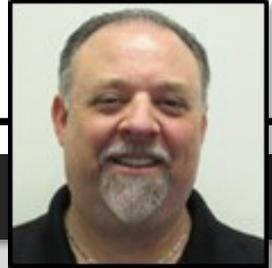




Presidents Corner | Featured Story

Bryan Cleavenger



OSHA Announces Another Penalty Increase for 2019...

On Jan. 15, 2019 The Occupational Safety and Health Administration (OSHA) announced that the maximum penalties for violations of workplace health and safety requirements will increase in 2019.

OSHA's final rule to increase its civil penalties by approximately **2.5 percent for 2019**, with a new **maximum single-violation penalty for willful and repeat violations of \$132,598**, has been published in the *Federal Register* and took effect immediately on January 23, 2019. The penalty increases adjust for inflation as required by the Federal Civil Penalties Inflation Adjustment Act of 2015, which initially raised civil penalties by 78 percent after over 2 decades without a penalty increase and mandated annual adjustments each year.

The new levels were not expected to take effect until the partial government shutdown ended but instead have been published during the shutdown. The new penalty levels will apply to all violations occurring on or after January 23, 2019.

The following chart indicates the 2019 maximum penalty levels:

Type of Violation	Maximum Penalty
Serious Other-Than-Serious Posting Requirements	\$13,260 per violation
Failure to Abate	\$13,260 per day beyond the abatement date
Willful or Repeated	\$132,598 per violation

States that operate their own Occupational Safety and Health Plans are required to adopt maximum penalty levels that are at least as effective as Federal OSHA's.

More Inside This Issue:

- OPEN ENROLLMENT
- FALL FATALITIES
- FIRST AID PROCEDURES
- MONTHLY SAFETY TIP
- OSHA NEWS
- CARTOON CORNER



THE CLEAVENGER COMPLIANCE CONNECTION

February Open Enrollment Classes

MSHA 8-hour – New Miner/Refresher Training

When: February 20, 2019

Cost: \$278.00 per person

Where: 420 Madison Ave. Suite 560
Toledo, Ohio 43604

Time: 8:00am to 4:00pm

Free Parking and Lunch Provided for all Attendees!

Call now to reserve your spot. *(Limited Seats Available)*

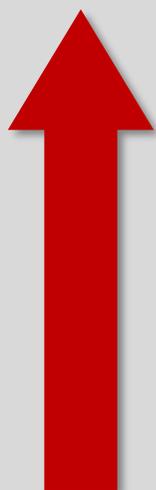
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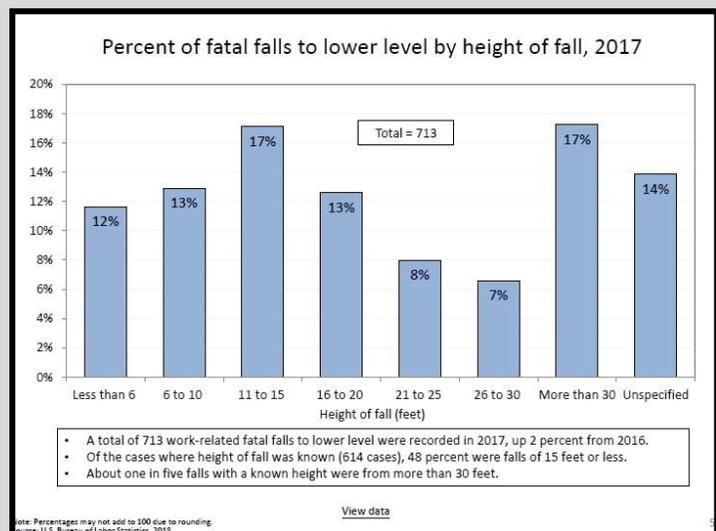
2017 Fatal Fall Statistics

The number of fatalities from falling went in the wrong direction with a 2% increase from 2016 to 2017. When we talk about fall protection, most people immediately think about fall protection equipment such as harnesses and lanyards. We need to start thinking a bit differently, especially in General Industry facilities. If you notice the graph below, 12% of fatalities were falls from 6 feet or less.

Is your company compliant with the 1910 Subpart D Regulations? Walking and Working surfaces encompass everyone! Not just those that use fall protection equipment.



