

EGCA REPORTER



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*JOIN EGCA'S
AFFILIATE AFFAIRS COMMITTEE AT ITS
2nd ANNUAL COMMUNITY SERVICE
FUNDRAISER*

This exciting second EGCA Affiliate Affairs event will be held in lieu of EGCA's February Membership Meeting on Thursday, February 8, 2007 at Hawthorne Machinery. **Reservations are required—there are a limited number available.** Don't miss out; contact Amber Scott at EGCA right away to confirm your reservation (telephone 619-692-0760, fax 619-692-0839, or email amberscott@egca.org).

News From NUCA

Safety Measures for Quick-Disconnect Attachment Couplers

Workers who operate or work near hydraulic excavators and backhoe loaders are at risk of being struck by the machine or its components. In addition, there have been 15 reported incidents, including 8 fatalities, of workers being struck by excavator buckets that detached from the excavators because the quick coupler was not properly connected and locked.

Quick couplers used on hydraulic excavators enable operators to quickly make attachment changes. By removing the bucket, a large amount of weight is removed from the excavator and the lifting capacity of the excavator is increased, improving the operators' line of vision during lifting. The quick couplers also allow the operator to change buckets and other attachments quickly.

Safety Procedures for Operators:

- Get training for the proper use of quick couplers, including procedures for engaging attachments, testing, and visual
- Follow all manufacturers' recommendations for maintenance and inspection of quick couplers.
- Use all required positive locking pins and other locking devices. Never substitute wood, rebar, bolts, or any other material.
- Be sure you know how to manually install the locking pin if necessary.

- Visually inspect the quick-disconnect system to make sure it is properly locked after changing attachments.
- Perform an attachment safety check by moving the bucket or attachment through the complete range of motions after each attachment change to ensure the coupler is locked.
- Inspect all quick-disconnects (couplers) prior to use each day to determine if they are damaged or subject to unexpected release hazards.
- Decide on a clear signal to stop work immediately

Safety Procedures for All Workers:

- Never stand or work under a raised load.
- Stay clear of equipment when it is moving.
- Signal the operator to stop work immediately if the coupler is damaged, not properly connected, or locked.

Quick-disconnect attachment couplers have simplified many tasks on the jobsite, and they offer equipment operators greater flexibility. Don't ever take a shortcut on safety, however. Make sure all quick coupling devices are secured properly, and always stay alert for potential hazards.

Protecting Your Workers' Hands

Many years ago I had a good friend who was a top-notch mechanic. His name was Charlie. I remember how rough, dry and cracked his hands were. When you shook his hand, it felt like his hands were covered with sand paper. Do you know workers like that? Charlie's hands got that way because he was always up to his elbows in grease and oil. He tried several different hand cleaners, but I remember him telling me that nothing was as effective as scrubbing with gasoline. He always kept a small pail of gasoline in the shop to wash the grease off his hands. Several years later I ran into him and he was wearing some special gloves; he was still a mechanic, but after years of dunking his hands in gasoline he developed a severe case of dermatitis. For over a year he had to use a prescribed moisturizer and constantly cover his hands with gloves, including at night, until the skin oils returned to his skin. It almost cost him his career, but he was lucky and his skin finally returned to normal.

The average construction worker would probably not even think about using hand lotion to protect their hands. Many construction workers, like Charlie, believe that having hands that are leathery, callused and rough is macho and a sign of

being a hard worker. The truth is that skin that is dry and cracked is open to infection and dermatitis, both of which are compensable under workers' compensation laws. Some workers become allergic to a material at work and get skin problems that can be so bad that they cannot work, even when exposed to small amounts of the material. In that case, they might have to be reassigned to different work or change careers.

What Your Workers Can Do to Protect Their Hands

Workers should be instructed to avoid direct skin contact with the following common chemicals used in construction: wet cement, epoxy resins, lime, adhesives, solvents, some paints, and metalworking fluids. These materials can cause red, itchy, scaly skin or painful burns, ulcers, and rashes like acne—all known as dermatitis.

