

Excerpts from JJ Keller's Online Weekly Updates

– ESH News and Alerts –



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Nine New York contractors face \$98,400 in OSHA fines for hazards at three construction sites

Nine area contractors face a total of \$98,400 in fines for 56 alleged serious and repeat violations of workplace safety standards at three Brooklyn construction projects. OSHA fined the employers after inspections begun November 29, 2004 in response to employee complaints of unsafe working conditions.

"It's particularly disturbing to see many of the same hazards at three different jobsites overseen by the same general contractor," said Antonio Pietroluongo, OSHA's acting Manhattan area director. "Left uncorrected, these conditions expose employees to potential serious injury or death from falls, electrocution, scaffold collapse, gas cylinder explosions, or head injuries."

The general contractor for the three projects was fined \$25,350 for lack of fall protection and fall protection training, unsecured floor hole covers, uncleared debris, ladder and stairway hazards, various electrical hazards, improper storage of compressed gas cylinders, and failing to perform an engineering survey and to inspect the jobsite.

One of the construction companies was fined \$33,600 for failing to train employees in unsafe conditions; fall and scaffold hazards and the proper use of ladders; no fall protection for employees working on a scaffold; unstable objects used to support scaffolding; improperly secured compressed gas cylinders; unsecured and unmarked floor hole covers; not wearing protective helmets; and electrical, ladder, and stairway hazards.

Seven other contractors shared fines totaling \$39,450. Among the violations for which the contractors were cited were electrical, scaffold, ladder and stairway hazards; lack of head and eye protection; unguarded wall openings and an unguarded grinder; and failure to conduct inspections and to train workers to recognize unsafe conditions.

Cell phone use linked to dangerous driving

A new University of Utah study found that drivers who talked on cell phones — regardless of whether they were young or old — were 18 percent slower in hitting their brakes than drivers who didn't use cell phones. The drivers chatting on cell phones also had a 12 percent greater following distance — an effort to compensate for paying less attention to road conditions — and took 17 percent longer to regain the speed they lost when they braked.

In addition, "there was also a twofold increase in the number of [simulated] rear-end collisions when drivers were conversing on cell phones," the study says.

NHTSA study estimates lives saved by safety features

Nearly 329,000 lives have been saved by vehicle safety technologies in automobiles since 1960, Transportation Secretary Norman Y. Mineta announced recently. A new study by the Department of Transportation (DOT) National Highway Traffic Safety Administration (NHTSA) indicates of all the safety features added since 1960, one — safety belts — account for over half of all lives saved. The study also says government-mandated safety standards have added about \$839 in costs and 125 pounds to the average passenger car when compared to pre-1968 vehicles. "The Department has worked diligently to reduce highway deaths", Mineta said. "Thousands of our friends, neighbors and family members are alive today because of these safety innovations."

According to the study, the number of lives saved annually increased steadily from 115 per year in 1960 to nearly 25,000 per year in 2002. "These reports showcase the achievements of NHTSA and the automotive industry," said NHTSA Administrator Jeffrey Runge, MD. "Vehicle safety technology is truly a lifesaver, especially the simple safety belt." The study examined a myriad of safety features, including braking improvements, safety belts, air bags, energy-absorbing steering columns, child safety seats, improved roof strength and side impact protection, shatter-resistant windshields and instrument panel upgrades. It did not evaluate relatively new technologies like side air bags and electronic stability control systems.

Assessing the costs, NHTSA estimated that safety technologies cost about \$544,000 for every life saved. They added about the same cost to a new vehicle as popular options like CD players, sun roofs, leather seats or custom wheels. The complete report on the study can be found at: <http://www.nhtsa.dot.gov/cars/rules/regrev/evaluate/>.

OSHA cites two Oklahoma employers following fatal confined space accident

OSHA has cited a construction company, and a specialty epoxy coating manufacturer for a total of 23 alleged safety and health violations following the investigation of a fatal accident last August. The investigation began August 17, 2004, after a worker died from exposure to hydrogen sulfide at a Tulsa wastewater treatment plant. Penalties for both employers total \$94,800.

According to James Brown, OSHA area director in Oklahoma City, an employee of the construction company died of asphyxiation and another was injured when they entered a confined space and were exposed to hydrogen sulfide. He indicated that "The employer did not conduct air monitoring and did not require workers to use respirators."

The construction company, a builder of waste water pumping stations, was cited for two alleged willful and 14 alleged serious violations. The willful citations are for failing to monitor and test the confined space before allowing workers to enter. Willful violations are cited when a company has demonstrated plain indifference or intentional disregard for safety and health standards.

Alleged serious violations include failing to provide an appropriate respirator; failing to provide a medical evaluation to determine the employee's ability to use a respirator; failing to provide respirator training; failing to conduct evaluations of the workplace; failing to provide safe entry and exit to a confined space, and failing to provide training for confined space work. A serious violation is one in which there is a substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known. Proposed penalties for the construction company total \$67,800.

The specialty epoxy coating manufacturer had two employees on site the day before the accident to assure that application of their product was performed correctly, and was cited for seven alleged serious violations for failing to ensure that those workers had proper respiratory protection for entering a confined space. Proposed penalties for this company total \$27,000.

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