

# 2016 SANDY SAYS

EHS Today Editor-in-Chief is an national award-winning writer, and her monthly column, *Sandy Says*, is a must-read for many *EHS Today* subscribers. Smith brings occupational safety, health and environment topics such as PPE, emergency response, training, hazard awareness and OSHA enforcement down to a personal level for herself and her readers. Using her own experiences as a springboard, she addresses topics that touch her readers.

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sandy says

## Entitlement

When did we stop rewarding winners and start worrying about the feelings of losers?

I fall into that weird “not a Baby Boomer but not Gen X either” age, having been born at the tail end of one era and the start of another. I understand the Baby Boomers and I understand the Gen Xers, but I’m having a tough time with the Millennials and I probably will be completely clueless about the generation that comes after them.

Millennials often get a bad rap. They are called “crybabies” and entitled and to some extent, it’s true. Many remain living in their parents’ (comfortable) homes longer than previous generations because to move out would lower their standard of living, the ones I’ve interviewed for jobs expect paychecks much larger than their level of work experience dictates and they require a fair amount of positive reinforcement.

I’m not a big sports fan, but I couldn’t help but notice an AP headline that announced, “Changes Coming After Bowl System Reaches Record 40 Games.” That’s right; there now are 40 bowl games. Not to date myself, but I remember when there were a few: the Rose Bowl, the Sugar Bowl, Orange Bowl, Cotton Bowl, Peach Bowl, Fiesta Bowl... Somehow a few became 40.

Obviously, this is happening because large corporations want to sponsor these games and schools and conferences don’t want to turn down sponsorship money and broadcast fees.

But perhaps the quote that struck me most in the article was this one: “South Florida Athletic Director Mark Harlan said it was tough to hear his counterpart at Temple, Patrick Kraft, recount the story of how he told last year’s team it wouldn’t be playing in the postseason.”

“We have to make sure 6-6 teams are rewarded,” Harlan said.”

Let’s think about that statement. We have to make sure that teams with mediocre records – borderline LOSING records – are rewarded? Really?

Generally, winners are rewarded for their hard work. But that isn’t the case anymore, and we have a generation of young people who believe that that they should get a participation trophy simply for showing up to work.

That said, the news isn’t all bad. Millennials have been praised as the most creative generation, the most civic-minded generation, the most involved generation, and that’s all true from my perspective. I’d like to add they also probably need the most communication of any generation.

My former boss was famous for not praising his employees. When asked why, his response was: “I’m not praising someone for doing their job that they get a paycheck to do.”

That won’t fly with Millennials. They need to be told they’re do-

ing a good job (or a bad job) without waiting for an annual review. They need to feel as if their contributions are appreciated (hence the importance of those participation trophies). They need to feel as if they are a part of the team and that their input has value.

Gary Wegryn spent 41 years working for three railroads, eventually becoming a senior manager and moving into safety for Norfolk Southern. Now retired from the railroad, he’s a consultant with G.K. Safety Incentives. He acknowledges that many Millennials feel like “everyone is entitled to a trophy,” but he also sees the plus side of working with them.

“They bring technology to the forefront. They will rewrite everything that’s been taking place for the past 30 years,” he said. “We need to get them involved in safety.”

Soon, Wegryn noted, the workforce will be 50 percent or more Millennials, “and the number one reason why they leave a company is because they don’t feel they’re being utilized enough. They WANT to work. I call some Baby Boomers ‘retired in place.’ They don’t want to do extra work or learn new skills, not really.”

He said that when he’s having a discussion with Millennials and Baby Boomers or Gen X workers about safety, he’s often challenged by the Millennials to explain why it’s important to work a certain way or wear PPE. The Baby Boomers in the discussion respond by telling them “This is the right way to do this” or “This is how we’ve always done this,” said Wegryn.

That’s when Wegryn challenges all of the workers and asks, “Is it the right way to do it?” He asks them to come up with a different way of doing things to eliminate risk and improve safety outcomes, and the Millennials often rise to the challenge.

His advice is to acknowledge the differences between the communication styles of the various generations of employees in the workforce, offer praise when it’s deserved and make everyone part of the solution, rather than viewing certain groups as part of the problem.

“Have those crucial conversations with Millennials. Provide instant feedback. Mentor them and not with the guy that’s been doing it wrong for 20 years,” suggested Wegryn. “Get them involved in safety and I guarantee the workplace will change for the better.” **EHS**

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sandy says

## Are You a Safety Advocate?

A press release announcing the appointment of a “safety advocate” at Fiat Chrysler Automobiles caught my eye. What, I thought, does a formal “safety advocate” do?

**O**n Jan. 15, Fiat Chrysler Automobiles (FCA US) announced that Kristen Kreibich was named to the newly established position of safety advocate for the company. Kreibich brings more than 20 years of manufacturing, regulatory and safety experience to her new position, and is tasked with enriching the safety culture at FCA US.

“Everyone is a safety advocate at FCA US, because safety considerations are baked in to every component of every product we make,” says Mike Dahl, head of vehicle safety and regulatory compliance (VSRC). “But Kristen’s appointment is the embodiment of this mindset. She is our new safety ambassador.”

The position of safety advocate is a new one for VSRC, an organization that was restructured in 2014 to streamline critical decision-making. In slightly more than one year, the number of vehicle-safety personnel in the organization has more than doubled. Just as significant, Dahl reports directly to CEO Sergio Marchionne.

