



J. J. Keller®
COMPLIANCE NETWORK

QUARTERLY REVIEW

SAFETY & HEALTH

REGULATORY AGENDA SHOWS WHERE OSHA'S FOCUS LIES

Many rulemakings have been pushed to late 2024 and early 2025 - page 3



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COMPLIANCE NETWORK members receive a new issue of this newsletter each quarter, along with **exclusive online access** to the latest regulatory content.

GET FREE ACCESS

Our compliance experts are leading authorities in their fields, and every issue of **COMPLIANCE NETWORK Quarterly Review** features a special message from one of them on recent hot topics.

OSHA's Spring 2024 regulatory agenda included rulemakings, some of which have been delayed. So, there's still time to update your programs!

Additionally, OSHA issued a Notice of Proposed Rulemaking (NPRM) on August 30, 2024, for the Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings standard. Employers have 120 days to comment on proposed requirements, including developing heat illness and injury prevention plans, designating heat safety coordinators, implementing monitoring, providing training, and maintaining records. Our experts will continue to monitor and will provide the resources you need to stay compliant!

Let **COMPLIANCE NETWORK** be your one-stop shop for resources, best practices, and insights you need to stay safe and compliant!

- The Health & Safety Expert Help Team at J. J. Keller & Associates, Inc.



Ed Zalewski

Edwin Zalewski has been a valued member of J. J. Keller & Associates, Inc. since 1999. Serving as a Senior Editor on the EHS Editorial Team, he diligently researches laws and regulations to keep customers up to date. In turn, he crafts engaging content covering a wide spectrum of safety-focused subjects.

Check out our other experts and learn how they can help solve your compliance problems!

VISIT EXPERT HELP



EXPERT INSIGHTS

HELP WORKERS FIND THEIR MOTIVATION TO STAY SAFE

by Ed Zalewski

I've long been fascinated with human motivation and why some people take actions that don't seem to make sense. I read self-help books on dealing with people, as well as survival stories describing the choices people made while lost in the wilderness. In the safety world, I wonder why some employees put themselves at risk, like taking shortcuts or not wearing PPE.

Mostly, I've learned that you can't force people to act differently, but you can incentivize and encourage them to make different choices. Books on economics offer great insights because economics is all about the incentives behind a decision and making trade-offs or compromises.

FINDING MOTIVES

A constant challenge is getting employees to consistently follow safety rules. One day, I had an epiphany. Why not identify employees who always work safely and ask them to share their motivation for their choices? Hearing their personal experiences and motivations should encourage others to make better choices. Also, coworker feedback is usually more effective than expectations handed down from management.

Since my job involves interacting with hundreds of safety professionals, I've picked up a few other ideas for encouraging safe behaviors.

The best ideas help employees find their own motives because when employees choose to stay safe, the safety manager's job gets easier.

One safety manager asked every employee to bring in a family photo and added the caption, "This is why you stay safe." Employees posted the photos where they'd see them every day. Years later, employees still report that looking at a family photo every day makes them think about safety and use a bit more caution on the job.

Asking employees to bring in a family photo was simple but effective. Not all safety incentives have to cost money, and some of the most effective initiatives cost almost nothing. Once employees discover their own motivation, they'll choose to stay safe for their own benefit.



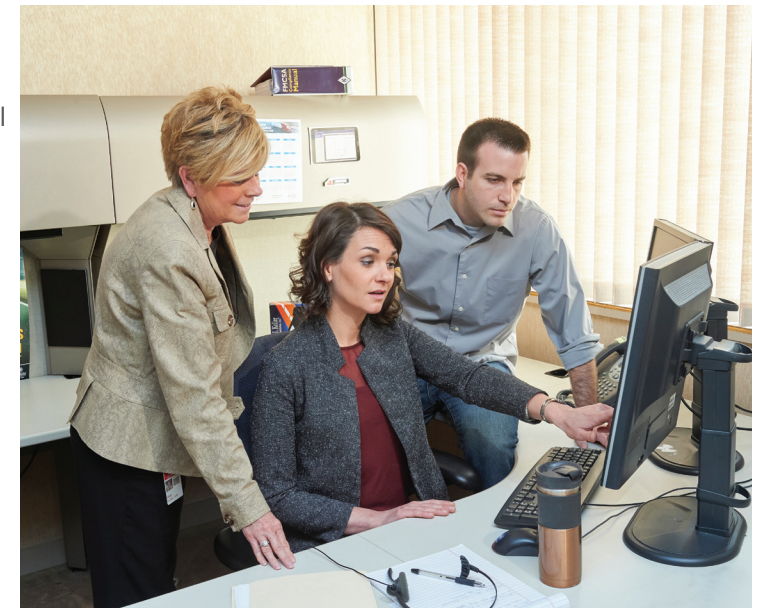
TOP NEWS

REGULATORY AGENDA SHOWS WHERE OSHA'S FOCUS LIES

A look at OSHA's Spring 2024 regulatory agenda reveals that many rulemakings have been pushed into the third and fourth quarters of 2024 and even into early 2025. Two rules got bumped up to the final rule stage from the proposed rule stage, where they sat in Fall 2023: Personal Protective Equipment in Construction and Powered Industrial Truck Design Standard Update.