The number of fatalities from falling increased by 2% from 2016 to 2017.



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The Importance Of First Aid Training

Whether the workplace is an office or a construction site, it has two common traits --

- 1) valuable employees who may be injured or become ill
- 2) the need to protect them with adequate first aid procedures.

Whether employees work in a high-hazard or low-hazard environment, they face a variety of risks. Shock, bleeding, poisonings, burns, temperature extremes, musculoskeletal injuries, bites and stings, medical emergencies and distressed employees in confined spaces are just a sampling of the first aid emergencies which might be encountered in your business. These risks are compounded when employees don't feel well. Their lack of concentration can result in costly injuries.

If your employees aren't prepared to handle these types of injuries on all shifts and their coworkers are left untreated until an ambulance arrives, a victim's condition may worsen and injuries can become far more debilitating, which leads to greater medical costs and lost productivity.

It makes good business sense to provide first aid and appropriate training to all your employees. By making such a minimal investment in keeping your employees safe and well-trained, you could net big returns, along with a competitive advantage. Moreover, it's the law.

The Occupational Safety and Health Administration (OSHA) requires businesses to provide first aid and CPR training to employees in the absence of a nearby clinic or hospital. While safety always begins with prevention, not every work-related injury can be prevented. Your primary first aid training goal should be to give employees the necessary tools and information they need to care for an ill or injured person, if necessary, until advanced help arrives.

If you don't have employees trained in First Aid please give us a call! We can help!

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February Safety Tip Of The Month | EAP Plans

Did you know you are **required** to have an Emergency Action Plan at your facility?

And if you have 11 or more employees your plan must be in writing?



Here is the OSHA Regulation. [1910.38\(b\)](#) An emergency action plan must be in writing, kept in the workplace, and available to employees for review. However, an employer with 10 or fewer employees may communicate the plan orally to employees.



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OSHA News

Managers at Ohio Manufacturing Company Indicted for Obstructing U.S. Department of Labor Investigation Following Workplace Death

CLEVELAND, OH – A federal grand jury in the Northern District of Ohio has indicted two managers at an aluminum extrusion manufacturer for conspiracy to obstruct justice during a 2012 workplace fatality investigation by the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA).

OSHA inspected the aluminum extrusion manufacturer after an employee suffered fatal injuries when a rack containing hot aluminum parts tipped over and pinned him. A second employee suffered severe burns. OSHA cited the company for exposing workers to struck-by, pinned-under, and burn hazards, and for failing to provide safe clearance for employees working in ovens where aluminum extrusions are treated.

The indictment alleges that the General Manager, and Safety Coordinator / Human Resources Director, devised a plan to provide false statements to the OSHA investigator. The employees also failed to comply with OSHA's requests to produce all emails from specific employees to management regarding safety concerns with racks and rollers. Additionally, the men allegedly threatened employees' job security if they did not draft statements recanting previous emails about safety issues with the racks and rollers system.

The indictment charges the two with one count each of conspiracy to obstruct justice, obstruction of justice, and

obstruction of proceedings. One of the men also faces one count of making false statements to law enforcement.

"The grand jury's action makes clear that misleading federal investigators and intimidating employees will not be tolerated," said Acting Assistant Secretary for Occupational Safety and Health Loren Sweatt.

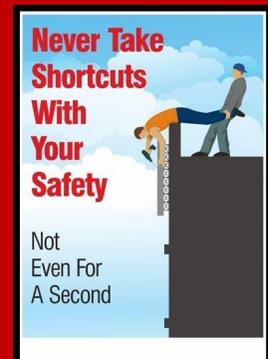
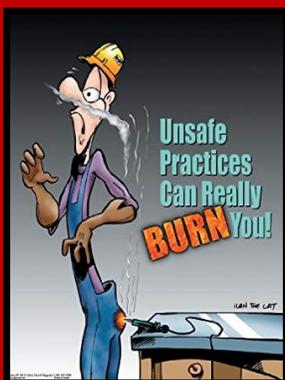
Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.

Cleavenger Compliance Training & Consulting, Inc. provides Training, Written Programs, Incident, Accident, Injury and Near-Miss Investigation services and can also help you in the event of an OSHA or MSHA Investigation.

Give us a call for more information regarding these services at 419-843-8936.



Cartoon Corner



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