

TOGETHER WITH **TOSHA**

newsletter

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Emergency Temporary Standard Update

On January 25, 2022, Federal OSHA released the following statement:

***“The U.S. Department of Labor’s Occupational Safety and Health Administration is withdrawing the vaccination and testing emergency temporary standard issued on November 5, 2021, to protect unvaccinated employees of large employers with 100 or more employees from workplace exposure to coronavirus. The withdrawal is effective January 26, 2022.*”**

***“Although OSHA is withdrawing the vaccination and testing ETS as an enforceable emergency temporary standard, the agency is not withdrawing the ETS as a proposed rule. The agency is prioritizing its resources to focus on finalizing a permanent COVID-19 Healthcare Standard.*”**

“OSHA strongly encourages vaccination of workers against the continuing dangers posed by COVID-19 in the workplace.”

OSHA’s statement above does not impact the emergency rule regarding COVID-19 in the Healthcare industry. Many employers in the health care industry will remain within the scope of Tennessee’s Emergency Temporary Rule for Healthcare. TOSHA’s temporary rule is equivalent to OSHA’s emergency standard but not more stringent than the federal standard. The TN ETR will expire on February 20, 2022, and there is no intention to make this a permanent rule.

The key points of the rule are summarized below:

- The scope is limited to healthcare and healthcare support services.
- The employer must develop a COVID-19 plan to assess the workplace for risk of exposure and the measures the employer will take to mitigate the risk to employees.
- With limited exceptions, the rule requires that employees wear masks in these healthcare settings. Respirators are required when employees are exposed to confirmed or suspected cases of COVID-19.
- With limited exceptions the rule requires physical distancing and physical barriers.
- The rule requires the screening of employees prior to each work shift and requires the employer to notify employees who have had a close contact with a COVID-19 positive person under specific circumstances.
- The rule requires the removal of some employees with confirmed or suspected COVID-19 from the work area. The duration is based on circumstances of exposure. The employer must continue to pay employees during this removal.
- Employer must provide reasonable time and paid leave for employees to obtain vaccination and recover from any side effects experienced.
- Employer must train employees on effects of COVID-19, potential exposures, protective equipment, etc.
- Employer must maintain records, such as log of information about employees who test positive. for COVID-19, including date, employee work location, etc.

This emergency temporary rule will expire February 20, 2022.

Winter Weather Hazards

Q. How can cold stress be prevented when working in winter weather?

A. Cold Stress occurs by driving down the skin temperature, and eventually the internal body temperature. Workers should have appropriate personal protective equipment and dress appropriately, including dressing in layers. Employers should schedule heavy work during the warmer part of the day and assign workers to tasks in pairs so that they can monitor each other for signs of cold stress. See [OSHA's Cold Stress Guide](#) for more information on preventing, recognizing, and treating signs of cold stress.

Preventing Slips on Snow and Ice

To prevent slips, trips, and falls, employers should clear snow and ice from walking surfaces, and spread deicer, as quickly as possible after a winter storm.

When walking on snow or ice is unavoidable workers should be trained to:

- Wear footwear that has good traction and insulation (e.g. insulated and water resistant boots or rubber over-shoes with good rubber treads)
- Take short steps and walk at a slower pace to react quickly to changes in traction



Preventing Falls When Removing Snow from Rooftops and Other Elevated Surfaces

OSHA's Hazard Alert, Snow Removal: Know the Hazards Pamphlet, and **winter weather webpages** provide guidance to employers on how to prevent serious injuries and fatalities. Employers should consider options to avoid working on roofs or elevated heights, plan ahead for safe snow removal and must:

- Provide required fall protection and training when working on the roof or elevated heights
- Ensure ladders are used safely (e.g. clearing snow and ice from surfaces)
- Use extreme caution when working near power lines
- Prevent harmful exposure to cold temperatures and physical exertion

Revised Handbook for Small Businesses



The U.S. Department of Labor's [Occupational Safety and Health Administration](#) collaborated with the [National Institute for Occupational Safety and Health](#) (NIOSH) to revise a handbook on workplace safety and health information for small business employers.

[The Small Business Safety and Health Handbook](#) highlights the benefits of implementing an effective safety and health program, provides self-inspection checklists for employers to identify workplace hazards, and reviews important workplace safety and health resources for small businesses.

The handbook includes self-inspection checklists for various work processes in general industry workplaces, such as fire protection, hazard communication, permit-required confined spaces, respiratory protection, and walking-working surfaces. The checklists are not intended for construction or maritime industries.

