

# Safe Supervisor

Practical, proven tips, ideas and techniques for managing a safer workplace ~ since 1929

80th Year  
www.SafeSupervisor.com  
August 2009

## Inside

<b>PICK SIX</b> .....	2
Watt's up with electrical safety?	
<b>PICTURE THIS</b> .....	3
Precariously placed dog puts everyone's safety off balance	
<b>FOCUS ON</b> .....	4
Common hazardous chemical errors exposed	
<b>DID YOU KNOW?</b> .....	5
Meth: The pick-me-up that lets you down, hard	
<b>KNOW THE LAWS OF YOUR PROVINCE</b> .....	6&7
Fall protection requirements	
<b>SUPERVISORS IN COURT</b> .....	8
First charge proceeding under UK Corporate Manslaughter Act	
<b>CAREER BOOSTER</b> .....	9
Have a problem? Dream up a creative solution.	
<b>FROM THE FATALITY FILES</b> .....	10
Falling container takes a young life	
<b>FEATURE REPORT</b> .....	11
Heat can hurt your workers, starting at 21° C	

## Incivility: The Molehill that Can Cause a Mountain of Work-Related Problems: Part I

*This is the first story in a two-part series examining the importance of maintaining respect in the workplace and the wide-ranging negative consequences of letting disrespectful behavior go unchallenged. This story will illustrate how small negative interactions among employees can spiral into a toxic workplace atmosphere. Part two in September's Safe Supervisor will look at how supervisors can address the problem before it escalates.*

While many companies have strict policies in place to deal with employees who harass or bully co-workers, those policies often fail to recognize and address smaller acts of incivility that can hurt a workplace.

"It's things like not saying good morning, ignoring or excluding someone or gossiping. Most organizations don't deal with it at all. It becomes a culture (of disrespect) and poisons the workplace," says Sharon Bar-David, ([www.sharonbardavid.com](http://www.sharonbardavid.com)) a Toronto-based motivational speaker/trainer specializing in workplace respect issues.

In her experience in working with a variety of workplaces, Bar-David estimates that eight out of 10 managers do not know how to identify and adequately respond to problem behavior that is respect related.

### If the Window is Broken, Fix It Fast

She likens incivility among workers to the Broken Window Theory, which states that a single broken window in a neighborhood that is not fixed leads to an increase in petty crime, graffiti and vandalism in the area over time.

"My assertion is that when organizations, supervisors and managers don't address the little incivilities, what they will see is

*continued on page 12*

## It's Official: First Flu Pandemic of 21st Century Declared

The first global flu pandemic since 1968 has been declared by the World Health Organization (WHO), with more than 60,000 cases and 263 deaths reported around the world.

A pandemic is an epidemic of infectious disease that spreads through populations across a wide region. The H1N1 (swine flu) influenza A virus first struck Mexico in April and has now been identified at least 100 countries.

"We have evidence to suggest we are seeing the first pandemic of the 21st century," says WHO Director-General Margaret Chan.

She cautions that the declaration of a flu pandemic does not mean there will be an increase in deaths or serious cases. In fact, most people who are diagnosed with H1N1 influenza experience mild illness.

However, the virus spreads easily from one person to another and from one country to another, according to Chan, who adds that "further spread is considered inevitable."

Employers can go a long way toward reducing the spread of flu among workers by providing hand sanitizer, tissues and disinfectant and disposable towels so workers can clean work surfaces, telephones and

other equipment. Workers should also be reminded to cough or sneeze into tissues, not into their hands. If a tissue isn't handy, coughing or sneezing into a shirt sleeve is advised.

Chan says the WHO has good reason to believe that the H1N1 pandemic will be moderate in severity.

"On present evidence, the overwhelming majority of patients experience mild symptoms and make a full and rapid recovery, often in the absence of any form of medical treatment," she says. "Worldwide, the number of deaths is small. Each and every one of these deaths is tragic and we have to brace ourselves to see

*continued on page 12*

# NEWS you can USE ...

## Sub-Par Brakes Blamed in Fatal Train Derailment

The 2006 derailment of a Canadian National (CN) locomotive and lumber car that killed two workers has been blamed on brakes that weren't sufficient to slow the train on steep slopes in British Columbia.

That's the finding of a Transportation Safety Board (TSB) investigation into the incident. The locomotive and lumber car derailed and slid hundreds of meters down a mountainside, killing two on board the train and badly injuring a third worker.

The TSB report says had the locomotive been equipped with a dynamic braking system, the train would not have picked up sufficient speed to derail.

CN purchased BC Rail from the BC government in 2004. Interestingly, BC Rail had used locomotives equipped with dynamic brakes but CN did not follow through with that practice.

The TSB says CN did not conduct a risk assessment before removing locomotives with dynamic braking from the

extreme mountain terrain. The board recommended that CN "take effective action to identify and mitigate risks to safety as required by its safety management system."

## Pulp and Paper Products Manufacturer Fined \$75,000

A Toronto-area pulp and paper products manufacturer has been fined \$60,000, plus a \$15,000 victim fine surcharge, after pleading guilty to failing to ensure that a truck was immobilized and secured against unintended movement.

Asia Pulp & Paper (Canada) Ltd. of Brampton was investigated by the Ontario Ministry of Labour after a worker was injured while loading skids onto a truck parked at a loading bay.

While the worker was on a forklift inside the truck, the truck rolled forward about five meters from the loading bay. The worker reversed the forklift off the truck and fell with the forklift to the ground below. It was determined that the truck's wheels had not been chocked to prevent it from rolling.

### PICK 6

Odds of winning the lottery **1 in 135,145,920** (multi-state mega-millions jackpot)

The minimum electrical current detectable by a person is **1** mA (milliampere).

Workers must ensure that ladders, scaffolds, pipes and other tools and materials are not brought any closer than **10** feet from overhead power lines. With higher-voltage lines, that safety margin should increase to 35 feet.