In her new position, Kreibich will be responsible for promoting greater awareness of vehicle and occupant safety – both internally with FCA US employees – and externally with regulators, industry observers and trade associations. In addition to highlighting the company’s safety engineering achievements, she will share her insights about proposed legislation and the evolution of the safety landscape.

“Because of my background, I am passionate about vehicle safety,” said Kreibich, who previously served FCA US as manager of vehicle safety planning. “It’s a topic of vital importance and my mission will be to ensure it remains top of mind, universally. Because we are all stakeholders – my colleagues here at FCA US, my regulatory counterparts, third-party ratings groups, dealers and especially our customers.”

Although Kreibich’s focus will be on vehicle and occupant safety, it made me contemplate the idea of formal “safety advocates” for worker safety and health efforts.

Given that FCA US created a position of “safety advocate” for vehicles and customers, I wanted to know more about employee safety at the company. What I discovered is that FCA provides measurements of employee safety as part of its sustainability efforts and includes workplace safety and health in the “Our Culture” section of its annual sustainability report, two things that “safety excellence” companies are doing. As discussed in EHS News this month, a new report by the Center for Safety and Health Sustainability claims that integrated reports on performance tell a business’ stakeholders of its ability to create value in a sustainable way and feature data on a range of non-financial matters. This means that “human capital” issues such as the mental and physical health of

the workforce and employee engagement are considered material to a company’s performance, just like balance sheets and statements of cash flow.

When Dahl talked about safety being “baked in” to every component of every product FCA makes, he meant it.

“In every country and area of activity, FCA gives paramount importance to achieving the highest standards of workplace health and safety, which it considers essential to the success of the organization,” states the most recent sustainability report from the company.

According to the report, the principal pillars of FCA’s commitment to health and safety are:

- The continuous reduction in accidents, in terms of both severity and frequency.
- An alignment of all FCA plants and facilities, new and existing, to the highest international standards (OHSAS18001).
- The promotion of a culture of health and well-being for all employees.

“FCA considers a safe and healthy working environment a basic right for all employees,” FCA notes in the sustainability report. “Operating according to the highest international standards requires an integrated approach to the management of health and safety in our plants and offices. The commitment in this area not only covers employees, but also suppliers, service providers and local communities.”

During 2014, employees submitted more than 2 million suggestions, of which 260,000 were ideas on how to improve health and safety conditions. The year-over-year increase of 74.5 percent in the total number of employee suggestions “demonstrates the significant level of participation and commitment to health and safety throughout the organization,” says FCA, adding: “This level of involvement has helped to develop a culture of proactiveness and prevention.”

As the sustainability report notes, at FCA, “health is not simply considered as a lack of illness or risk factors, but is considered more broadly in terms of the workers’ well-being.”

I’d say that’s safety advocacy at its best. **EHS**

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sandy says

## When Smart Employees Make Stupid Choices

Are we hardwired to make poor choices? At least one researcher says, “yes.”

For the second year in a row, our “Idiots on Ladders” photo gallery has garnered more page views than anything else on *EHS Today.com*. This year, it also resulted in a number of people taking offense at the use of the term “idiot” to describe the risk-takers in the photos.

We were accused of blaming the workers who found themselves in unsafe situations, when, claimed commenters, the fault is with a lack of training, lack of supervision, management’s emphasis on working quickly but not safely, etc.

My knee-jerk reaction to these comments was a) What has happened to everyone’s sense of humor? And b) Sometimes workers make bad choices and I don’t see why I should apologize for pointing that out.

Upon discussion and reflection, this is what I think: I think it is naive to believe that all of the workers in the photo gallery were untrained in hazards or are poorly trained or, even, unaware of the danger in which they were placing themselves.

We’ve all done it: Climbed on a chair rather than made a trip out to the garage to grab a ladder; scrubbed a toilet using caustic chemicals without wearing safety goggles; painted something without double-checking ventilation; allowed ourselves to be distracted while driving; didn’t wear hearing protection while operating a lawn mower or weed wacker.

I contend that if you showed any of the workers in that photo gallery his photo and said, “Was that a smart thing to do?” he would call himself an idiot and agree that the photo captured one of the dumber decisions of his life.

Steve Minter, executive editor of our sister publication *IndustryWeek*, recently interviewed author Bob Nease, PhD, and suggested I take a look at his new book, “The Power of Fifty Bits: The New Science of Turning Good Intentions into Positive Results.”

Nease spearheaded efforts that applied behavioral science to optimize the healthcare experience for patients. One focus of his research was determining why patients don’t take their prescribed medication. “Some of us thought it was an education issue, that patients just didn’t understand how important taking their medications was. Others were sure it was a cost problem; that the copayments were just too high and patients couldn’t afford to take their medications every day... We learned that 69 percent of the problem was due to forgetting or procrastination – inattention and inertia,” says Nease.

He contends in his new book that there is a divide between what he calls the “good intentions” we have to do the right thing when it comes to the choices we make and “our often faulty day-to-day decisions.”

According to Nease, our brains can process 10 million bits of information a second, but our conscious brains can only process about 50 bits a second. Why the disparity?