A section of the handbook lists OSHA and NIOSH resources available to help employers recognize and correct safety and health hazards in their workplace, including the OSHA On-Site Consultation Program. The handbook also gives employers information on whistleblower protection laws, training through OSHA's education centers, and professional occupational safety and health associations with local chapters that small businesses can join.

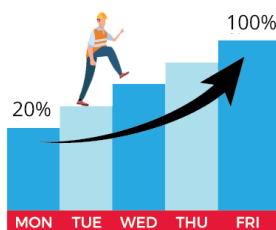
Heat Stress

Heat is the leading weather-related killer. Excessive heat can cause heat stroke and even death if not treated properly. It also exacerbates existing health problems like asthma, kidney failure, and heart disease. Workers in agriculture and construction are at highest risk, but the problem affects all workers exposed to heat, including indoor workers without climate-controlled environments.

Heat stress killed 815 US workers and seriously injured more than 70,000 workers from 1992 through 2017, according to the Bureau of Labor Statistics.

Federal OSHA announced in its regulatory agenda an intent to initiate rulemaking on this subject.

Prevent Heat Illness at Work



Ease into Work

Nearly 3 out of 4 fatalities from heat illness happen during the first week of work.

Build a tolerance to heat by increasing intensity by 20% each day.



Drink cool water even if you are not thirsty



Rest for long enough to recover from the heat



Take breaks in a shady or cool area



Wear a hat & dress for the heat



Watch out for each other



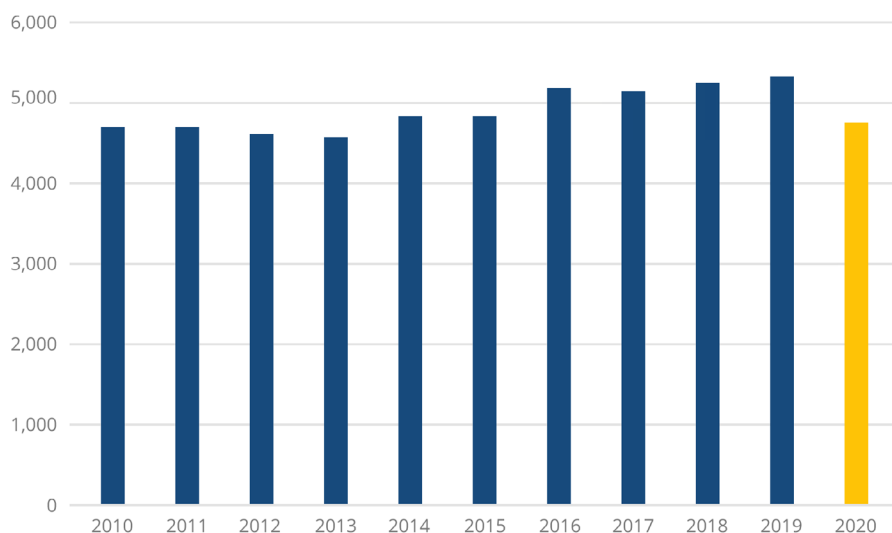
Verbally check on workers wearing face coverings

National Census of Fatal Occupational Injuries in 2020

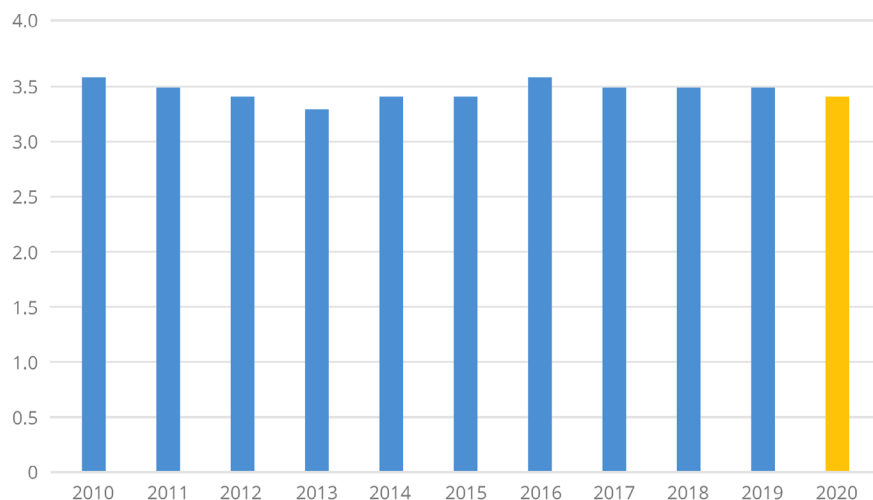
The Bureau of Labor Statistics recently released its [National Census of Fatal Occupational Injuries in 2020](#). There were 4,764 fatal work injuries recorded in the United States in 2020, a 10.7 percent decrease from the 5,333 in 2019. The fatal work injury rate was 3.4 fatalities per 100,000 full-time equivalent (FTE) workers, down from 3.5 per 100,000 FTE in 2019. These data are from the Census of Fatal Occupational Injuries (CFOI).