An electrical current of **100** mA (milliamperes) can be fatal, depending upon how it passes through the body.

Work experience or lack of it plays a significant part in electrocutions, with **41** percent of US victims having been on the job for a year or less.

Electrocution is the **5<sup>th</sup>** leading cause of occupational injury deaths in the US.

Every **30** minutes, a worker suffers an electrical injury severe enough to require time off work to recover.

Lifetime odds of dying from electrocution:  
**1 in 5,000**

Source: LiveScience.com

Safe Supervisor is published monthly by Bongarde Holdings Inc. Reproduction of this material in whole or in part is in direct violation of our copyright. This publication is designed to provide accurate and authoritative information on the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal,

accounting or other professional services. If legal or other expert assistance is required, the services of a competent professional should be sought.

Editor – Dave Duncan  
Managing Editor – Catherine Jones  
Senior Safety Editor – Barbara Manning Grimm  
Sales: 1-800-667-9300 • sales@bongarde.com

www.SafeSupervisor.com  
email: editorial@bongarde.com  
Publications Mail # 40065442

Subscription Prices Published monthly  
Single Subscription \$327.00 ea.



## Saskatchewan Government Lowers Boom on Workplace Smoking

Smoking in bars, restaurants, curling rinks and other public places hasn't been allowed in Saskatchewan workplaces since 2005, but until recently people could still light up in offices, warehouses, work vehicles and other workplaces. That's no longer allowed.

The Saskatchewan government has introduced a ban that covers all indoor workplaces. However, smoking will still be allowed in designated smoking rooms for residents and visitors of long-term care homes; areas of underground mines located more than 10 meters from other workers; and some self-employed businesses, vehicles and camp living accommodations, with permission and when others are not present.

**Info to go:** Read more about second-hand smoke exposure by clicking on the Info to Go Safety Links at [www.SafeSupervisor.com](http://www.SafeSupervisor.com)

## Poultry Company Gets \$50,000 Grilling For Safety Issue

When employees are working at heights they need to be trained in fall prevention and be wearing the proper gear. That didn't happen at an Ontario worksite, where a worker stacking crates on top of a transport trailer fell more than four meters to the ground. The employee received a complex fracture to the hip and pelvis.

An investigation by the Ontario Ministry of Labour found that the worker had not been provided with training or supervision on the use of fall prevention when working at heights. Moonfleet Poultry Inc., a Guelph company that collects live chickens from farms and transports them to a poultry processor, pleaded guilty to failing to provide information, training, instruction and supervision to a worker to protect that person's health and safety.

The Ontario Court of Justice in Guelph fined Moonfleet \$50,000, plus a \$12,500 victim fine surcharge.

## Yukon Safety Agency Introduces Zero Tolerance for Lack of PPE

The Yukon Workers' Compensation Health and Safety Board is clamping down on workplaces where personal protective equipment (PPE) is not being used according to health and safety regulations.

"Some Yukon employers, supervisors and workers believe safety precautions including the use of proper PPE, is a matter of personal choice. In fact, these and all OH&S regulations are the law. Those who choose to ignore the regulations continue to have workplace injuries, the costs of which are borne by other employers in that industry who



### Picture This!

Here's a picture that would make most motorists and all dog lovers do a double take. Many people shake their heads when they see dogs running around the box of a moving pickup truck, but this motorcyclist is doing something even more dangerous by allowing his large dog to balance on the back of a moving motorbike. The dog is wearing a helmet but will have no other protection if he falls off that bike at highway speed. And imagine the potential carnage if vehicles collided while attempting to swerve around a dog on the road. Unbelievable!

*(Photo submitted by a reader)*

are in compliance with regulations," states a board news release.

Since July 1, safety officers have been issuing \$50 fines to workers who are observed not wearing proper basic PPE required for tasks they are performing, or for conditions at the site where they are working.

Supervisors can now receive \$250 fines for not ensuring that workers under their control are wearing the correct basic PPE, which consists of:

- ✦ Safety footwear
- ✦ Eye protection
- ✦ Head protection
- ✦ Hearing protection
- ✦ Hand protection
- ✦ High-visibility clothing
- ✦ Respiratory protection

Employers can now be fined a maximum of \$500 if they do not provide proper PPE, along with appropriate training in its use, or fail to instruct workers to wear PPE as required by OH&S regulations.

Workers and supervisors who are written up for PPE infractions are also now required to take an online PPE course that takes less than one hour to complete.

"Hundreds of workers have already been injured in Yukon workplace in the first few months of 2009 and every one of those injuries could have been prevented," says Kurt Dieckmann, director of Occupational Health and Safety. "Despite all the publicity, we still see far too many workplaces where preventing injuries is not being taken seriously and where some of the most basic precautions are not being followed. So we're saying 'enough is enough.'"

AUGUST 2009 • Safe Supervisor 3



## Hoist Company Fined for Worker's Serious Injuries

An Ontario company that sells, services and rents personnel hoists has been fined after a worker who was dismantling a hoist was thrown approximately nine meters (30 feet) to the ground, suffering severe injuries.

Workers had removed a number of sections of the 31 meter (102 foot) high hoist using a crane and had lowered the hoist cage to the fourth level of a building in Toronto. The worker who became injured had been on top of the cage removing tie-ins which secured the hoist to the building.

As the worker removed the last tie-in, the hoist toppled, throwing the worker to the ground and causing severe spine, pelvic, head, facial and internal injuries.

An Ontario Ministry of Labour investigation found that the base of the hoist had been improperly installed, with inadequate spacing of anchor bolts, unsuitable bolts and the installation of a foundation frame replacement part that did not provide the same safety factor as the original part.

United Hoist Equipment Ltd. of Bolton, ON, pleaded guilty in the Ontario Court of Justice in Toronto to a charge of failing to ensure that a replacement part for a foundation frame had at least the same safety factor as the part it was replacing.