Our ancient environment wired us for quick, instinctual reactions to a dangerous world. But 100,000 years later, we’re left with brains that Nease says are “stuck in the past.” As a result, we are hardwired to behave in ways that may seem to contradict what is best for us.

Our inattention to much of what happens around us “creates a gap between what we want to do if we were to stop and think about it and what we actually do,” says Nease. “This represents a fundamental shift – bad behaviors stem from good intentions that lay dormant, not bad intentions that are acted upon.”

Again and again, says Nease, we act without thinking and then have to deal with the fallout from poor choices. The impulse to make those quick, poor decisions cannot be trained or punished away.

Nease suggests seven strategies to help overcome our default impulses: Require employees to stop and deliberately choose among options; lock in good intentions by allowing people to make decisions today that will lead to better behaviors in the future; let it ride by setting the default to the desired option and allowing employees to opt out; get in the flow by going to where people’s attention is likely to be; reframe the choices by setting the framework that people use to think about and react to options; piggyback the desired choice or behavior to something that already is attractive; and simplify wise choices by making them easy but create hesitation when a less optimal choice is likely.

“Once we understand that there is a gap between intention and behavior, we stop focusing on changing people’s intentions – trying to educate them or persuade them – and start looking at strategies to activate the good intentions most of them already have,” Nease contends. **EHS**

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sandy says

## Burn Baby Burn

Will the Republican National Convention spark riots in Cleveland? At least one political candidate seems to think so.

**D**onald Trump announced March 16 that he predicts riots will break out in Cleveland, the site of the 2016 Republican National Convention, if party leaders deny him the presidential nomination. Trump has no idea the beast he has unleashed.

The Republican National Convention opens July 17, 50 years to the day of the start of the Hough race riots in Cleveland.

On July 17, 1966, a white bar manager in a predominately black neighborhood – Hough – put up a sign stating he would not give water to black patrons. He refused service to two people and a crowd gathered, quickly followed by a large police presence. Bricks were thrown, guns went off, chaos ensued and eventually, Gov. James Rhodes called out the National Guard.

In a six-day period, four people were killed, 30 were critically injured and entire city blocks burned. I was three years old, and I saw Hough burn.

My mother's uncle, who lived in another state, was having surgery at the Cleveland Clinic, which was a few blocks from Hough. His family was staying at a hotel next to the clinic and we picked them up to take them to dinner. From their room on an upper floor, I stood at the window and watched an entire neighborhood turn to ashes.

A grand jury convened in August 1966 to determine the cause of the riots and to assign blame. Not surprisingly, in a city where the schools had to be forcibly desegregated, the jury found that “the outbreak of lawlessness and disorder was both organized, precipitated and exploited by a relatively small group of trained and disciplined professionals at the business. They were aided and abetted... by misguided people of all ages and colors, many of whom are avowed believers in violence and extremism, and some of whom are either members or officers of the Communist Party.” In addition, white juries acquitted white defendants accused of murdering black victims during the riots.

Subsequent investigations found no organized group of “trained and disciplined professionals” and no formal involvement by the Communist Party. In reality, the riots were the result of profound poverty, a sense of uneven distribution of wealth and services, a lack of support from the city administration and institutionalized racism in both the police department – fewer than 10 percent of the officers were black – and in the city.

Earlier in 1966, the U.S. Commission on Civil Rights urged the city to be more understanding of the needs and challenges facing the community, with one commission member calling conditions in the Hough area the worst he had ever seen. Mayor

Ralph Locher disputed the commission's claims.

Which brings us to 2016. A grand jury acquitted two white Cleveland police officers of any wrongdoing in the shooting of a 12-year-old black child, Tamir Rice, who the officers believed was pointing a gun at people near a city recreation center. The gun, it turns out, was a toy.

Protesters have gathered a number of times in downtown Cleveland to protest the grand jury ruling, what they perceive to be other acts of brutality by police, racism in the city, a lack of response by the city to their concerns and a number of other issues. Their concerns echo those voiced in 1966. And just as in 1966, a federal agency recently sounded an alarm.

In May 2015, the U.S. Department of Justice and the city of Cleveland announced they had “entered into a court-enforceable agreement to address the department's findings that the Cleveland Division of Police (CDP) engages in a pattern or practice of using excessive force in violation of the Fourth Amendment. The agreement will create widespread reforms and changes within the CDP.”

Much like Locher in 1966, Mayor Frank Jackson has disputed a number of the findings of the DOJ report and, despite the signed agreement, is dragging his heels on embarking on any kind of substantial change. Instead, he's ordered extra riot gear for the convention.

I hope that Donald Trump doesn't understand the historical significance of what he said. If he does, then shame on him.

And I hope he's wrong and my city doesn't burn. Only time will tell if history repeats.

Speaking as someone who had a front row view of the Hough riots: it's not looking good. **EHS**

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sandy says

## Road Rage: Don't Be THAT Driver!

Amidst calls from the Federal Highway Administration for a safer construction season, tempers flare and patience wears thin. And that's just me.

Federal and state officials are urging people to drive safely as fatalities climb in highway work zones. Here in Ohio, digital signs flash the numbers of fatalities for motorists and motorcyclists. They're lucky one of my best friends and I don't carry guns, otherwise the total surely would climb precipitously until we were arrested.