The 4,764 fatal occupational injuries in 2020 represents the lowest annual number since 2013. However, a worker died every 111 minutes from a work-related injury in 2020. Transportation incidents remained the most frequent type of fatal event with 1,778 fatal injuries, accounting for 37.3 percent of all work-related fatalities. The share of Hispanic or Latino workers fatally injured on the job continued to grow, increasing to 22.5 percent (1,072 fatalities) from 20.4 percent (1,088 fatalities) in 2019. Suicides decreased 15.6 percent from 307 in 2019 to 259 in 2020, representing the lowest count for occupational suicides since 2015.

Number of Fatal Work Injuries, 2010-2020



Fatal Work Injury Rate, 2010-2020 per 100,000 FTE Workers



2021 TOSHA Fatality Statistics

58 Fatalities from January 1, 2021, through December 31, 2021

Industry: # of Inspections (58)

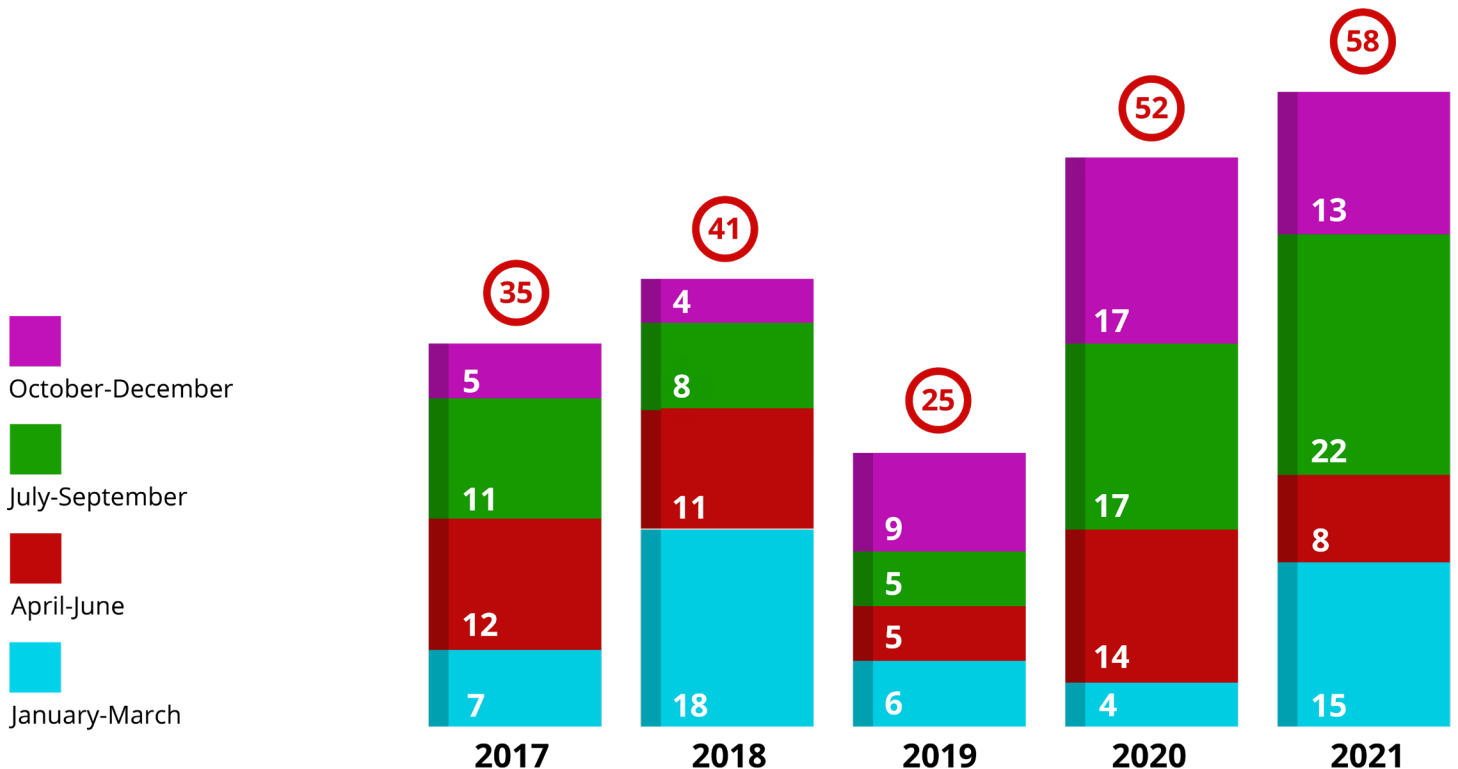
Construction - 9
Manufacturing - 16
Public Sector - 11
Transportation - 3
Service - 7
Arbor/Logging - 3
Healthcare - 9