The company was fined \$65,000, plus a \$16,250 victim fine surcharge.

## FOCUS ON: HAZARDOUS CHEMICALS

### Seven Common Hazardous Chemical Errors to Avoid: Part I

*This is the first story in a two-part series examining errors that workers and employers make when dealing with hazardous chemicals, and solutions for avoiding problems. This article will deal with four common mistakes made in workplaces and part two next month will detail three other errors that can lead to injuries or fatalities.*

Chemical safety in the workplace is a joint effort, requiring employees and employers to work together. Industrial hygienist Ryan Stewart has developed a list of mistakes surrounding hazardous chemicals (those regulated by OSHA's Hazard Communication Standard (HazCom) in the US and the Workplace Hazardous Materials Information System (WHMIS) in Canada) that put people at risk.

#### Mistake #1:

##### **Relying too heavily on MSDS information for hazard communication:**

**The problem:** The quality of information in material safety data sheets (MSDSs) is always improving, but Stewart says there are still too many MSDSs that don't provide enough relevant information about the chemical. "A poor-quality MSDS doesn't help the employee understand the potential hazard."

##### **The solution:**

- ✦ Ask the supplier for a more thorough explanation of its MSDS,
- ✦ Select a different manufacturer that provides a more thorough MSDS or,
- ✦ Conduct your own risk assessment on the chemical before purchasing it.

#### Mistake #2:

##### **Not reviewing the MSDS before using the chemical:**

**The problem:** While it's not a good idea to rely too heavily on the MSDS, it is essential that the MSDS be consulted before the product is used. But Stewart says employees frequently don't do so.

##### **The solution:**

- ✦ Store MSDSs in binders at strategic locations around the site.

- ✦ Make MSDSs easily accessible electronically from any computer.

#### Mistake #3:

##### **Not having the proper PPE for the chemicals used in the workplace:**

**The problem:** MSDSs tend to be fairly generic regarding PPE requirements.

##### **The solution:**

- ✦ A health and safety person should review the MSDS for each chemical used on site to ensure adequate protection is available.
- ✦ That information should be put into a PPE selection guide and made available to all employees. The guide should outline all of the PPE stocked on site and the specific hazards the PPE is designed to protect against, along with available respirator cartridges/canisters and outlines of the specific chemicals used on site for which they are appropriate.

#### Mistake #4:

##### **Overlooking the importance of fit-testing for respiratory protection:**

**The problem:** There is a tendency to overlook the importance of following applicable respiratory protection standards aimed at minimizing employee exposures to chemical hazards. "Quite often there is a temptation to just throw on a dust mask without considering if the employee has been fit-tested, is clean shaven, medically fit or trained," says Stewart.

**The solution:** When using respiratory protection, follow applicable standards. Ideally, other controls such as ventilation or substitution should be used to reduce the exposure so that respiratory protection is not required. ✦

## Quebec Crane Companies Fined for Worker's Death

Two Quebec crane companies will pay fines totaling just over \$31,000 in connection with the crushing death of a worker at a high-rise condominium building site in Montreal.

Patrick St. Armand, a married father with a young son, and a co-worker were dismantling a crane boom in June 2008 when a heavy section of the crane swung toward him, killing him instantly. The other worker was not injured.

The Commission de la santé et de la sécurité du Québec (Quebec's health and safety board) says the two companies should have provided better instructions regarding the dismantling of a 30-meter section of boom. The commission noted that a mobile crane was being used to dismantle the construction crane and the larger crane's center of gravity was not taken into account.

A second mistake uncovered by the CSST involved the premature removal of a safety cable, which would have

prevented the boom from shifting and striking St. Armand in the head had it been left in place.

JM Francoeur Cranes was fined \$16,500, while Ster, a subsidiary, was fined \$14,530.

## BC Employer Fined After Worker Injured on the Job

Foot traffic and vehicular traffic can mix safely, but only if everyone is watching out for one another and taking precautions. A BC company has been fined by WorkSafeBC for failing to ensure that workers who were exposed to forklift traffic wore high-visibility apparel. Human Resources Capital Group Inc. of Delta, BC, was investigated after a worker was hurt on the job.

WorkSafeBC says the company has repeatedly failed to take reasonable steps to ensure the health and safety of workers, including providing information, training and supervision to ensure workers' safety. Human Resources Capital Group Inc. was fined \$26,846.

### DID YOU KNOW?

## Workplace Meth Use May be Down, but Certainly Not Out

After pot (marijuana), methamphetamine is the most widely abused illegal drug, with 35 million people across the planet believed to be abusing this highly addictive and dangerous drug.

Although the 2008 Quest Diagnostic Drug Testing Index states that positive tests for meth among workers had dropped 22 percent in the previous two years, meth is still very much a problem—possibly in your workplace.

Called meth, speed or chalk, as well as ice, crystal, crank and glass in its smoke-able form, this drug can be injected, smoked, snorted or mixed into drinks. Addicts frequently go on meth binges that last for days, during which they don't sleep and eat.

Because of tough economic times and rampant staff layoffs across most industries, people who are fortunate enough to still have jobs may find their work demands to be extreme, with a push to squeeze as much productivity as possible into a shift.

Understandably, workers in such situations are stressed out and exhausted, not only from working at full capacity but also because of worries about keeping a roof over their heads and food on the table.

### Tired Workers May Try Meth for Energy Boost

Some workers who are struggling to keep up with the pace may be tempted to try meth as a means of increasing alertness and relieving fatigue. But this drug is far from harmless. Some people report being addicted from the very first time they use it, loving the feelings of euphoria and increased energy.

The downside is that meth users frequently suffer long-term negative effects such as confusion, paranoia, violent and unpredictable behavior, insomnia, hallucinations, memory loss, depression, severe weight loss, heart damage, skin lesions and rotting teeth.