Make sure that workers keep their hands moisturized. The best moisturizer is water, but adding water alone to dry skin can aggravate the condition, causing the skin to become even more chapped, split, rough and sore. An easy way for workers to prevent dermatitis and to keep the skin on their hands soft and

News from NUCA - continued

flexible is to soak hands in lukewarm water at bedtime, apply petroleum jelly, then wear a thin pair of cotton gloves to bed. Most of them would not even consider this procedure. However, there are also many industrial hand cleaners and lotions available for workers that are very effective. Many of them like Stoko, Gojo, Deb SBS, and Kimberly-Clark skin care products offer 100% solvent free hand cleaners, moisturizing lotions and recovery care lotions. These products have all been developed for industrial use and are available online and from industrial suppliers. They can be purchased in small tubes that can be handed out to workers and large dispensers that can be mounted on the wall in the jobsite trailer or shop.

Instruct workers to regularly clean their hands, especially when they are exposed to bacteria (such as sewage), chemicals and other hazardous materials. Hand cleaning facilities such as porta-johns with sinks with soap and water or waterless hand cleaners should be provided at jobsites. Workers should also be instructed to never use a solvent (alcohol, mineral spirits, turpentine, gasoline, etc.) to clean their hands. Using solvents as hand cleaners removes the oil from the skin and will cause skin to become dry and cracked, making it even more susceptible to injury.

Provide the appropriate work gloves to protect the workers' hands from exposure to physical hazards and the elements. Physical hazards such as sharp edges, rough material, splinters, etc. can cause injury, and even minor injuries that are not treated properly can and often do result in infections. Workers who are injured should get first aid; it is amazing what a few minutes and a little Neosporin and a band-aid can do to keep a wound clean and prevent infection.

OSHA does not say much about hand protection, at least not when it comes to gloves. They do, however, refer employers to Material Safety Data Sheets, which will tell the chemical user what type of glove might be required when handling a specific chemical. Gloves used to protect a worker from chemicals can be made out of many different types of materials and the

degree of protection can vary from useless to extremely protective. For example, there are latex/natural rubber gloves, nitrile, neoprene, poly-vinyl-chloride, butyl and tri-polymer. Some are more cut and puncture resistant; others are more flexible to provide more dexterity, and still others might provide an excellent grip in oily or greasy applications. In addition, a combination of materials and a variety of coatings can be applied to the glove to increase the abrasion, cut and puncture resistance or to keep contaminants away from the worker's hands.

The standard leather work-glove is still the most popular glove used in the construction industry, but there are other choices that offer similar protection in addition to offering better protection from liquids and chemicals in addition to the improved dexterity that is often needed to handle tools, equipment, and small items such as nuts and bolts. They also fit better because the choices range from the smallest to the largest hands. In my opinion, one of the worst things you can do when providing workers with gloves of any type is to give them the wrong size. They will not wear them.

The worker in the trench versus the worker in an active sewer needs a different type of glove than the worker in the mechanic shop. And, when the weather is wet or cold, they all need gloves that are warm. The next time your company purchases work gloves for your employees I suggest you take the opportunity to determine what type of protection each worker might need based on his/her exposure. A little research and maybe a little experimentation will yield good results by reducing hand injuries.

Companies provide workers with hard hats to protect their heads, safety glasses to protect their eyes, sometimes even work boots to protect their feet, so why not gloves for their hands? It's the one of part of their bodies that makes it possible to complete all tasks. Companies have an obligation to protect employees from injuries and one area that is overlooked far too often is hand protection. Workers need hand protection and they need to know why.

The Importance of Eye Wash Stations

Thousands of people are blinded each year by work-related eye injuries that could have been prevented with the proper selection and use of eye and face protection. However, accidental chemical exposures can still occur even with good engineering controls and safety precautions. As a result, it is essential to look beyond the use of goggles, face shields and procedures for using personal protective equipment. Emergency showers and eye wash stations are a necessary backup to minimize the effects of accident exposure to chemicals.

If an accident should occur, would your company be in compliance with current emergency eye wash regulations? If

all you have available are small bottles of eye wash solution in first-aid kits hanging on the wall or in the job trailer, you're not in compliance. Bottled eye wash is intended as a quick flush; it is not a substitute for an eyewash station.

OSHA Subpart K 1910.151 - Medical and First Aid provision requires that: "Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for

News from NUCA - continued

quick drenching and flushing of the eyes and body shall be provided within the work area for immediate emergency use.” In applying these general terms, OSHA would consider the guidelines set by the American National Standards Institute (ANSI) Z358.1, Emergency Eyewash and Shower Equipment applicable.