Fatality Type: # of Victims (58)

Struck by - 8
Crushed by/Caught in - 6
Falls - 12
Electrocution - 2
Thrown from/Overturned vehicle - 1
Legionella bacteria - 1
COVID-19 - 28

Statistics may change due to findings during the TOSHA investigation

Fatality Totals per Quarter



Workplace Violence

Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide. It can affect and involve employees, clients, customers, and visitors. Acts of violence and other injuries are currently the third-leading cause of fatal occupational injuries in the United States. According to the Bureau of Labor Statistics Census of Fatal Occupational Injuries (CFOI), of the 5,333 fatal workplace injuries that occurred in the United States in 2019, 761 were cases of intentional injury by another person. However, it manifests itself, workplace violence is a major concern for employers and employees nationwide.

[The OSHA workplace violence website](#) provides information on the extent of violence in the workplace, assessing the hazards in different settings and developing workplace violence prevention plans for individual worksites.



workplace
violence

Fatal Review Summary #1472512

Inspection #1472512 -- Pilot Travel Centers

Three employees were fatally wounded when a truck driver wielding a knife attacked them in the store. Apparently, the truck driver attacked one person in the bathing area of the store, then attacked two others in the store before he was fatally shot by police.

Based on the evidence, the employees had been trained on workplace violence according to the Pilot Team Member handbook. Employees had knowledge of the hazards within their industry and were able to recall some of the training provided, including a safe word used in the event of an emergency. All workplace violence programs and training were reviewed. Employees were also interviewed to determine if the knowledge of workplace violence had properly been identified. Employees revealed that they were knowledgeable on workplace violence and many stated nothing could have stopped what took place that morning. Security cameras were observed and identified to be working properly at the time of the event.

It was determined that this event was an isolated incident that had not been anticipated. No personal connection has been identified between the attacker and the victims. Local law enforcement believed it to be a random act of violence. Through a detailed investigation, no violations were documented. The employer had proper programs and training in place to address workplace violence, but the nature of the incident went beyond the typical issues with workplace violence.

No citations are recommended.

Volunteer STAR

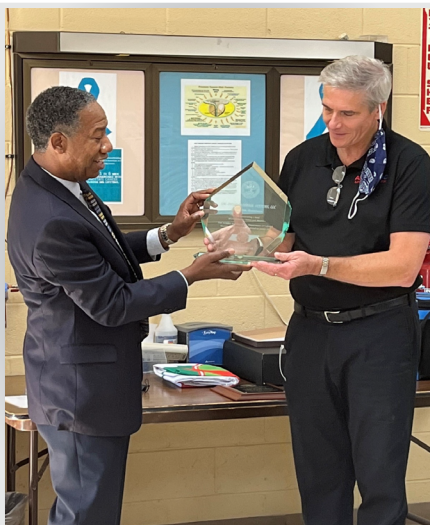


The Volunteer STAR is patterned after the OSHA Voluntary Protection Program and recognizes the best of the best in safety and health programming and performance. Qualified candidates must demonstrate that they have performed in a manner that is below the national average for injury and illness rates in their industrial classification. They must also have all the critical safety and health management system components in place and involve their employees in a manner that ensures total involvement in safety and health issues. Volunteer STAR is

open to all manufacturers (NAICS codes 20 – 39). Programs must be in place for at least a year, prior to evaluation.