As a supervisor, you have enough on your plate without having to worry about a worker who is high on meth getting violent with co-workers or customers.

### How to Spot Potential Meth Users

Safe Supervisor asked Robin Stevens Payes, senior media specialist for MasiMax Resources Inc. and contractor for the National Institute on Drug Abuse, about warning signs of workers being high on methamphetamine.

"Any significant and persistent change in performance, sleeping patterns, mood or personal hygiene could signal a substance abuse problem," she said.

Indicators of meth abuse include a slip in work performance, emotional instability, confusion and paranoia.

### What can be Done About the Problem?

Supervisors cannot tolerate employees who work while high on meth or any other recreational drug, or while drunk. You can't afford to ignore this behavior, because you are required by law to provide a safe workplace. Someone who is on a hair trigger because of drug abuse or other issues is a liability in any workplace.


If you suspect a worker has a drug or alcohol problem, document evidence of poor performance, lateness and excessive work absences and meet with the worker to discuss your concerns. Don't accuse the worker of having alcohol or drug dependency issues without evidence that the person has been high or drunk on the job.

Focusing on your job performance concerns, refer the worker to an employee assistance program (EAP) or your human resources department and explain that if the situation doesn't improve, disciplinary action, including possible termination, may occur. ♣

## Know the Laws of Your Province


### FALL PROTECTION REQUIREMENTS

According to each jurisdiction's OHS law, a worker must use fall protection when working:




**YUKON**

At a place from which a fall of: a) 3 m (10 ft) or more may occur; or b) less than 3 m (10 ft), if it involves an unusual risk of injury [*OHS Regs.*, Sec. 1.37(a)].




**BRITISH COLUMBIA**

At a place: a) from which a fall of 3 m (10 ft) or more may occur; or b) where a fall from a height of less than 3 m involves a risk of injury greater than the risk of injury from the impact on a flat surface [*OHS Regs.*, Sec. 11.2(1)].




**ALBERTA**

From a portable ladder from which the worker may fall 3 m or more [*OHS Code 2006*, Sec. 137(1)]. From a temporary or permanent work area if the worker may fall 3 m or more or there's an unusual possibility of injury if the worker falls less than 3 m [Sec. 139(1)].




**SASKATCHEWAN**

At a temporary or permanent work area where: a) the worker may fall 3 m or more; or b) there's the possibility of injury if the worker falls less than 3 m [*OHS Regs.*, Sec.116(2)].



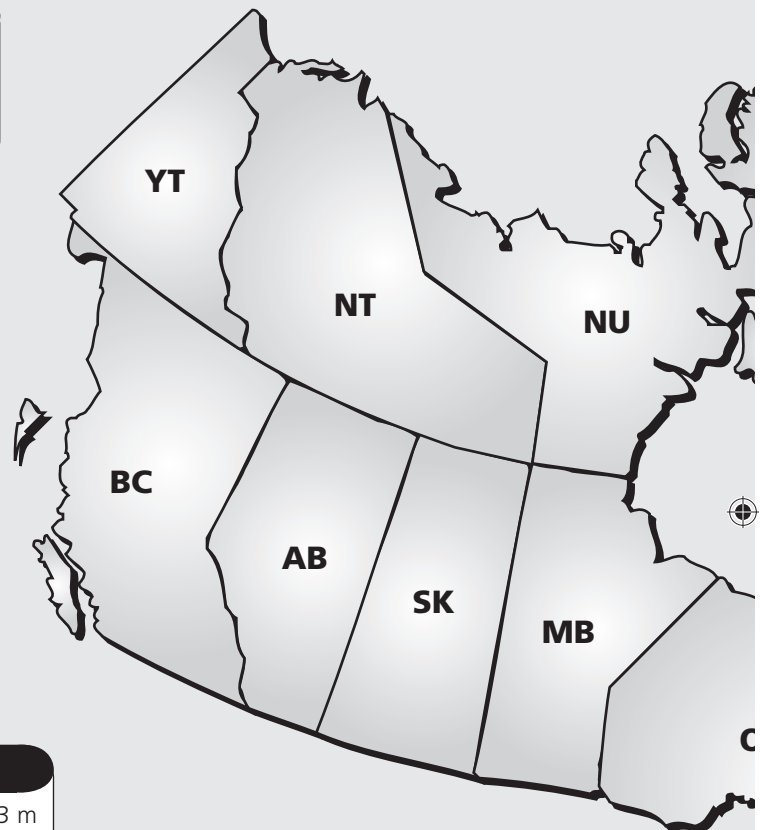
**MANITOBA**

Where there's a risk of a worker falling: a) a vertical distance of 3 m or more; b) a vertical distance of less than 3 m where there is an increased risk of injury due to the surface or item on which the worker might land; or c) a vertical distance of more than 1.2 m from an area used as a path for a wheelbarrow or similar equipment [*Workplace Safety & Health Regs.*, Sec. 14.1(1)(a), (b) and (g)]. In a mine and at risk of falling 1.5 metres or more [*Operation of Mines Regs.*, Sec. 29(6)(b)].



**FEDERAL**

a) From an unguarded structure or on a vehicle at a height of more than 2.4 m above the nearest permanent safe level; or b) from a temporary structure at a height of more than 6 m above the nearest permanent safe level; or c) from a ladder at a height of more than 2.4 m above the nearest permanent safe level where, because of the work, the worker is unable to use at least one hand to hold the ladder [*Canada OHS Regs.*, Sec. 12.10(1)].

