide and motivating coach. Leaders and employees need the encouragement and guidance to try new tasks, and fulfill new roles. In addition to these skills, the safety professional needs an attribute of passion. A true passion, even love, of what you do is the ultimate motivator for yourself and others. With a commitment of the heart, you will make a stand, take a risk and do what it takes to change your world for the better. Your passion will generate energy and enthusiasm in others too, along with your new great ideas, noble principles, stretch goals, exciting challenges and a compelling vision for the future. Others will be motivated to step away from their comfort zones and old paradigms to take new steps and generate new ideas. It is also the hallmark of companies with superior safety performance, where the leaders and the employees are so engaged that they forge new ground together with the SH&E leaders as a coaches. If this sounds too risky or cliché, and if you'd prefer to do what you are told without confrontation with or challenge by your leadership, then resign yourself to mediocre performance and do not blame the leaders when they do not step up. We are directly in this game, and in fact, we have the playbook.

With the needed skills, passion and clear roles in place, the best way for SH&E professionals to help the leaders is to make it clear, easy and desirable to make safe choices and to follow the strategy.

•**Clear.** Clarify the vision, and specific actions, behaviors and results that are mandatory,

•**Easy.** Identify straightforward and efficient ways to accomplish the desired actions, behaviors and results; strive to integrate safety into existing business processes.

•**Desirable.** Desired safety behaviors, actions and results are positively recognized and rewarded, included in personal and business performance reviews. Unacceptable actions, behaviors and results are subject to discipline, as appropriate.

CONCLUSION

Leaders want their people safe and healthy. To fulfill their role as safety champions, they may need assistance in better understanding what to do and how to do it, along with helpful tools that make the needed actions clear, easy and desirable. As safety professionals, we have a critical role as business partners to provide this guidance, coaching, teaching and tools. If our leaders are not the vibrant safety champions we would like, we need to ensure that we are being the most motivating, business partners we can be. Our role is to help our leaders, and all employees, to successfully meet their roles and responsibilities, and to achieve the desired safety culture results. ☉

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OSHA Issues Memo on Temporary Employees

On April 29, 2013, OSHA launched the **Temporary Worker Initiative** (TWI) to help prevent work-related injuries and illnesses among temp workers. The purpose of this initiative is to increase OSHA's focus on temporary workers and to highlight employers' responsibilities to ensure these workers are protected from workplace hazards.

In recent months, OSHA has received and investigated many reports of temporary workers suffering serious or fatal injuries, some in their first days on the job. Numerous studies show that new workers are at an increased risk for work-related injury, and most temporary workers will be "new" workers multiple times a year. Furthermore, as the American economy and workforce are changing, the use of temporary workers is increasing in many sectors of the economy.

This memorandum reminds OSHA field staff of the agency's long-standing general enforcement policy regarding temporary workers. Additional enforcement and compliance guidance will be issued in the near future.

For the purposes of the TWI, "temporary workers" are hired and paid by a staffing agency and supplied to a host employer to perform work on a temporary basis. In this situation, OSHA considers the staffing agency and host employer to be "joint employers" of the worker. Joint employment is a legal concept recognizing that, in some situations, the key attributes of the traditional employer-employee relationship are shared by two or more employ-

ers in such a manner that they each bear responsibility for compliance with statutory and regulatory requirements. For example, the staffing agency often controls a worker's paycheck and selects the host employer location where the worker will be sent. The host employer, in turn, assigns the particular work to be done each day and controls operations in the physical workplace.

As joint employers, both the host employer and the staffing agency have responsibilities for protecting the safety and health of the temporary worker under the OSH Act. In assessing compliance in any inspection where temporary workers are encountered, compliance officers must consider whether each employer has met its responsibility.

IDENTIFYING EMPLOYER RESPONSIBILITIES

According to the OSH Act, temporary workers are entitled to the same protections as all other employees. The staffing agency and host employer must work together to ensure that OSH Act requirements are full met and that the temporary worker is provided a safe workplace. This requires effective initial and follow-up communication and a common understanding of the division of responsibilities for safety and health. OSHA compliance officers should review any written contract(s) between the staffing agency and the host employer and determine if it addresses responsibilities for employee safety and health. It should be understood, however, that the contract's allocation of responsibilities may not discharge either party's obligations under the Act.