I'm a safe driver. I generally drive the speed limit (okay... close to the speed limit...okay, within 10 miles of the speed limit) and I am militant about not talking or texting while driving. I don't pass on the right; I don't plop my car in the passing lane and stay there while drivers try to get around; I signal when I turn or change lanes; I slow down in construction zones; I don't tailgate; and I look out for bicyclists and pedestrians. But depending on the amount of caffeine I've had, I can get a little...angry when I'm behind the wheel.

Three things really tick me off:

1. Vehicles moving at excessive rates of speed or vehicles traveling significantly below the speed limit for no discernable reason.
2. Drivers who weave in and out of traffic, cutting off other vehicles.
3. Drivers who clearly can see parked cars or construction signs but stay in their lane and cut over at the last minute, requiring other drivers to slam on their brakes to avoid a collision, in order to shave a few seconds off their commute.

In other words, drivers with road rage give me road rage.

A good friend and I recently were laughing about this, and she admitted, "Road rage is why I don't carry a gun. I'd kill someone." She is a cautious driver, but cut her off or tailgate her and her personality goes from relaxed and fun-loving to furious in record time.

Deputy Federal Highway Administrator David Kim joined federal, state and local transportation officials, and highway safety advocates last month to kick off National Work Zone Awareness Week (April 11-15). The annual event coincided with the start of the 2016 highway construction season, and called on drivers to be especially careful during warm-weather months when highway construction is at its peak.

In 2014, the most recent year for which data are available, 669 fatalities occurred in highway work zones, including 17 in Ohio where I live and where this year's national

kickoff event was held.

"While fatalities are about half of what they were 15 years ago, too many people are still dying in work zones," said U.S. Transportation Secretary Anthony Foxx. "It's up to you, me and the rest of the driving public to keep workers and ourselves safe by slowing down and paying attention when behind the wheel."

This year's theme is "Don't Be That Driver!" to remind drivers that work zones require them to stay alert and be prepared for sudden changes that distracted drivers may not notice in time to prevent a crash.

Surrounded by highway workers and families of workers killed in work zones by drivers, Kim and other officials honored the Ohio highway workers killed in the line of duty last year.

"We must do everything we can to keep highway workers, drivers and vehicle passengers safe," said Kim. "We've made good progress over the years but the slight increase in the most recent annual work zone fatalities tells us we still have much to do."

Driver and vehicle passengers accounted for 82 percent of work zone fatalities in 2014, and distracted driving was a factor in 16 percent of fatal crashes in work zones. Speeding was a factor in nearly one-third of them.

As for me, I'll try to stick closer to the speed limit, keep my eyes on the road and to avoid caffeine before getting behind the wheel. **EHS**

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sandy says

## America's Safest Companies: Building World-Class Safety Leadership

An email about the application for America's Safest Companies 2016 made me say bad words.

Each year, since 2002, EHS Today has named a list of companies we feel exemplify world-class safety leadership. The application for America's Safest Companies is 14 pages long and asks fairly detailed information, not the least of which is whether your company has experienced a fatality – employee or contractor – in the past five years. We put that question at the end, but perhaps we should move it to the beginning.

I recently received a very irate email from a safety manager who completed the first 12 pages of the application and then was hit with that question. He was very annoyed that we waited until the end to “jump” on him and “ambush” him with a question about fatalities.

I actually said some very bad words out loud as I read his email. Perhaps his bad mood rubbed off on me, but it was all I could do not to email him back and share some of those bad words with him.

This safety manager's point was that at a company with several thousand or even tens of thousands or hundreds of thousands of workers, odds are good that an employee would suffer a fatal workplace injury. But I know – and you know – that is not the case.

Workers don't have to die in order to construct a road or a building, cut down a tree, manufacture goods, drive a truck, dig a trench or wire an electrical panel. While a lack of workplace fatalities does not equate to a safe workplace, the existence of fatalities often does correlate with safety failures. That's why we ask that question.

It seems to me that we would be remiss in naming a company as one of America's safest companies that experiences fatalities every year or almost every year. While there have been two occasions in the past 14 years where companies acknowledged a fatality within that 5-year time frame, the circumstances indicated to us (and OSHA) that the employer was not at fault and that the employer had used that experience to improve safety not only at their own facilities but in their industries as well. In one case, the employer, working with the victim's family, got a state law changed and possibly saved multiple lives.

Every responsible employer strives for a safe working environment for employees. But many don't take that next step, to strive for true safety leadership. Perhaps they think that building a world-class safety culture is out of their reach. The safety manager who emailed me apparently thought that a death-free workplace was out of his reach.

The ability to create a world-class safety culture exists for every business, in every industry: manufacturing, oil and gas, transportation, chemical, construction, retail, food service, agriculture and recycling, to name a few. In these industries, humans interact closely with heavy machinery and hazardous substances, making safety of paramount importance to the wellbeing of employees and the health of the business.

We often hear talk of excellence in business and safety should be no different. Companies that achieve business excellence also often are considered safety leaders.

What we've been hearing from experts is that in order for workplaces to achieve world-class safety, they must look beyond concepts like “zero injuries.” A lack of injuries does not translate to a world-class safety culture.

When we're judging applications for America's Safest Companies, we're looking for employers who believe in transforming the safety culture, using leading indicators to improve safety, strategically integrating EHS into the business model, creating an engaged workforce, maintaining continuous improvement and achieving true safety leadership.