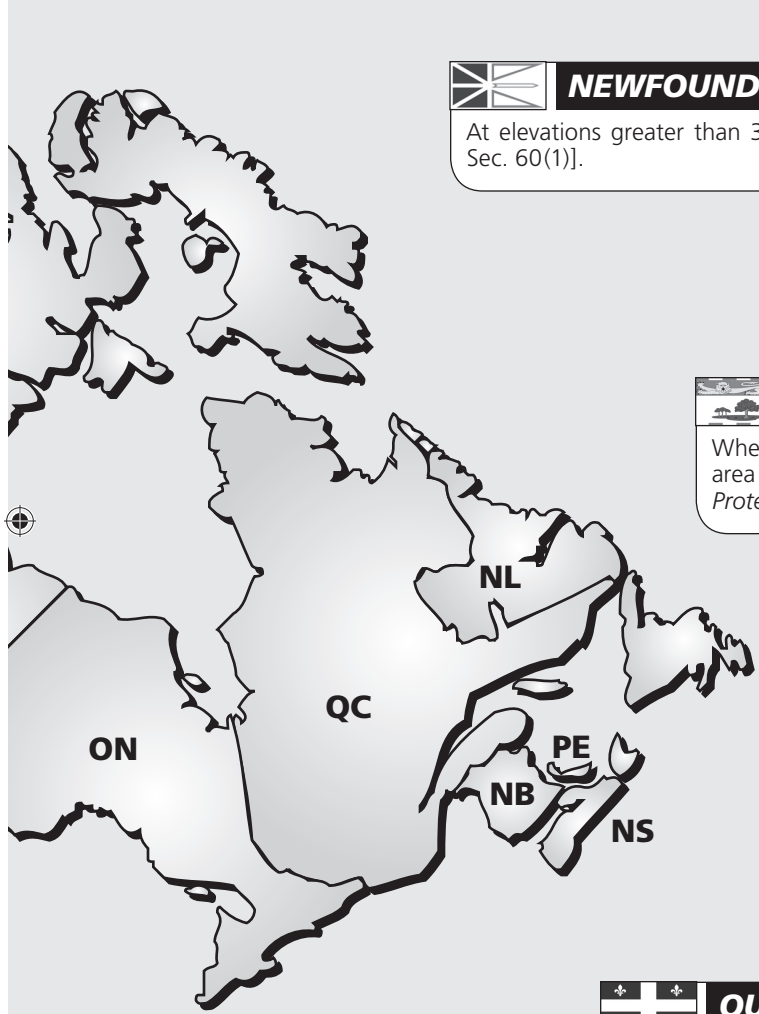




**ONTARIO**

Where the worker is exposed to the hazard of: a) falling more than 1.2 m, if the work area is used as a path for a wheelbarrow or similar equipment [*Construction Projects Regs.*, Sec. 85]. Where the worker is exposed to the hazard of falling 3 m or more [*Mines & Mining Projects Regs.*, Sec. 14(1)].

icle at a height of more  
safe level; b) from a  
6 m above a permanent  
more than 2.4 m above  
cause of the nature of  
one hand to hold onto



ard of: a) falling more than 3 m; or b)  
a is used as a path for a wheelbarrow  
ects Regs., Sec. 26(1) and (2)]. Where  
falling to a surface that's more than  
ated [Industrial Establishments Regs.,  
d to the hazard of falling more than  
.: 14(1)].

**NORTHWEST TERRITORIES/NUNAVUT**  
 At an elevation 3 m (10 ft) or more above grade or floor level [General Safety Regs., Sec. 57(1)(a)].

**NEWFOUNDLAND/LABRADOR**  
 At elevations greater than 3.05 m above grade or floor level [OHS Regs., Sec. 60(1)].

**PRINCE EDWARD ISLAND**  
 Where the worker is exposed to the hazard of falling from a work area that's 3 m or more above the nearest safe surface or water [Fall Protection Regs., Sec. 2(1)(a)].

**NEW BRUNSWICK**  
 From: a) more than 3 m above the nearest safe level; b) a work platform that is more than 3 m above a permanent safe level and from which the worker may fall if the work platform tips or fails; or c) a communication or power transmission tower or other similar structure that's over 3m in height [OHS Regs., Sec. 49(1)(a)(i), (b) and (c)].

**QUÉBEC**  
 When exposed to falls of over 3 m from the work station [Regulation respecting occupational health and safety, Sec. 346]. In construction, when using a wheelbarrow or vehicle and exposed to falls of 1.2 m or more [Safety Code for Const. Industry, Sec. 2.9.1(1)(d)].

**NOVA SCOTIA**  
 From a work area that's 3 m or more above the nearest safe surface or water [Fall Protection & Scaffolding Regs., Sec. 7(1)(a)].



# WORLD of SAFETY ...



## Vacuum Cleaner Hose Used to Save Drowning Man

The quick thinking of a boat rental operator and a co-worker recently helped save the life of a drowning excavator operator in Melbourne, Australia.

David Thompson and another worker sprang into action when they observed an excavator toppling into a creek. The machine's operator could not swim to safety because one of his legs was trapped.

Thompson and his workmate struggled to keep the 58-year-old man's head above water. Watching him turn blue, Thompson yelled for someone to fetch something to help the man breathe.

A woman returned with a vacuum cleaner pipe, which Thompson used to blow air into the man's mouth. The operator appeared as though he might not survive until paramedics arrived and administered oxygen.

He was taken to hospital for treatment of exposure from the cold water, along with a leg injury.

## Ferry Workers Sue for Excessive Noise

Two longtime employees of Washington State Ferries are suing the state, claiming their jobs resulted in hearing damage from unsafe noise levels in ferry engine rooms.

Rob Williamson, attorney for chief engineer George Greenwood and relief chief engineer Christopher

Johnson, says the state has not done enough to protect worker's hearing. Both Greenwood and Johnson have measurable hearing damage after more than a decade on the job.

Despite ear plugs and earmuffs and requirements to use them in certain areas of ships, Williamson says the PPE is not enough to prevent hearing damage in engine rooms. He says some of the engines are "screaming loud."

Washington State Ferries says it upholds the highest safety standards, including ensuring that its workers' hearing is safeguarded.