The extent of the obligations each employer has will vary depending on workplace conditions and may be clarified by their agreement or contract. Their duties will sometimes overlap. The staffing agency or the host may be particularly well suited to ensure compliance with a particular requirement, and may assume primary responsibility for it. For example, staffing agencies might provide general safety and health training applicable to many different occupational settings, while host employers provide specific training tailored to the particular hazards at their workplaces. If the staffing agency has a long-term, continuing relationship with the temporary worker, it may be best positioned to comply with requirements such as audiometric testing or medical surveillance. The host employer, in turn, would be the primary party responsible for complying with workplace-specific standards relating to machine guarding, exposure to noise or toxic substances, and other workplace-specific safety and health requirements.

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As noted above, although the host employer typically has primary responsibility for determining the hazards in their workplace and complying with worksite-specific requirements, the staffing agency also has a duty. Staffing agencies must ensure they are not sending workers to workplaces with hazards from which they are not protected or on which they have not been trained. Agencies need not become experts on all potential hazards at the host's workplace, but nevertheless have a duty to diligently inquire and determine what, if any, safety and health hazards are present at their client's workplaces. For example, if a staffing agency is supplying workers to a host where they will be working in a manufacturing setting using potentially hazardous equipment, the agency should take reasonable steps to identify any hazards present, to ensure that workers will receive the required training, protective equipment and other safeguards and then later verify that the protections are in place.

Prior to accepting a new host employer as a client, or a new project from a current client, both parties should jointly review the task assignments and any job hazard analyses in order to identify and eliminate potential safety and health dangers and provide the necessary protections and training for workers. If information becomes available that questions the adequacy of the host employer's job hazard analyses, such as injury and illness reports, safety and health complaints or OSHA enforcement history, the staffing agency should make efforts to address those issues with the host employer to ensure that existing hazards are properly assessed and abated to protect the workers. In assessing worksite hazards, host employers typically have the safety and health knowledge and control of worksite operations. However, the staffing agency may itself perform, if feasible, an inspection of the workplace to conduct its own hazard assessment or to ensure implementation of the host employer's safety and health obligations.

It is incumbent on both employers to communicate with each other when a worker is injured, and to determine what measures are to be implemented to prevent future injuries from occurring. Communication between the host employer and staffing agency is of fundamental importance in this regard. For example, if a temporary worker is injured at a host employer worksite, the host employer should inform the staffing agency of the injury, and the staffing agency, in turn, should follow-up about preventive actions taken. Similarly, if a staffing agency learns of a temporary worker's injury, the staffing agency should inform the host employer to help ensure that preventive measures are taken.

When investigations reveal a temporary worker exposed to a violative condition, and the worker is considered to be employed by both a staffing agency and a host employer, OSHA will consider issuing citations to either or both of the employers, depending on the specific facts of the case. This will require Area Offices to make a careful assessment of whether both employers have fulfilled their respective compliance responsibilities in each individual case. These inspections are considered high priority and early consultation between OSHA and SOL is essential to facilitate case development.

Temporary workers have the same rights and protections against retaliation as all other covered workers. Given the importance of communication between employers about the presence of hazards, it is also incumbent on both employers to take necessary steps to ensure that temporary workers are aware of their rights and responsibilities under the OSH Act. Section 11(c) of the OSH Act protects temporary workers who report injuries and illnesses or complain to their employer, OSHA, or other government agencies about unsafe or unhealthful working conditions in the workplace. Temporary workers have the right to report injuries or illnesses or complain to both the host employer and the staffing agency without fear of retribution. Both the staffing agency and the host employer should inform temporary employees how to report injuries and illnesses and include training on the employee's right to report workplace safety concerns. If the CSHO finds evidence of retaliation by either the host employer or the staffing agency for reporting an injury or illness, the CSHO will inform the worker of his/her right to file a retaliation complaint with OSHA.

RESOURCES

Determining the responsibilities of host employers and staffing agencies will be highly fact-specific. To assist the field in such cases, the Directorate of Enforcement Programs is preparing a series of bulletins on various aspects of the TWI. The first bulletin addresses recordkeeping requirements and can be found on our Temporary Worker webpage. The second bulletin will address whistleblower protection rights. Other topics may include personal protective equipment, training, hazard communication, duty-to-inquire, hearing conservation programs, exposures to heat, and powered industrial trucks. A compliance directive is also planned.

In addition, a large number of resources devoted to the TWI have been assembled on OSHA's internal website. These include existing interpretive guidance and compliance directives related to temporary worker issues on recordkeeping, hazard communication, bloodborne pathogens, and other standards. More resources will be added in the future.