I recently received an email from another safety manager, who asked about “minimum requirements” for achieving America's Safest Companies status. My knee jerk response was: “Don't bother applying.” That's not what I responded, but it's how I felt. Being the best isn't about meeting the minimum. It's about re-envisioning the maximum.

One of my favorite writers, Kahlil Gibran, wrote this about death: “And when you have reached the mountain top, then you shall begin to climb.”

Not that I'm comparing applying for America's Safest Companies to death, but...

When you think you have reached the mountaintop of safety, keep climbing. That's when you know your company deserves to be named one of America's Safest Companies. **EHS**

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sandy says

## The Right Tools for the Right Job

Even people who should know better are not immune to making bad safety choices when it comes to hand protection.

A couple of years ago at an event for the hand safety campaign Zero Excuses, David Lynn, a former OSHA compliance officer and corporate EHS manager, explained that the elements for building a workplace hand safety program include trend analysis, hazard assessment, training, communication, planning, compliance and follow-through.

A hand safety program begins with tracking hand injuries and analyzing the data for trends. It's not just about analyzing the types of hand injuries that are occurring, Lynn explained. It's also important to know what types of job tasks workers are involved in when they hurt their hands.

For example, in his consulting work with one company, Lynn's analysis revealed that many hand injuries were occurring while workers operated tools and equipment.

"So we were able to extrapolate the trends out of those injuries and begin to see where the issues were," he explained.

During his talk, Lynn "got real" with the audience, sharing his own lapse in hand safety judgment, which involved carving a piece of plastic with a box cutter-type knife and several stitches. While he laughs about it now, Lynn acknowledges he knew better and made a poor choice.

And if he can make a poor choice, so can employees, which is why training and ongoing messaging about hand safety are so important, he emphasized.

Like Lynn, I understand that hand injuries often occur because the wrong tools are used, the correct tools are being used improperly and/or hand protection is not being worn. Which brings me to my role in this hand safety tale...

I'm a gardener. I use sharp tools in the garden to cut branches, flower stems, roots; you name it. I am the proud owner of a garage full of gardening tools, all designed for different tasks.

I also am the proud owner of at least 10 pairs of gloves, all of which were designed for various industrial uses but make stellar gardening gloves. I swear the following are not paid product placements, like a Pepsi can in a film, but I want to give you an idea of what we're talking about here...

When moving stones or other heavy objects in the garden, I use a pair of Ergodyne mechanics' gloves, for example, because they offer protection to the back of my hand and keep me from bruising my knuckles. I have a variety of hand protection options from MCR Safety, Banom, Protective Industrial Products and Ansell that offer cut and puncture protection and/or special grip features for the palm and fingers that I use for pulling weeds and digging

holes. I wear gloves that feature special cut-resistant fibers from Dyneema that are thin enough to allow me to freely move my fingers. I even use examination-type gloves from SHOWA and other companies to keep my hands dry under my garden gloves if it's raining or soggy outside.

In other words, thanks to the trade shows I attend every year, I have the latest and greatest offerings from pretty much every glove and fiber manufacturer in the United States.

So, combine the best in hand protection technology, an arsenal of appropriate tools and knowledge about hand safety and what do I get? An injury.

I cannot blame any of the PPE or tools. I chose to try to loosen the very tight roots of a lavender plant with a pair of garden scissors, rather than the two or three (not sharp) tools I have for that purpose. I chose to "operate" on the plant without wearing gloves, because it was



a spur of the moment decision and I didn't want to walk back to the garage to grab a pair.

Long story short, I stabbed my finger to the bone with the sharp point of the scissors, it got infected and I nearly ended up in the hospital tethered to an IV of antibiotics.

I was unable to bend my index finger – let alone garden – for three weeks. It's still not 100 percent but it's on the mend. And for the next couple of years at least, the scar will serve as a reminder to wear gloves and choose the right tool for the job. **EHS**

*Sandy*

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sandy says

## National Safety Survey: Safety Valued Over Production

In previous years, respondents to the National Safety Survey claimed safety and production were viewed as equally important to management and sometimes, production edged out safety on that question. All that has changed.

**B**ack in 2002, when EHS Today (then named Occupational Hazards) initiated the first National Safety Survey, we didn't ask a single question about the value of safety versus production. Perhaps that's because, 15 years ago, safety still was viewed by many as a "program," not a process or as part of the business. Safety was viewed as necessary, but didn't come close to being perceived as an aspect of the business that contributed to leadership in an industry.

Over the years, that attitude has changed. Often, companies that are leaders in their industries also are viewed as leaders in safety and environmental performance. This year, for example, we asked, "Does your organization prioritize safety over production and/or other business demands?" I can't compare this year's answers to that question with those on the first safety survey in 2002 because we didn't ask that question.

This year, nearly 70 percent of respondents said that their company does prioritize safety over production and other business values. Over 80 percent said that top management provides active and visible support for occupational safety and health; again, another question that was not asked in earlier versions of the National Safety Survey. If it had been asked, I think the numbers might have been reversed, with fewer than 20 percent of respondents saying top management actively supported safety efforts.

What we did learn this year, when we asked, "If resources were not an issue, what would be at the top of your wish list in regards to ensuring employee safety?" is that EHS professionals now are turning to that mid-level of management – supervisors and managers – as the final frontier needed to push safety measures forward. Here is a sample of responses:

• "I do not believe throwing money will fix the issues. I believe that if all supervisors/managers truly walked the talk there would be a vast improvement."