But Williamson notes that noise exposure is generally measured during an eight-hour period, whereas most ferry workers are on the job for 12 hours.

## SUPERVISORS IN COURT

### Great Britain Issues First Corporate Manslaughter Charge

A company director has been the first person to be charged under Great Britain's 2007 Corporate Manslaughter Act in connection with the death of a geologist.

Peter Eaton, director of Cotswold Geotechnical Holdings, is charged with gross negligence manslaughter in connection with the death of Alexander Wright, 27. If convicted, Eaton could face a life term in prison.

Wright was taking soil samples in a pit at a site in Gloucestershire in September 2008 when he was killed in a mudslide. It took rescuers two days to retrieve his body from tons of mud. The area had experienced torrential rainfall in the time leading up to Wright's death.

The Corporate Manslaughter and Corporate Homicide Act of 2007 permits prosecution of senior managers whose actions, or presumably, lack of actions, result in an employee's death. ★

### Supervisor Fined For Outburst Toward Inspector

A supervisor who threw a binder in the direction of an inspector didn't quite have the book thrown at him in court, but he was ordered to pay \$2,250 in fines.

The Ontario Court of Justice heard that Mario Piacente, a supervisor with Sky-High Erectors Ltd., had received a stop-work order at a Mississauga, ON, construction site.

An Ontario Ministry of Labour supervisor was sitting in his van completing paperwork when Piacente walked up to the vehicle and threw a three-inch ring binder through an open window.

The binder flew through another open window on the opposite side of the van. Piacente pleaded guilty to a charge of "hindering, obstructing, molesting or interfering with an inspector in the performance of his duty" under the Occupational Health and Safety Act. ★

### Ferry Owner Sentenced to Seven Years' Prison for Involuntary Manslaughter

An Egyptian ferry owner has been sentenced to seven years' imprisonment on a conviction of involuntary manslaughter following the deaths of 1,000 passengers, most of whom were Egyptian workers.

Mamdouh Ismail, who last year was acquitted of the charge in a lower court, fled the country and was not present in court when his acquittal was overturned.

The ship, which lacked adequate lifeboats and firefighting equipment, caught fire and sank in the Red Sea in 2006. Only 388 passengers survived.

The charges accused Ismail of failing to react quickly to save passengers who were thrown into the water when the ship sank. Some of the victims were in the water for as long as 36 hours. ★



## Car Dealer, Director Charged After Worker Dies

The director of operations for a car dealership's collision center and the dealership itself are being charged in connection with an explosion that killed a young worker in Dartmouth, NS, Canada.

Worker Kyle Hickey, 22, died after flammable vapors in a barrel ignited. The province's department of labour is alleging that the metal barrel holding a flammable chemical used to wash spray paint guns was not grounded and that a static charge caused the explosion.

O'Regan's Chevrolet Cadillac is charged with failing to take every reasonable precaution to ensure the health and safety of people at or near the workplace; failure to provide information, instruction, training, supervision to protect workers; failure to ensure that equipment, machinery and materials were equipped with safety devices; and failure to ensure that a controlled product was not used, stored or handled unless all applicable safety requirements were in place.

The car dealer is also charged with failure to ensure that a required program of employee education was developed and implemented for the workplace.

Richard Allen Dey, who is director of operations for O'Regan's collision centers, is charged with failing to take precautions to protect the health and safety of employees and others at or near the workplace.

A company spokesperson says it's regrettable that charges were laid even though the government safety agency has provided the dealership with no safety recommendations in

the 15 plus months since the fatality occurred. He notes that an independent appraisal by the company's insurer conducted months before the fatality found nothing wrong. The spokesperson says safety is a top priority for his company.

## Fatal Injuries Hit Record Low in Great Britain

The number of workers killed in job-related incidents across Great Britain between April 1, 2008 and March 31, 2009 fell to a record low. During that time, 180 workers were killed, compared to 233 in fiscal 2007/08.

The fiscal 2008/09 occupational fatality rate works out to 0.6 deaths per 100,000 employees.

"There is inevitably variation in the figures year on year, but we can take heart from the fact that Great Britain consistently has fewer fatal injuries than comparable industrialized nations in the rest of Europe," says Judith Hackett, chair of the Health and Safety Executive (HSE), the UK's government safety body.

Still, Hackett says statistics on fatal workplace injuries don't provide the whole picture. "Work-related ill health is a significant problem and accounts for four times more working days lost than workplace injury, so there is still a major challenge we all face to prevent death, injury and ill health in all of our workplaces."

The largest declines in work-related fatal injuries occurred in agriculture and construction. There were 26 agriculture-related fatalities in fiscal 2008/09, compared to 46 in fiscal 2007/08. In construction there were 53 fatal injuries in fiscal 2008/09, compared to 72 the previous year.

## CAREER BOOSTER

### Sleeping on Problems Really Does Work, As Long as You Dream

If you are struggling with a solution to a problem, whether it is work related or otherwise, the old saying about "sleeping on it" has been shown to be effective, according to a new US study.

Researchers at the University of California San Diego have found that a nap during which a person has dreams (known as the rapid eye movement or REM phase of sleep) enhances that person's creative problem-solving abilities.

"We found that for creative problems that you've already been working on, the passage of time is enough to find solutions. However, for new problems, only REM sleep enhances creativity," says Sara Mednick, assistant professor of psychiatry at UC San Diego.

Seventy-seven volunteers were given some creative problems to solve and were allowed to either take a nap monitored by the researchers, or stay awake and try to find answers to the problems.

Study participants were shown multiple groups of three

words, such as cookie, heart and sixteen and were asked to supply a fourth word that could be suitably associated with that word group. In this case the common correct answer is "sweet."

Participants were tested in the morning and again in the evening. Those who had napped and dreamed were found to be almost 40 percent better at solving the problems than they had been before napping. Mednick says it appears that REM sleep helps the brain make new and useful associations between unrelated ideas.

