

## April—June 2017 Newsletter

### 2017 OSHA Fine Amounts and how we can help

OSHA’s maximum penalties, which were last adjusted in 1990, increased August 1, 2016 by 78%. Going forward, the agency will continue to adjust its penalties for inflation each year based on the Consumer Price Index. Any citations issued by OSHA will be subject to the new penalties if the related violations occurred after November 2, 2015.

**To the right are the penalty amounts adjusted for inflation as of Jan. 13, 2017.**

Type of Violation	Pre Aug-2016 Maximum Penalty	2017 Maximum Penalty
Serious	\$7,000 per Violation	\$12,675 per Violation
Other-Than-Serious		
Posting Requirements		
Failure to Abate	\$7,000 per day beyond the abatement date	\$12,675 per day beyond the abatement date
Willful or Repeated	\$70,000 per Violation	\$126,749 per Violation

*Continued on Page 3*

### Genie Scissor Lift Safety Notice 170002

February 27, 2017

**Models Affected:** GS-3232; GS-4047; X-14

**Serial Numbers Affected:** See Tables 1a & 1b on pages 2 & 3 ([link below](#))

**Subject:** Control System Malfunction



Genie has determined that the control system utilized on the above referenced machines can malfunction. A malfunctioning control system can result in the issues listed below:

- GS-3232: This control system malfunction allows the operator to lift and drive the machine with the platform raised above the maximum allowable travel height of 22 ft. / 6.7 m. A machine that is driven with the platform raised above 22 ft. / 6.7 m can cause the machine to lose stability resulting in a tip over. **Note: This Safety Notice supersedes Safety Notice 120013 issued on October 15, 2012.**
- GS-4047 and X-14: This control system malfunction can cause the platform to lower after the controls are released, resulting in unintended machine movement. Unintended machine movement can result in a hazardous situation.

**Action(s) Required:**

1. Locate the affected machines referenced in tables 1a & 1b on pages 2 & 3 within your fleet.
2. Using tables 1a and 1b, determine the appropriate action for your machine.

**FULL SAFETY NOTICE:** <http://firmware.genielift.com/drivers/170002.pdf>

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# NATIONAL SAFETY CONSULTING NEWS

Our first quarter monthly classes were a great success. We helped students not only in getting their OSHA-10 Cards, but also to meet Core PEU credit requirements for St. Louis County.

We will continue hosting Construction **OSHA 10-Hour courses monthly** and **OSHA 30-Hour courses every other month** through June 2017.

***So give us a call or email to register for a class!***

**(636) 532-2999**

**[ginny@nationalsafetyconsulting.com](mailto:ginny@nationalsafetyconsulting.com)**

**OSHA 10-Hour - FIRST  
Thursday & Friday of  
the Month**

April 6th & 7th, 2017

May 4th & 5th, 2017

June 1st & 2nd, 2017

**OSHA 30-Hour -  
SECOND FULL Week of  
the Month**

May 8th - 12th, 2017



As a retained client with National Safety Consulting, you should be receiving monthly Huddle Talks for ongoing training with your employees.

As part of our commitment to improving the level of service that we provide to our clients, we are working towards better customizing the distribution lists for the Huddle Talks. Our goal is for the topics that you receive to be relevant and useful.

Your patience as we work out these kinks is truly valued, and any input you can provide from the monthly emails is appreciated. If you have not already, you should soon will be seeing a link in the email for you to either opt out of the Huddle Talks, or (more importantly) to help us better fine-tune what the different industries receive for their Huddle Talk training.

If you are NOT receiving your Huddle Talks, email give us a call so we can get that resolved!

## Effective Safety Leadership Action Items

*www.osha.gov Recommended Practices for Safety and Health Programs in Construction*

As a leader in your organization, it is up to you to make worker safety and health a core organizational value. You will need to visibly demonstrate and communicate your safety and health commitment to workers and others as well as lead by example.

**Action item 1: Communicate your commitment to a safety and health program**—A clear, written policy helps you communicate that safety and health is a primary organizational value—as important as productivity, profitability, product or service quality, and customer satisfaction.

**Action item 2: Define program goals**—By establishing specific goals and objectives, management sets expectations for managers, supervisors, employees, and for the program overall. The goals and objectives should focus on specific actions that will improve worker safety and health, and should be clearly communicated to the entire team.

**Action item 3: Allocate resources**—Management provides the leadership and resources needed to implement the safety and health program, pursue program goals, and address program shortcomings when they are identified.

**Action item 4: Expect performance**—Management leads the program effort by establishing roles and responsibilities and providing an open, positive environment that encourages communication about safety and health.

## Professional Education Units (PEU)

If you have employees in need of CORE PEU Credits, we have registered trainers in Jefferson and St. Louis counties.

Contact us about setting up classes at your location, or in our office, in order to keep your staff credentials up to date

**(636) 532-2999**

**[ginny@nationalsafetyconsulting.com](mailto:ginny@nationalsafetyconsulting.com)**

## Fine Amounts Continued from Page 1

You can see the difference in fines, but what do the different types of penalties mean?