• "More one-on-one engagement with middle management. While they want everyone working safely, they struggle to visibly demonstrate it to staff."

• "Upgrading plant & equipment to engineer out hazards. Targeted coaching of business leaders, managers and supervisors on how to set the right example."

• "Send the production supervisors and plant manager to an OSHA 30-hour course."

• "Leadership training for foremen/supervisors."

• "Supervisors and managers would encourage employees to utilize their stop work authority (and mean it!)."

What surprised me most about the answers to that question,

though, was the overwhelming number of respondents (more than 50 percent) who said they would ask for more training: More training and professional development for themselves, as well as more and better targeted training for employees and supervisors, more hands-on training and more training for contractors. Many responded simply: "Training," and in more than one case: "Training, training, training!"

Said one such respondent: "Training, Training, Training. There is never enough and it is not administered in a fashion that is suitable for all. Also more employee involvement with the workings and functions of the EHS personnel and get a behind-the-scenes look. Getting everybody to work together as a unit."

Several respondents also noted they have a multi-cultural workforce and in an ideal world, would offer training in a number of languages.

One question we've never asked before – because it didn't exist – is the impact that OSHA's new public database will have on safety initiatives. Most respondents (78 percent) said it will have no impact on their safety initiatives.

The EHS professionals who indicated it would have an impact were divided as to whether that impact would be positive or negative. Nearly half indicated they worried that some workers – perhaps at the subtle urging of employers – would underreport injuries. They also complained that it focused on a lagging indicator, with one respondent calling it "basically a body count."

Others viewed it in a positive light, saying companies would be forced to be more transparent – with employees, customers, their industry and contractors – about injuries and illnesses that occur. Some felt they could leverage the threat of increased public scrutiny to increase corporate focus on safety, resulting in more resources.

"If everyone can see what we are doing wrong, including our customers or potential customers, there will be a big emphasis on getting it fixed," one respondent noted.

For full results from the National Safety Survey, visit <http://www.ehstoday.com/2016NSS>. **EHS**

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sandy says

## Do As I Do

A recent round of home improvements at a friend's house had me playing safety cop, while a drive into work had me wondering why "real" police officers were having so much trouble obeying traffic laws.

**A**s I've shared over the years, I make safety mistakes. I once purchased a ladder at a garage sale that had one leg shorter than the other. I stabbed my finger to the bone because I was not wearing protective gloves or using the correct tool. I allow myself to be distracted while I drive. I'm not perfect.

That said, when a group of us helped a friend prepare her house for sale, I felt like the safety cop. I was the one running around handing out safety glasses, telling people to be careful on ladders, reminding everyone to hydrate and generally being a pain in everyone's @ss. And I have no regrets about annoying my friends for that entire day.

While they all kidded me about my work life spilling over into my personal life, they also wore safety glasses, drank lots of water and Gatorade and used ladders appropriately because to do so was easier than listening to a lecture from me. And I was hyperaware of my own safety that day, because there's nothing that irritates me more than someone with a "do-as-I-say, not-as-I-do" attitude.

I was reminded of that experience today, as I watched a uniformed police officer stand in the middle of four lanes of moving traffic. I sat at a red light and watched him, thinking perhaps that he was waiting for traffic to slow down because the police department was planning to block the street for some reason.

As I watched him, I realized he was a jaywalker! He was standing in the middle of traffic, ignoring the "walk/don't walk" sign and was crossing the street against traffic.

In Cleveland, where I do most of my driving, we have walk signs that count down the seconds until the light changes. There's no "guessing" about whether or not the light is going to change; you know exactly when it's going to change. Sometimes people see it and think they can beat the light. Other times, they just don't care and they step out into moving traffic or start to cross even though they know the light is changing.

Since the police periodically hand out tickets for jaywalking, I frankly was surprised to see a uniformed officer so blatantly ignore the law.

The police also routinely hand out tickets for texting and driving. And they should. Studies have shown that distracted drivers are as unaware of their surroundings as drunk drivers. A term, intexticated, was even coined to describe it.

So imagine my surprise when two blocks further down the street, I pull up next to a police car waiting at a red light to make a turn. There were three uniformed officers in the car. And every single one of them was looking at their phones and texting.

Ohio law allows for someone "driving a public safety vehicle [to use] a handheld electronic wireless communications device in that manner in the course of the person's duties." But somehow, I don't think those police officers were using their phones in any way that was related to their job duties.

Now I know that most police officers obey traffic laws. But seeing four uniformed officers in a five-minute timeframe who were blatantly disobeying traffic laws struck a chord with me.

In safety, we've really made progress in terms of educating executives, managers and supervisors that when they are in a facility or on a jobsite, they need to obey all of the corporate and federal safety regulations. They need to set an example for everyone at that location because leadership starts at the top. If it is a hard hat area, or an area where hearing protection is required, they'd better have it on, otherwise workers will remind them of the rules.

As we approach what the National Safety Council predicts could be the deadliest Labor Day holiday period for motor vehicle fatalities since 2008 – with 438 people predicted to die on our nation's roads – wouldn't it be helpful if the safety forces tasked with enforcing traffic laws remembered to set a good example of motor vehicle safety?