There was no measurable improvement in the test scores among participants who had taken naps, but had not dreamed during them.

If you are dealing with a tricky problem and can manage to take a quick nap and enter a dream state, you may find a solution. If you can't take a nap at work, Mednick says much of the same benefit can be realized by taking a nap on the couch immediately after work. Sweet dreams! 🍀

## WORLD of SAFETY ...

### Whistleblowers whistling all the way to the bank

Four railroad workers in the northeastern US who reported workplace injuries and were disciplined for it have been vindicated by the Occupational Safety and Health Administration (OSHA).

The Metro North Commuter Railroad Co. workers, who were hurt on the job in 2007 and 2008, complained to OSHA that they had been penalized for reporting job-related injuries and their medical treatment plans had been interfered with or reclassified to non-occupational from occupational.

OSHA ordered Metro North, which serves New York, New Jersey and Connecticut, to pay back wages, fees and \$75,000 in punitive damages to each of the four workers. The railroad was also ordered to take corrective actions, which include:

- ✦ Removing records concerning disciplinary actions from the workers' files,

- ✦ Amending the attendance policy so that work-related sick leave not be considered when assessing unsatisfactory attendance or transfer or promotion requests,

- ✦ Ensuring that reporting occupational illnesses or injuries does not disqualify employees from transfers or promotions and,

- ✦ Posting Federal Rail Safety Act (FRSA) whistleblower rights and ensuring that employees are provided information on their rights.

### Trucking Company Fined Heavily After Employee Killed

In workplaces where there is constant vehicular traffic and workers moving around on foot, managers need to develop and implement a plan to separate vehicles and pedestrians.

That did not happen at an Australian trucking firm and the result was that a driver who was folding a tarp in darkness

was killed by a truck that entered the depot.

The trucking firm Toll was fined \$220,000 in New South Wales Industrial Court after pleading guilty to breaching the Occupational Health and Safety Act by failing to have a system of separating vehicles and pedestrians and failing to conduct a risk assessment of the trucking depot.

Judge Trish Kavanagh said the hefty fine should serve as a wake-up call for the industry. She said the company ignored safety standards because it knew drivers worked in the middle of a thoroughfare, where they risked being hit by vehicles, yet did nothing about the situation.

The court heard that lighting in the Wagga Wagga depot was poor at the time of the accident, but safety improvements have since been made. They include installation of additional lighting, traffic lines, parking signs, designated work areas and a requirement that safety vests be worn.

## FROM THE FATALITY FILES

### Food Worker Killed by Falling Container

A 20-year-old man died from severe head injuries after a container full of clams and ice fell onto him at a food production plant in Fall River, MA.

The young victim, Justin John Cordeiro, was in the vicinity of a forklift whose operator had removed two stacked containers. As the lift truck was reversing, the top container fell off, striking Cordeiro on the head.

The young worker was taken to hospital and transferred to another medical facility, where he died.

According to his obituary, the loves of Cordeiro's lives were his daughter, Emily Hall, and his Ford Mustang. He loved racing and also was an avid fan of the Patriots and Red Sox.

The incident occurred at Blount Fine Foods, a soup and clam products company. OSHA is investigating. ✦

### Worker Dies in Third Week on the Job

A worker who had only been on the job for three week died in a Milwaukee, WI, leather tanning facility after a harness he'd been wearing contacted a rotating drum.

Billie J. Bell Jr. of Milwaukee had been working between two large drums that apply chemicals to leather when the incident occurred. His body was pulled around the outside of one of the drums and he died from traumatic injuries.

OSHA is investigating the fatality. A police detective told a reporter that the machinery does not appear to have been defective. The incident occurred at D.R. Diedrich & Co. ✦

### Worker Pinned Between Two Loaders

A family man who always had a smile on his face is being mourned by family, friends and co-workers in Calgary, AB.

Monier Hammoud, 40, died before reaching hospital after being pinned between two loaders at a Calgary street-widening project site. Hammoud leaves a wife and three children to mourn him.

He is being remembered as a person with a sense of humor who donated generously to impoverished people around the world and volunteered in his community.

Alberta Workplace Health and Safety issued a stop work order while it investigated the cause of the fatality. ✦

## Commercial Fisher Hooks 'Fish' With Different Fins

A surprise catch by a commercial fisher in Florida sported fins, but they were missile fins, not fish fins.

Rodney Solomon hooked an eight-foot (2.4-meter) long missile in the Gulf of Mexico and finding a hole in it, he assumed it had been detonated and kept it as a souvenir for several days. In fact, the missile was live and could have exploded at any time.

Upon returning to port, Solomon reported his find to firefighters. The air-to-air guided missile, known as a Sidewinder, was dismantled by a bomb squad without incident.

Solomon learned that the missile had been corroded by salt water and was very unstable. His request to have a piece of the weapon as a souvenir was declined.

## Passengers Had to Wake Up Sleeping Train Driver

Many train passengers who aren't on board to see the scenery enjoy falling asleep and waking up at their destinations. However, eyebrows were raised recently when the operator of a passenger train in India dozed off while the train rolled through two stations.

Passengers who missed their stops had to rouse the driver, who then reversed the train to return to the missed stations. The potential safety issues associated with falling asleep at the controls of the train affected more than just the passengers on board. It was reported that several passengers at the stations that were bypassed had to jump out of the way to avoid being struck.

Both the train driver and a guard were suspended pending an investigation. The incident occurred in the Indian state of Bihar.

## FEATURE REPORT

### Summer Heat is a Real Safety Concern

From Abbotsford, BC, to Zephyrhills, FL, summer heat and humidity can be a problem for all types of workers, from people employed in agriculture to pizza shop employees.

Becoming overheated on the job goes far beyond causing your workers discomfort. It can be deadly. And temperatures don't need to be unbearably hot in order to spell trouble for workers in highly physical jobs. All it takes is a temperature of 70F (21C). High humidity compounds the risk.

