OSHA Announces Major Changes to Hazard Communication Standard

To better protect workers in today’s global economy, OSHA has issued a final rule revising its Hazard Communication Standard (HCS) to align with the United Nations’ Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The revised standard takes effect in stages, beginning in December 2013.

The final rule makes substantive changes in the areas of hazard classification, labels and safety data sheets:

- **Hazard classification:** The hazard definitions have been changed to provide specific criteria for the classification of health and physical hazards, as well as the classification of mixtures. These specific criteria will help to ensure that evaluations of hazardous effects are consistent across manufacturers, and that labels and safety data sheets are more accurate as a result.

- **Labels:** Chemical manufacturers and importers will be required to provide a label that includes a harmonized signal word, pictogram, and hazard statement for each hazard class and category. A precautionary statement must also be provided.

- **Safety Data Sheets:** Material Safety Data Sheets will be renamed Safety Data Sheets and will have a specified 16-section format

Provisions of the revised HCS will take effect according to the following schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Requirements</th>
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</thead>
<tbody>
<tr>
<td>December 1, 2013</td>
<td>All employers that use, handle or store chemicals: Train employees about the new chemical labels and safety data sheet format.</td>
</tr>
<tr>
<td>June 1, 2015</td>
<td>Chemical manufacturers, importers and distributors: Must comply with all requirements of the revised HCS by June 1, 2015, except:</td>
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<tr>
<td>December 1, 2015</td>
<td>Chemical manufacturers, importers and distributors: Distributors must include the GHS label on all chemical shipments as of Dec. 1, 2015.</td>
</tr>
<tr>
<td>June 1, 2016</td>
<td>All employers that use, handle or store chemicals: Update alternative workplace labeling and hazard communication programs as necessary, and provide additional employee training for newly identified physical or health hazards.</td>
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During the phase-in period, employers will be required to be in compliance with either the existing HCS or the revised HCS—or both. If your company works with chemicals or other hazardous materials, contact SilverStone Group for additional compliance information.
Workplace Violence Costs Employers More than $120 Billion Each Year, According to NIOSH Report

Every year, nearly two million American workers report being victimized by workplace violence, and many more incidents go unreported. Overall, workplace violence costs employers more than $120 billion a year, according to estimates by the National Institute for Occupational Safety and Health (NIOSH).

Workplace violence is a term used to describe any act or threat of physical violence, harassment, intimidation or other threatening disruptive behavior that occurs at the workplace. It ranges from threats and verbal abuse to physical assaults and even homicide. Workplace violence can strike anywhere, at any time, and it can affect and involve employees, clients, customers or visitors. The good news is that although no workplace is immune to violence, employers can significantly reduce the risk of a violent incident by taking appropriate precautions.

One of the most important precautions employers can take is establishing a zero-tolerance policy toward workplace violence. This policy should cover all workers, patients, clients, visitors, contractors and anyone else who may come in contact with company personnel. Employers should also establish a workplace violence prevention program or incorporate the prevention information into an employee handbook or manual of standard operating procedures. It is critical that all employees know the policy and understand that all claims of workplace violence will be investigated and remedied promptly.

For more information on implementing a comprehensive workplace violence protection program contact SilverStone Group today.

AirTran Airways violates whistleblower protection provision

OSHA ordered AirTran Airways to reinstate a former pilot who was fired after reporting numerous mechanical concerns. The agency also ordered the airline pay the pilot more than $1 million in back wages, interest and compensatory damages.

An investigation by OSHA’s Whistleblower Protection Program found reasonable cause to believe that the termination was an act of retaliation in violation of the whistleblower provision of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, known as AIR21.

AirTran removed the pilot from flight status following a sudden spike in the pilot’s mechanical malfunction reports. Seven days later, after holding an internal investigative hearing that lasted only 17 minutes, the airline fired the pilot, claiming that he did not satisfactorily answer a question regarding the spike in reports.

OSHA found that the pilot did not refuse to answer any questions during the hearing, answers to questions were appropriate and the action taken by the airline was retaliatory.

OSHA fines manufacturer more than $1 million for safety violations

OSHA cited Piping Technology and Products Inc., which manufactures pipes and other metal products, for 13 willful and 17 serious violations, and fined the company more than $1 million for exposing workers to the risk of amputations and other serious injuries.

A worker at Piping Technology contacted OSHA to report a lack of brakes on overhead cranes and unguarded presses, triggering an investigation. In addition to substantiating the complaint items, OSHA inspectors discovered that employees were permitted to cut metal I-beams and pipes without the proper machine guarding and that during machine maintenance, workers were exposed to the unexpected release of stored energy because of improper safeguards.

Worker loses hand in shear machine accident

OSHA cited Ohio-based Polymerics for multiple safety violations, including one willful violation, for failing to ensure that a rubber-cutting shear was kept in good working order after a worker suffered an amputation at the company’s Cuyahoga Falls rubber manufacturing facility.

Inspectors discovered that a malfunctioning safety pin on the hydraulic shear machine resulted in the amputation. Proposed fines total $74,900.