After all, no one learns a thing from being told "Do as I say, not as I do." But we've all learned valuable lessons from someone who leads by example.

In other words: "Do as I do." **EHS**

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sandy says

# The Best Defense Is a Good Offense

OSHA's super-sized change in fines makes it even more crucial for companies to avoid OSHA citations.

**W**hat's the saying? "Don't do the crime if you can't do the time?"

That seems to be OSHA's attitude about alleged occupational safety and health violations. To reinforce that point, the agency now has increased fines for the first time since 1990, raising them from \$70,000 to \$124,709 for a single willful or repeat violation and from \$7,000 to \$12,471 for a serious or other-than-serious violation.

As part of its one-two punch, OSHA also engages in what attorney Michael Rubin, a partner at Goldberg Segalla LLP, calls "the Shame Game." According to Rubin, this entails:

- Hard-hitting press releases.
- "Regulation by shaming."
- The new electronic injury and illness reporting rule.
- Continued "upping of the ante."

"Does OSHA want to shame you?" Rubin asked attendees at the EHS Today Safety Leadership Conference. "The answer is yes. Before that case has been adjudicated – and you might have an excellent defense and receive no citations or penalties – OSHA will have issued a press release."

To ensure it never gets to the point where an employer has to defend himself/herself from either OSHA citations or bad publicity, Rubin suggested employers be very specific in their communication with employees. According to Rubin, employers must show:

- There were established work rules designed to prevent the violation.
- They adequately communicated these rules to employees.
- They have taken steps to discover violations.
- They effectively enforce the rules when violations of corporate policy or OSHA regulations have been discovered.

"Don't say: 'Be safe out there.' That's not specific enough," said Rubin. "It must be in writing and it must be specific: 'Employees must wear hardhats on the job site.'"

He offered this "Top 10 List of Best Practices for OSHA:"

**10.** Know critical deadlines – You have 15 working days to contest an OSHA citation or appear for an informal conference.

**9.** Upon receiving a citation, automatically request an informal conference with OSHA and consider contesting any citations. "OSHA routinely cuts fines in half when you participate in an informal conference," said Rubin.

**8.** Know that the Fourth Amendment applies to workplace inspections. You have the right to request a warrant.

**7.** Know that you generally have the right to delay an inspection by one hour pending your safety officer getting to the site.

**6.** Understand OSHA's penalty adjustment factors: size (up to 60 percent), good faith (25 percent) and history (10 percent). "'Good faith' is a written safety and health management system," said Rubin. "'History' is inspected in last 5 years with no serious violations."

**5.** Utilize the On-Site Consultation Program. It is free and confidential and available to small- and medium-sized businesses.

**4.** Maintain accurate injury and illness logs (300, 300A, 301 forms).

**3.** Understand your reporting obligations for any injuries and illnesses: fatalities within 8 hours; amputations, loss of an eye or inpatient hospital admissions within 24 hours.

**2.** Never reach for the checkbook and pay the citation upon receipt. Consider your defense if you have one and if you do not, still ask for an informal conference (see #9, above).

And the No. 1 best practice:

**1.** Don't be afraid to file a Notice of Contest. Look beyond the penalty and consider the future implications of a citation.

"Something you think of as a very minor infraction, that has a low fine, becomes a repeat violation if it is not abated and OSHA comes back," said Rubin. "What was a \$12,000 fine – \$6,000 if you requested an informal conference – suddenly could cost you up to \$125,000. And if you have multiple sites, OSHA can bring them in as well."

When he mentioned OSHA's citations and fines for Dollar Tree – noting that the agency was including multiple stores in order to issue "repeat" citations – Rubin struck a cord with attendees.

Having written, very specific safety management programs, communicating them to employees, ensuring employees have been trained in them and understand them and ensuring compliance with safety management programs has multiple benefits, Rubin noted: "Protecting your reputation, finances, future, employees' safety and health and peace of mind." **EHS**

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sandy says

# Teachable Moments Are Painful

Recognizing and learning from teachable moments isn't easy, but it's necessary if we truly want to improve.

**R**iding a bike. Touching hot stoves. Telling the truth on our income taxes. All of these things have one thing in common: They are teachable moments. And if you don't learn the lessons they offer, the result can be painful.

I experienced a teachable moment at the National Safety Congress last month, and I'll be honest: It was painful.

It's painful to admit I, Sandy Smith, and we, *EHS Today*, were wrong. It's painful to acknowledge that an article we ran online based on a presentation at the Safety Leadership Conference (SLC) praised a company that experienced a fatality – one of four in a year at that particular facility – on the very day we published that article praising its safety process. While I have no doubt that the safety culture at that company is improving and that the safety and corporate leaders of that company are trying hard to protect employees and reach for even greater improvement in their safety culture, the company has not reached the point where it should be presented as one to emulate.

When the sessions were scheduled for the SLC, we were told the topic would focus on lessons learned by that company in its safety journey – the teachable moments – but that was not the case, and I didn't follow the situation as closely as I should have.

It's painful to have OSHA Assistant Secretary of Labor Dr. David Michaels stop in the hall at the National Safety Congress to tell me he had a bone to pick with me about the article. Though he was gracious about it, I had the feeling he was disappointed in me. Frankly, I'm disappointed in myself.