Supervisors need to take measures to ensure that workers have access to water and shade and are given breaks to prevent heat illness. They should also be encouraged to wear loose-fitting, light clothing, along with hats to protect their heads.

High temperatures, humidity, insufficient water intake and physical exertion can quickly lead to heat-related illness.

There are various forms of heat illness. From least-serious to most-serious, they include:

- ✳ Heat rash: This is the most common problem in hot work environments. Skin that is moist with sweat can break out in a reddish pimple-like cluster or small blisters, especially on the neck, upper chest, groin or in elbow creases. Dusting powder may be applied to reduce discomfort. The situation usually resolves after the worker moves to a cooler, drier environment.
- ✳ Heat cramps: Physical labor in a hot environment, especially when coupled with insufficient water intake, can cause workers to develop an electrolyte imbalance that results in painful cramps in muscles fatigued by heavy labor. The solution is to drink water every 15

to 20 minutes and supplement fluid intake with sport drinks that restore a worker's electrolyte balance.

- ✳ Heat exhaustion: This is a more serious condition in which excessive heat and insufficient fluid intake cause headache, dizziness, nausea, weakness, fainting and giddiness. Workers with these symptoms need to be taken to a cool area to rest and be given water. Ice packs are also recommended to cool the worker.
- ✳ Heat stroke: The most serious heat illness, heat stroke occurs when the body loses its ability to regulate temperature. Without expert medical help, the victim can easily die. Symptoms include confusion, irrational behavior, hot and dry skin, a lack of sweating, loss of consciousness and convulsions. Medical help must be summoned and before help arrives, the victim should be taken to a shady, cool area. Clothing should be removed and the worker should be doused with cool water, fanned and given water to drink as soon as possible.

Supervisors need to be ever-watchful for these symptoms and train workers to look out for one another, since a person who is exhibiting heat illness symptoms might not realize what's happening.

If a hot spell arrives after a period of cooler weather, workers must be allowed to become acclimatized to the hot conditions. They must be given rest breaks, be provided with cool water and encouraged to drink at least eight ounces (250 ml) every 20 minutes and when possible, assigned heavier physical work during cooler parts of the day (early morning). ✳

*(Editor's note: For more posters like the heat stress poster in this issue, visit [www.safetyposter.com](http://www.safetyposter.com)).*



continued from page 1

## Incivility: The Molehill that Can Cause a Mountain of Work-Related Problems: Part I

exponential growth in incivility and even more importantly, more harassment situations,” she says.

Bar-David says when the person exhibiting inappropriate and unprofessional behavior is in a position of authority, one in four workers on the receiving end responds by reducing his or her work effort and one in two contemplate changing jobs.

“Some people will steal (from the company) and others will sabotage equipment. Almost everyone will tell friends, family and colleagues. Slowly, but surely your company or organization is getting a bad name.”

Another consequence of incivility is that workers who don’t respect one another often show indifference or outright rudeness to visitors and customers. Bar-David notes that companies that are struggling to remain profitable during the worst

economic recession in decades can’t afford to offend clients or customers.

Harassment, defined as unwelcome behavior that offends and belittles, is the next level in the progression of unchallenged incivility, and bullying—repeated offensive behavior where the victim feels helpless to defend himself/herself, is the worst level.

Bar-David says companies that ignore harassment and bullying behavior face a number of negative consequences, including:

- ✳ Reduced productivity,
- ✳ Increased absenteeism when victims of bullying or harassment call in sick or take stress leaves,
- ✳ Greater potential for workplace injuries or fatalities, because victims who are stressed out or depressed are not keeping their minds on task,

✳ The potential for lawsuits from workers who suffer mental breakdowns and,

✳ The potential for workplace violence if a victim snaps and decides to take revenge.

*Next month we will look at what supervisors need to do to combat incivility before it gets out of hand. ✳*

### Moving?

Please use the form below to submit new address information. Please allow 4 weeks for change to occur.

Name on Subscription

Subscription Number

#### Old Address

Mailing Address

City

Province / State

Postal / Zip Code

#### New Address

Mailing Address

City

Province / State

Postal / Zip Code

## It’s Official: First Flu Pandemic of 21st Century Declared

continued from page 1

more. However, we do not expect to see a sudden and dramatic jump in the number of severe or fatal infections.”

Chan says that countries where outbreaks appear to have peaked should prepare for a second wave of infection. WHO has been working closely with influenza vaccine manufacturers “and I understand that production of vaccines for seasonal influenza will be completed soon and

that full capacity will be available to ensure the largest possible supply of pandemic vaccine in the months to come.”

The 1968-69 Hong Kong flu pandemic killed about one million people throughout the world. ✳

**Info to go:** *For information on what employers can do to protect workers against pandemic influenza, click on the link at [www.SafeSupervisor.com](http://www.SafeSupervisor.com)*

### Safe Supervisor! Subscription Offer

Yes, please enter my new one-year subscription to Safe Supervisor for \$327 plus shipping and handling. Every month, Safe Supervisor gives me the latest “how-to” help for delivering high impact safety training, improving workplace safety and reducing liability. If not completely satisfied, I may cancel and receive a full refund on the unused balance of my subscription.

Name \_\_\_\_\_ Title \_\_\_\_\_

Company \_\_\_\_\_ Address \_\_\_\_\_ State/Province \_\_\_\_\_

Zip/Postal Code \_\_\_\_\_ Email \_\_\_\_\_ Phone \_\_\_\_\_

Mail to: Bongarde, #102-501 Main Street, Penticton, B.C. V2A 9A6 or Bongarde, Box 428, 103 Eastside Oroville Road, Oroville, WA 98844  
Phone: 1-800-667-9300 Fax: 1-888-493-1970

12 Safe Supervisor • AUGUST 2009