CONCLUSION

Too often in recent months, it has been OSHA's sad duty to investigate fatalities and injuries involving temporary workers who were not given the necessary safety and health protections required under the Act. In the TWI, we are attempting to ensure that all employers, whether host or staffing agency, individually and collaboratively, fulfill their duties to their workers, so that at the end of the shift of every work day, all temporary workers in the United States can return home safely. ☉

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By **David Newmann**, CHMM

Managing Safety Challenges in a New Workplace

When I started in my role, I remember asking myself how 32 environmental, health and safety (EHS) professionals in a division spanning from Maine to North Carolina could possibly execute safety programs for almost 24,000 employees—many of whom work in the field every day. Each employee is trained to work alone, day and night, in snow or heat, in metropolitan traffic or on a rural highway. Our customers expect reliable service no matter what, which means frequent and unpredictable challenges.

In fact, "going to work" no longer means a factory or office or building at all: It's what you do, not where you do it.

I found that field service work is drastically different than the traditional manufacturing setting I had been in, where employees might work at the same location or workstation for years. Those workplaces followed a clear hierarchy of hazard reduction, engineering controls, PPE, job rotation and even (more recently) warm-up to reduce injuries. Near hits and dangerous work conditions could be gathered, measured and corrected. But in the telecommunications industry, each job order during a day is different than the last. Workers encounter hazards that many wouldn't anticipate: changing weather conditions, variable driving conditions, even installing service on an island. They work in homes, apartment buildings and hospitals.

No day is a "normal" one at the office. In fact, most days aren't in the office at all: field employees typically only come into their tech center once or twice each week for training to replenish their inventory or learn about new products. As EHS professionals, we are challenged to identify new processes to reduce hazards to a workforce that often has no direct supervision, and it is difficult to train employees to handle every unknown.

Our approach includes several strategies to increase the reach of our EHS professionals and fit EHS creatively into the distributed work environment that has become our new normal.

1) Supervisor field safety observations (FSO). Instead of an EHS professional observing a technician on the job, supervisors travel to where techs are working to watch their installations, driving, ladder handling and even PPE use. They do this at the same time as their quality control inspections, so it is usually a part of an existing process. Supervisors are a critical extension of the EHS team, and having them complete FSOs brings ownership of their employees' safety into their roles. EHS staff then rides with supervisors to provide them coaching. Our unique Safety Champion program, developed and refined by innovative staff in our West Division, rewards techs who perform well systematically on these observations--something the techs, themselves, can control. This is a welcome change from traditional rearview mirror metrics of injuries and lost workdays.

2) Innovative training approaches. Some types of classroom training for a remote workforce have become less fitting for our business model. Web-based training can be effective but difficult to deliver on mobile devices, and it is often less engaging for employees. We are testing a new system that customizes training for each technician through an interactive comprehensive knowledge assessment. The software then scores the tech and provides 10-minute training courses each month through HD video and a quiz. The high-frequency, low-time commitment program is customized based on the test's results, but most importantly fits their mobile work style. The program showed a 70% decrease in driving accidents over a 6-month trial period with 550 technicians. Techs can take the training on their iPhones in between jobs. That's training designed for today's workforce.

3) Mobile apps. Recognizing that our technicians' most critical tool is often their iPhone, we are trying to move away from paper. One example is an app we are

developing to enable techs to record information about confined spaces before entering them, instead of having to capture it on paper to submit later. The app enables location, time, technician data, multi-gas meter readings and a decision tool to determine if the space is a permit required one. This makes it as easy as possible to have EHS support, be compliant, safe and efficient.

4) Behavioral safety. Clearly, this is the linchpin of reducing incidents in a mobile workforce. The key is reinforcing with technicians to do the right thing when no one is watching and that their safety is a top priority to the company. This applies to any part of their job: installing a new drop, testing signal strength at a customer's set-top box or even wearing PPE when they are in a bucket truck, ladder or attic. In each situation, it is critical for technicians to remember that their loved ones are counting on them to return home from work safely each night. Employees need to think about their own safety before starting any type of work and if they notice any potential safety issue then they must alert their supervisor. In 2014, we are training supervisors to provide constructive feedback around safety and to encourage technicians to value their own safety and to remember their training to conduct safety assessments when needed before starting work (e.g., checking pole integrity, setting up a ladder). Only the technician knows if these tasks have been done.