On average for 2020 the Tennessee Volunteer STAR sites experience three-year Total Case Incident Rates (TCIR) 51% below their industry average and three-year Days Away, Restricted or Transferred Case Rates (DART) 52% below their industry average. In 2020 there were eleven (11) sites that experienced a TCIR of 0.0 and there were seventeen (17) sites that experienced a DART of 0.

For more information on Volunteer STAR, contact the VPP Manager at (800) 325-9901.



- 1 -



- 2 -



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1. On November 9th, **Deputy Commissioner Dewayne Scott** presented the employees of **ABC INOAC** in Livingston with their Volunteer STAR Award as part of the site's fifth certification effort.
2. On December 1st, **Deputy Commissioner Dewayne Scott** presented the employees of **Bayer Crop Science** in Union City with their Volunteer STAR Award as part of the site's third certification effort.
3. On January 12th, **Commissioner Jeff McCord** presented the employees of **SPX-Flash Technology** in Franklin with their Volunteer STAR Award as part of the site's third certification effort.

Tornado Outreach

The evening of December 10, 2021, and lasting until dawn the following day, a multistate tornado outbreak of at least 70 tornados occurred. Approximately 25 of those impacted Tennessee. TOSHA senior management identified a need for outreach in both middle and west Tennessee. Dividing resources based on locality, TOSHA Consultative Services responded to four areas within Middle Tennessee.



TOSHA Consultative Services identified impacted areas via existing professional and personal relationships. Staff reached out to the Dickson County Local Emergency Planning Committee (LEPC), through our working relationship with this group. Additional outreach included contacting county safety directors on file with TOSHA's Public Sector division and staff relationships with emergency responders, homeowner's insurance adjusters, news outlets, social media community groups, and residents of impacted areas.

The goal for outreach is to prevent injuries during cleanup, assessment, and repairs within impacted areas. Historically, potential injuries include OSHA's "Focus Four" of Construction, which are Falls, Struck-by, Caught-in/Between, and Electrocuting, along with eye/face injuries, hazards of tree-trimming, foot crush and puncture injuries, and vermin. Carbon monoxide overexposure is also possible during power loss due to inappropriate heating methods or improper generator use. Consultation's role was the distribution of Local Emphasis Program (falls and CO) pamphlets, general safety information, and PPE for persons involved in cleanup or repair activity.



Tornado Outreach *(continued)*



Consultation staff identified four primary areas of damage response in Middle Tennessee: Dickson, Cheatham, Stewart, and Wilson counties. Response within these areas was identified within specific neighborhoods and streets prior to going in the field to maximize potential impact and conserve resources and time. Five consultants covered these areas over a three-day period. The response varied between locations based on activity, community resources, and damage, ranging from extensive debris clean-up, utility work, demolition, and repair of commercial and residential property.

Within the four counties, 58 interventions occurred impacting approximately 160 individuals. Hazards that people were exposed to varied throughout the four counties, although, approximately 20% of the interventions were

specific to a fall from height hazard. A fall from height is a TOSHA Local Emphasis Program and is frequently a leading cause of workplace fatalities. Many of these individuals were appreciative of our outreach in the area promoting and educating workers and employers on safe work practices versus operating in an enforcement role.

TOSHA's Consultation Section provides its service without fees or out-of-pocket charges and without penalties or citations. All that TOSHA Consultation participation requires of employers is to correct and report back any serious hazards identified during the visit. Consultation is primarily for smaller employers: those with 250 or fewer employees at the worksite and 500 or fewer employees corporation-wide in the US.

For more information, please contact TOSHA Consultative Services at (800) 325-9901, or you may complete the ["Request for Consultative Services" application found here](#).

Recordkeeping Reminder

Many employers with more than 10 employees are required to keep a record of serious work-related injuries and illnesses. 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, in hopes of preventing future workplace injuries and illnesses. 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. The Injury Tracking Application (ITA) is accessible from [the ITA launch page](#), where you can provide the Agency your OSHA Form 300A information. The date by which certain employers are required to submit to OSHA the information from their completed Form 300A is March 2nd of the year after the calendar year covered by the form.