**SERIOUS:** A serious violation exists when the workplace hazard could cause an accident or illness that would most likely result in death or serious physical harm, unless the employer did not know or could not have known of the violation.

**OTHER-THAN-SERIOUS:** A violation that has a direct relationship to job safety and health, but is not serious in nature, is classified as "other-than-serious."

**POSTING REQUIREMENTS:** OSHA Notices must be posted (or a copy of it) at or near the place where each violation occurred to make employees aware of the hazards to which they may be exposed. The OSHA Notice must remain posted for 3 working days or until the hazard is abated, whichever is longer. (Sat., Sun. and Federal holidays are not counted as working days).

**FAILURE TO ABATE:** Failing to remedy the violation by the date noted on the citation.

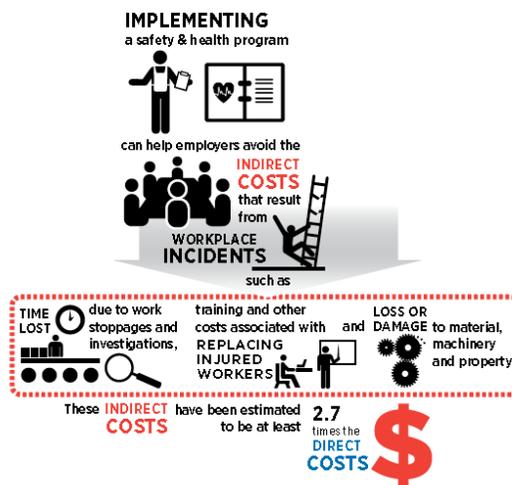
**WILLFUL:** A willful violation is defined as a violation in which the employer either knowingly failed to comply with a legal requirement (purposeful disregard) or acted with plain indifference to employee safety.

**REPEATED:** A Federal agency may be cited for a repeated violation if the

agency has been cited previously for the same or a substantially similar condition.

**As an employer who has been cited, you may:**

- Correct the condition by the date set in the OSHA Notice and/or
- Request an Informal Conference within 15 working days from the time you received the OSHA Notice with the OSHA Area Director to discuss the violations and/or the abatement dates.



Source: Leigh, J.P. (2010), Economic Burden of Occupational Injury and Illness in the United States. *Milbank Quarterly*, 89(2):68-77.

This is where National Safety Consulting can be an invaluable member of your team. We can assist you in negotiating with OSHA, getting training into place regarding the citation (almost always the first thing OSHA will ask for during an Informal Conference), and getting the situation abated.

*For your safety program to be effective, the Management Team must be fully committed to eliminating hazards, protecting employees, and continuously improving safety and health on job sites.*

## RETALIATION AGAINST WORKERS IS ILLEGAL



Section 11(c) of the Occupational Safety and Health Act of 1970 prohibits employees from retaliating against employees for exercising a variety of rights guaranteed under the OSH Act, such as filing a safety and health complaint with OSHA, raising a health and safety concern with their employers, participating in an OSHA inspection, or reporting a work-related injury or illness. OSHA vigorously enforces the anti-retaliation protections provided under 11(c) of the OSH Act and other federal statutes. For more information, see [www.whistleblowers.gov](http://www.whistleblowers.gov)

## Contact Us:

**National Safety**  
CONSULTING

(636) 532-2999

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# 3 more Months of OSHA Training

hosted by: **National Safety**  
CONSULTING



**Class Dates**

<b>OSHA 10-Hour 8am - 2pm (2 days)</b>	
<b>\$180 p/person</b>	
<b>(Retained customers - \$160)</b>	
	April 6th & 7th, 2017
	May 4th & 5th, 2017
	June 1st & 2nd, 2017

<b>OSHA 30-Hour 8am - 4pm (5 days)</b>	
<b>\$650 p/person</b>	
<b>(Retained customers - \$600)</b>	
	May 8th - 12th, 2017

*Group Discounts available for 11+ participants registering together!*

## Select One Option:

**Individual Registration**

**Company Registration**

Name: \_\_\_\_\_  
First Last

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Email: \_\_\_\_\_

Point of Contact: \_\_\_\_\_

Phone Number: (\_\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Reason for obtaining OSHA training: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: (\_\_\_\_\_) \_\_\_\_\_

Retained Client with NSC?  Yes  No

Number of Employees Attending: \_\_\_\_\_

## Payment Information

*Payment is due by the first day of class, and must be paid BEFORE a Certificate of Completion and/or an OSHA Training Card will be issued*

Cash/Check payable to National Safety Consulting Amount Due  
 Visa  MasterCard  Discover \$ \_\_\_\_\_

Card Number: \_\_\_\_\_

Exp. Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Security Code: \_\_\_\_\_

Billing Address: \_\_\_\_\_  
Street Address City State ZIP

Name on card: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_