Although some of these challenges are unique to the telecommunications industry, many of the underlying challenges apply to other workforces. Workers are becoming more mobile and more accustomed to working in nontraditional environments, be it on the road, from a rental car, from home or at a customers' sites. As professionals who help engineers, technicians, line workers and many other types of employees, it is time to get creative and develop approaches that fit our employees' jobs, not just ones that fit the traditional way of ensuring safety. Although the fundamental principles and hierarchies remain, we need to think in different ways about how to deliver them in these new environments. How have you had to adopt your thinking to your new workplace? ⚙

David Newman, CHMM, *is senior director of environment, health and safety for Comcast Cable's Northeast Division, one of three operating divisions within Comcast Cable. His 20 years' experience include implementing EHS and sustainability programs in biotechnology, semiconductor and chemical manufacturing. Newman holds master's degrees in public health and environmental management.*

> *As EHS professionals, we are challenged to identify new processes to reduce hazards to a workforce that often has no direct supervision, and it is difficult to train employees to handle every unknown.*

COUNCIL ON PRACTICES & STANDARDS
SAFETY PROFESSIONAL OF THE YEAR AWARD

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Pam Walaski is the 2014 Council on Practices and Standards (COPS) Safety Professional of the Year. The Consultants Practice Specialty nominated Walaski, who has done an outstanding job as its administrator. Her many accomplishments include the development of the online Consultants Directory and she is one of three editors of the book *Becoming an Effective SH&E Consultant*. Walaski is a well-respected SH&E professional who tirelessly volunteered her time for ongoing COPS initiatives such as the Body of Knowledge and the upcoming digital expansion program for our publications. She has coordinated a section on emergency response in *The Safety Professionals Handbook* and authored a chapter on Cost Analysis and Budgeting for Emergency Response. Her diligence has benefited ASSE for many years and she has been a presenter at many professional development conferences. Walaski is also active in standards development as a member of the U.S. Technical Advisory Group to ISO for the PC283 Committee, which is drafting a global standard for occupational health and safety management systems.

Transitions

My term as Administrator of the Management Practice Specialty has concluded, and, I'd like to take a moment to thank all of those who have worked so hard to help make our practice specialty so successful. From the Advisory Committee members who have faithfully driven initiatives and activities month after month, to the contributors to this publication and the body of knowledge, the individuals who have presented sponsored sessions at the Society's annual conference, to the capable leadership of the Council on Practices and Standards, and the dedicated and hardworking ASSE staff, many thanks for helping to make the Management Practice Specialty more successful than ever.

DAVID NATALIZIA

Please join me in welcoming Kim Jackson as our new administrator. Kim brings a wealth of experience to her role, which is a natural fit for her after ably serving the practice specialty in several key roles over the last several years. Kim is supported by an excellent Advisory Committee and is the sort of action-oriented leader who is sure to position this practice specialty for even more growth in the future.

Any volunteer group depends on its membership for success. This is true for ASSE overall and for our practice specialty as well. I encourage you to seek opportunities to serve, to share your suggestions and insights, and to encourage your colleagues to participate as well. It is only through continued participation of our wide range of members that we can ensure offerings and content that meets the needs of our membership so well. One aspect of volunteering is a willingness to find ways to use the availability and talents that you have to serve, which means that there is no need to hold back just because you don't have the time to commit to a role that requires a big commitment. Believe me, there are plenty of ways you can help with whatever time you have!

My challenge to all of you is to get out of your comfort zone, share your skills and experiences, and find ways to help advance the profession. Of course, the Management Practice Specialty may benefit greatly from your contributions, but you will also find that your own personal and professional development enhanced as well. ✪

MANAGEMENT PRACTICE SPECIALTY SAFETY PROFESSIONAL OF THE YEAR

Kimberly "Kim" Jackson is the 2014 ASSE Management Practice Specialty Safety Professional of the Year. She has been active in the practice specialty for more than 4 years. She is a dynamic volunteer and has served as Membership Chair and Awards and Honors Chair. Jackson is the 2014-16 Management Practice Specialty Administrator. Anyone who has worked with her knows that she exemplifies professionalism, commitment and service to ASSE. Her innovative ideas have helped grow membership and she has participated in Advisory Committee activities and broader initiatives of the Council on Practices and Standards. Jackson has also been active in other practice specialties and common interest groups.

Get to Know ASSE's Health & Wellness Branch

Although ASSE's Health & Wellness Branch is sponsored by the Society's Healthcare Practice Specialty, the branch focuses on health and its impact on safety, rather than healthcare. As Deborah Fell-Carlson writes in an informative **article**, "As safety professionals, we may not think about the fact that healthy, alert workers suffer fewer on-the-job injuries and recover more quickly when hurt. This can have significant impact on our workers' compensation costs. Although it may be difficult to measure the impact, we know that managing wellness and injury together is a win-win."

The branch is eager to guide other safety professionals to help shape worker attitudes, thinking and behaviors that may result in improved personal and global health and well-being. For more information on the branch and how to become involved, **click here**.

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