TSHC Save the Date



2022 Tennessee Safety & Health Conference

Save the Date

August 29-31, 2022

Gaylord Opryland
Resort & Convention Center
Nashville, TN



Tennessee Safety & Health Conference

August 29-31, 2022

2022 January – July TOSHA Seminar Schedule



Basic Safety and Health – This full day class will review Exit Routes, Emergency Action and Fire Preventions Plans; Machine Guarding, Lockout/Tag-out, Hazard Communication, Personal Protective Equipment, and Respiratory Protection.
03/15 – Kingsport - TCCI
03/22 – Murfreesboro - TCCI

Basic Safety for Utilities - This full day class will review confined spaces, trenching & excavation, personal protective equipment (PPE), walking working surfaces, lockout / tag-out (LOTO), electrical, & the most cited standards in utilities
7/12 - Lenoir City - TAUD

Forklift and Warehouse Safety – This full day class will cover the hazards and injuries likely to occur in warehousing and storage operations, including encounters with powered industrial trucks, material handling, lifting, hazard communication, walking and working surfaces, and life safety including fire protection and evacuation. This course is intended for warehouse workers, supervisors, and employers responsible for developing safe work practices and procedures in a warehouse setting.
04/05 – Murfreesboro - TCCI
04/07 – Chattanooga - TCCI
04/21 – Jackson - TCCI

Special Emphasis Programs – The half day class will define both the National and Local Emphasis programs. This program is intended to address hazards or industries that pose a particular risk to workers. Enforcement strategies are designed and implemented at the national and/or regional office levels.
03/16 – Knoxville - TCCI
04/08 – Chattanooga - TCCI
04/20 – Jackson - TCCI

Maintenance Related Standards – This full day class will review the most cited standards in general industry, lockout / tag-out (LOTO), machine guarding, electrical, confined spaces, housekeeping, egress routes, emergency procedures, fire safety, compressed gas safety & health hazards.
02/03 – Morristown - TCCI
02/08 – Jackson - TCCI
02/10 – Murfreesboro - TCCI

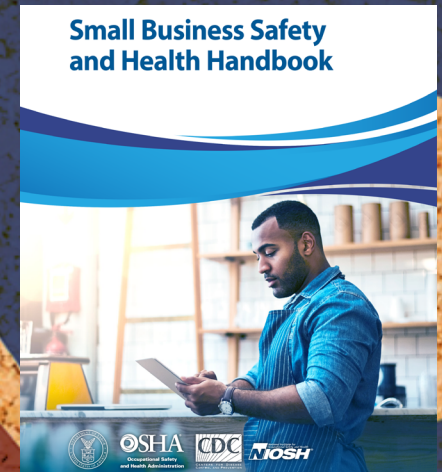
OSHA 10-Hour for Construction – This two-day course emphasizes the identification, avoidance, control, & prevention of safety & health hazards present in construction. An OSHA 10 Hour card is achieved after successfully completing the course.
02/01-02 – Nashville - TCCI

OSHA 30-Hour for General Industry – This four-day course emphasizes the identification, avoidance, control & prevention of safety & health hazards present in general industry. The training helps to ensure that workers are more knowledgeable about workplace hazards and their rights. An OSHA 30 Hour card is achieved after completion of the course.
04/18-21 – Greeneville - WSCC
05/10-13 – Murfreesboro - TCCI

Recordkeeping - This half day class will review recordkeeping requirements, maintenance of the OSHA 300 log, reporting & electronic scanning requirements.
01/20 – Murfreesboro - TCCI
01/25 – Knoxville - TCCI
01/27 – Jackson - TCCI

**NATIONAL
SUICIDE
PREVENTION
LIFELINE**
1-800-273-TALK (8255)
suicidepreventionlifeline.org

Click any image to visit website



**Employers must post summary of injuries and illnesses recorded for year 2021 (February 1 to April 30).
Click here for forms.**

**March 2, 2022 is the deadline for electronically reporting your OSHA Form 300A data for calendar year 2021.
Click here for information .**

Visit these COVID-19 Resources:
TOSHA's COVID-19 Website
OSHA's COVID-19 Website

Agency Links

[OSHA](#)

[Tennessee's Government Website](#)

[Tennessee Department of Labor & Workforce Development](#)

[Tennessee Occupational Safety & Health Administration \(TOSHA\)](#)

Useful Links

[File a Complaint](#)

[Video Library](#)

[TOSHA Publications](#)

[Safety & Health Conference](#)

Recognition Links

[TOSHA Safety Awards](#)

[VPP](#)

[SHARP](#)

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Tennessee Department of Labor and Workforce Development; Authorization No. 337483, February 2019; This public document was promulgated for electronic use.



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