Various forms of eye wash equipment are available today. Many are of the portable or self-contained wall-mounted type that is limited in the quantity of water available for eye wash purposes, and usually do not provide for body drenching. This equipment may be used for compliance with 29 CFR 1910.151(c) only when it is not economically feasible to provide plumbed equipment and/or where the potential employee exposure to electrolyte(s) is determined to be slight.

While portable eye wash stations may be used at jobsites, they require ongoing maintenance of the buffered saline solution. The agents used to control bacterial growth are effective for certain limited periods of time. Also, small amoebae capable of causing serious eye infections have been found in portable and stationary eyewash stations. Consequently it is important to monitor the shelf life of the solution and replace the solution when it has expired.

Plumbed emergency showers and eye wash stations also require maintenance to insure that the water line is flushed regularly to ensure that the water is fresh. Keep in mind that some municipal water supplies also contain chlorine, which can irritate and leach salt from the eye tissue. Well water might contain other contaminants, so the system should be set up to remove chemical contaminants.

All eye wash stations must be in accessible locations that require no more than 10 seconds to reach. Eye wash equipment

should provide a 15-minute copious low velocity flow of potable water at a suitable temperature, generally between 60 degrees F and 105 degrees F. They must also be clearly marked and easy to identify and use. Hands free operation is also required once the flow of water is activated.

Jobsites, mechanic shops and other areas where batteries are charged should have permanently installed emergency eye wash stations and showers close to battery charging areas and other areas where acids, caustics, solvents and other hazardous materials are handled. All employees should be aware of their locations and how to use them.

In an emergency involving a chemical splash to the eye(s), the first 10 to 15 seconds after exposure to a hazardous substance, especially a corrosive substance, are critical. A worker could easily lose his/her eyesight if emergency eye wash is not provided quickly and followed by professional medical attention. Delaying treatment, even for a few seconds, may cause serious injury. Therefore, at jobsites where access to eye wash stations might take more than 10 seconds it would be a good practice to have some bottled eye wash available to provide a quick flush as the worker is escorted to the eye wash station.

Work-related eye injuries cost more than \$300 million per year in lost production time, medical expenses and worker compensation. You can help prevent eye injuries on your jobsites not only by providing workers with the proper eye protection for the work they perform, but also by taking the extra step of providing eye wash stations as a backup. For more good information about eye wash stations visit Canadian Center for Occupational Health and Safety website at www.ccohs.ca/oshanswers/html.

“Continuous Forced Air Ventilation” for Confined Spaces—OSHA Interpretations

Question 1: What constitutes “continuous forced air ventilation” as found in the Permit Required Confined Space Standard -- 29 CFR 1910.146(c)(5)(ii)(E)?

Answer: “Continuous forced air ventilation” means a delivery system or device that provides positive pressure for the space where the employees are working. When continuous forced air ventilation is used during the entries that follow the alternative procedures and authorized under 29 CFR 1910.146(c)(5)(i)(A) through (F), the following conditions must be met: First, no employee may enter the permit space until the forced air ventilation has eliminated any hazardous atmosphere found within the space. Second, the ventilation must be directed to ventilate the immediate areas where an employee is or will be present within the space and must continue until all employees have left the space. Third, the air supply for the ventilation must be from a clean source

and must not increase the hazards in the space. These provisions ensure that the atmosphere within the permit space remains safe during the entire entry operation.

Question 2: Does the use of a portable blower fan to clear the air during entry periods satisfy the OSHA requirement?

Answer: A portable blower fan could be used as the continuous forced air ventilation, provided that it does remove any hazardous atmosphere. This depends on several factors such as but not limited to the size and configuration of the permit space, including the number of and distance between openings such as access doors or vents and the blower capacity, such as cubic feet per meter (CFM) of the fan itself. In addition, the fan must be approved for use in the particular hazardous location.

California Chamber of Commerce Labor Law Corner

FAQs Highlight Changes to Required Employer Posters for New Year

There are a number of changes to the 2007 required postings for California employers. Following are a series of frequently asked questions from California Chamber of Commerce members.