Like everyone else, I've had a lot of responsibilities and opportunities offered to me this year. I feel like I've been doing a pretty good job of juggling, but I certainly dropped this ball.

At *EHS Today*, we pride ourselves on the content we provide, whether it's at our conference, in the magazine or on the web site. We truly believe in promoting safety leadership, safety culture and corporate cultures that embrace safety as a part of that culture. We – I – failed to do that with this particular article.

Can I know the ins and outs of every fatality or serious injury that occurs each day in the United States? No, not even if gathering such information was my full-time job and I had a staff of 20 employees.

Can I make more informed choices when choosing the

content we run in the magazine and on the web site and that we present at our (capitalized for emphasis) Safety LEADERSHIP Conference? Yes.

Teachable moments are painful, but the hope is that we learn from mistakes. Fortunately for me, my teachable moment didn't cause a fatality. The company we profiled wasn't so fortunate. Let's hope this latest fatality is the teachable moment that jumpstarts their journey to a corporate culture that has safety as a cornerstone.

To the readers who emailed me to tell me that we had made a mistake in publishing that article, thank you. Some of you didn't hesitate to tell me I was an idiot, and I understand your anger. I betrayed your trust, and for that I'm sorry.

And thank you to Dr. Michaels, who has never been anything but honest with me and who pays attention to our content and took the time to let me know that he was concerned. *EHS Today* will be a better source of information for our readers and online users and conference attendees as a result of the vigilance and passion of our audience.

I should not and cannot promote a company as having a strong safety culture/corporate culture when that company experiences fatalities. It's the first question I turn to when I start evaluating applications for America's Safest Companies. It's something I now will research with every speaker at our Safety Leadership Conference moving forward.

I promise you I will not forget this teachable moment. **EHS**

Send an e-mail with your thoughts to [sandy.smith@penton.com](mailto:sandy.smith@penton.com).





sandy says

# 10 Ways to Build a Healthy Workplace

As we head into a new year, author Leigh Stringer says that now is the time to think about creating a workspace that allows us to be productive AND healthy.

**O**ver the years, I've developed work habits that are – frankly – very bad habits. My posture is terrible; my workstation is cluttered and the lighting is terrible; I forget to eat; I forget to blink; my lunch often consists of snack foods from the vending machine; I forget to get outside for a quick lunchtime walk on beautiful days... And I'm not alone.

"It's not that we're bad people, or that we aren't working hard," says Leigh Stringer, LEED AP, author of *The Healthy Workplace* ([www.leighstringer.com](http://www.leighstringer.com)). "The problem is that what our minds and bodies need at a basic level is in conflict with our work style. We are so focused on work on getting things done, that we've changed the way we eat, move and sleep in a way that is actually counter-productive."

Stringer works for EYP, an architecture, engineering and building technology firm and is a workplace strategy expert and researcher. Her work has been covered by *CNN*, *USA Today*, *The Wall Street Journal* and *Good Morning America*.

She offers these 10 tips for creating a healthy workplace. Some are steps we can take as workers; some are suggestions for management.

**1.** Build flexibility into how, when and where you work. Studies show that people who feel more "in control" of their work and work environment are less likely to suffer from stress and illness and see increases in productivity. Also, change "how" you work: Move more and take a look at how you work and explore alternatives to sitting in one position all day.

**2.** Nurture "biophilia." Place small plants or a water feature on your desk or nearby. These elements are soothing psychologically and reduce stress. Even pictures of trees and water can have the same biophilic impact as the real thing.

**3.** Reduce the number of unhealthy foods to improve eating habits. Work with your local food service provider or local restaurants to provide healthy options for meetings and events.

**4.** Make getting healthy a team sport. Create competitions between teams or different office locations to encourage more walking, biking or participating in team sports over the course of a work week.

**5.** Create healthy "nudges" to take the stairs such as painting the stairwell a lighter color so that it appears brighter and less foreboding and adding artwork to give it a personal touch and add visual interest. And if your building is like mine and

you can't take the stairs, take a walk at lunch instead.

**6.** Remove distracting behaviors in the workplace. Be conscious of coworkers when using speaker phones or holding meetings in open areas.

**7.** Stay home when you are sick. 'Nuff said.

**8.** Be conscious of lighting. Unfortunately for most of us, we spend 90 percent of our day indoors, which plays havoc with our sleep cycle. Try screwing a "daylight" LED bulb into your office task light. You will be shocked by how much better you feel after just a few minutes of use, and you will likely sleep better at night.

**9.** Bring your pet to work. A growing body of evidence suggests that pets in the office can have health benefits, improve morale and even increase collaboration among workers. (I swear this is one of Stringer's suggestions; I'm not making it up!)

**10.** Lead by example. Adopt healthy changes in your life that will give you the knowledge you need as a leader to convince others to change. Eat better and bring in good, healthy foods to share with your team when appropriate. Integrate movement into your day by organizing a stand-up meeting, walking while you take a conference call or trying out an "exercise desk."

"Studies show that unhealthy work habits, like staring at computer screens and rushing through fast-food lunches are taking their toll in the form of increased absenteeism, lost productivity and higher insurance costs," says Stringer, "but it doesn't have to be that way." **EHS**

Send an e-mail with your thoughts to [sandy.smith@penton.com](mailto:sandy.smith@penton.com).