- *Are there any mandatory changes on the 2007 poster?*
There are four mandatory changes on the 2007 poster — the DFEH-162 poster; Your Rights Under USERRA; the state minimum wage posting reflecting new rates for 2007 and 2008; and the Employment Development Department (EDD) Notice to Employees.
- *Are there other recommended changes included on the 2007 poster?*
CalOSHA's Safety and Health Protection on the Job and the Employee Polygraph Protection Act postings have updated the contact information on the postings.
- *Does my company need new pamphlets for 2007?*
The EDD's Paid Family Leave pamphlet has been updated for 2007 with required changes. The EDD updated its State Disability Insurance Pamphlet in August 2006 and considers the changes mandatory for 2007. Its Unemployment Insurance pamphlet is expected to be revised with mandatory changes for 2007. Customers on the CalChamber's standing order list will automatically be sent these required pamphlets. The Workers' Compensation pamphlet contains numerous required changes for 2007, relating particularly to the predesignation of physician.
- *What postings are on the CalChamber poster?*
The CalChamber's poster includes all 16 postings required by state and federal agencies that all California employers are required to post. A Required Posters & Current Revisions chart appears at HRCalifornia.com.
- *Where should I display the 2007 poster?*
You should display the poster anywhere that all employees can easily read it, such as a break room, common hallway, payroll office or other common location. In addition, you must display several of the posters (polygraph protection, and state and federal anti-discrimination posters) where job applicants can read them. Also, you must post the poster in each company location.
- *Our company has an office outside of California. Am I required to post the California and federal poster?*
No, but required federal postings can be found on the all-in-one federal Employment Poster. Check with local state agencies where other offices are located for state posting requirements.
- *What notices are required to be distributed to employees?*

- Required notices include:
 - **For Your Benefit (DE 2320).** This pamphlet explains California's unemployment insurance and disability insurance programs and must be distributed when an employer discharges or lays off an employee, or places an employee on a leave of absence.
 - **State Disability Insurance Provisions (DE 2515).** This pamphlet explains an employee's disability insurance rights and must be distributed to all new hires and again if an employee goes out on disability leave.
 - **Workers' Compensation Rights and Benefits pamphlets.** Give all new employees the workers' compensation pamphlet at time of hire.
 - **Sexual Harassment Information Sheet.** Every California employee and independent contractor must receive a sexual harassment information sheet from his/her employer.
 - **Paid Family Leave pamphlets.** This pamphlet explains California's Paid Family Leave (PFL) program. Give it to new employees and employees requesting time off for a covered reason.

Do I have to post the Cal/OSHA Log 300?

If you are an employer in a high-hazard industry, and you have more than 10 employees, you may be required to post the Cal/OSHA Log 300. For more information, see Log 300 Record Keeping Obligations on HRCalifornia.com.

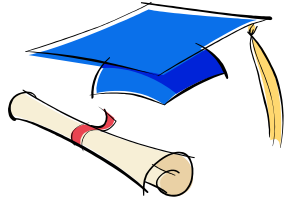
- *Do I have to post both state and federal minimum wage posters even though California's minimum wage is higher than the federal rate?*
Even though California's minimum wage is higher than the federal minimum wage, both minimum wage posters are required for California employers. The CalChamber's **Employer Poster** has both.
- *Are laminated posters required?*
No, laminated posters are not required. You may choose to use a laminated poster because of the needs of your work environment. For example, if your company operates in a hazardous environment, outdoors, or in industries such as the restaurant or construction industry, laminated posters are highly recommended.

More Information

All of the required notices that must be distributed are included in the CalChamber's **Required Notices Kit**. Certain industries have specific posting requirements that apply only to them. For a list, visit Unique Posters and Notices on HRCalifornia.com.

By: Jessica Hawthorne, Assistant Employment Law Counsel

EGCA's 2007 Scholarship Applications Are Available



Be sure your employees and their children don't miss out on this wonderful opportunity to apply for a scholarship. Why not put a copy of this page in their pay envelopes?

To obtain a Scholarship Application, either log onto the EGCA Foundation website at www.EGCAFoundation.org and click on the Scholarship tab, or contact Netty Mansolillo or Amber Scott at the EGCA office, 619-692-0760; they will be happy to send copies to anyone who requests them.

*Want to host
an EGCA Membership
Meeting?*



Would you like EGCA members to view your facility and learn what your company does and how you do it? How about hosting an EGCA Membership Meeting? It would offer the perfect opportunity to highlight your company and products. In 2007, the months of March, May, July, September and October are still open. Don't miss out. Call the EGCA office at 619-692-0760 to schedule your meeting.