The proposed rule stage includes a handful of entries that were previously on OSHA's long-term action list or in the pre-rule stage, as well as two new entries. A significant entry includes Heat Illness Prevention in Outdoor and Indoor Work Settings, which clearly states employer obligations and the necessary measures to protect employees from hazardous heat. Read more about the proposed rule on page 6 in our Top News section!

The following entries are new to the rulemaking stage.



Final rule stage	
Title	Projected publication date
Powered Industrial Trucks Design Standard Update	August 2024
Personal Protective Equipment in Construction	September 2024
Proposed rule stage	
Title	Projected publication date
Walking-Working Surfaces	July 2024 (re-open rulemaking record)
Heat Illness Prevention in Outdoor and Indoor Work Settings	August 2024
Process Safety Management and Prevention of Major Chemical Accidents	September 2024 (analyze comments)
Prevention of Workplace Violence in Health Care and Social Assistance	December 2024
Rapid REDON Fit-Testing Protocol: Amendment to Respiratory Protection Standard Appendix A	
Shipyards Fall Protection - Scaffolds, Ladders and Other Working Surfaces	May 2025 ↻

CHECK OUT MORE TOP NEWS ON COMPLIANCE NETWORK THIS MONTH:

- Why you need guardrails on open dock platforms
- Shining light on safety hazards
- Stay on the move with proper footwear

GET FREE NEWS



FEATURED QUESTIONS

J. J. Keller’s experienced subject matter experts answer more than 16,000 compliance and best practice questions just like this one each year.

QUESTION: One of our employees had surgery three weeks ago, but we only found out today. The case is already recordable, but now is also a days away case. Should we be concerned with late reporting on our part?

ANSWER: Based on your description, that shouldn’t be a “late” recording if you were just notified today. When OSHA created 1904.29(b)(3), they recognized that some employees delay reporting incidents, and some injuries occur that don’t become recordable until much later. So, if you didn’t receive information that the case status changed until several weeks later, you should still only be obligated to update the 300 Log within seven days of learning that information.



QUESTION:

How can exposure to extreme heat impact our workers and their health?

GET ANSWERS NOW

Take a free trial of COMPLIANCE NETWORK to see the answer to this and other Expert Help questions.

Members of COMPLIANCE NETWORK get direct access to our renowned compliance experts to help them overcome their toughest regulatory challenges with guidance they can trust.

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Stumped by a compliance question?
MESSAGE AN EXPERT



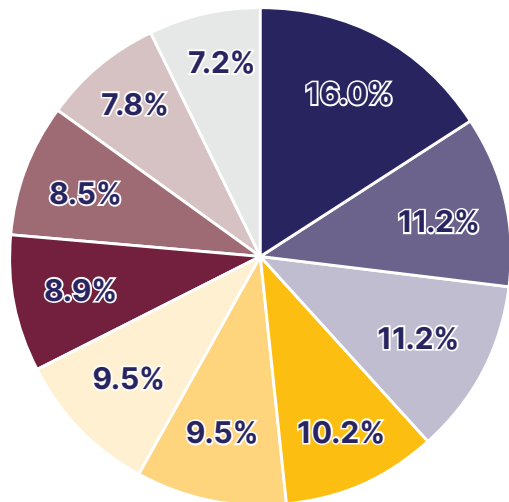
Easier to talk through it?
SCHEDULE A CALL/VIDEO MEETING



Need help with a complex issue?
SUBMIT A RESEARCH REQUEST

TOP 10 EXPERT HELP TOPICS OF THE QUARTER

J. J. Keller experts field thousands of questions each quarter. Here’s a breakdown of the top 10 Safety and Health topics you asked about most in the last quarter.



- Safety and Health Programs - 16.0%
- Hazard Communication - 11.2%
- Injury and Illness Recordkeeping - 11.2%
- Forklifts and PITs - 10.2%
- Electrical Safety - 9.5%
- Hazardous Materials Safety - 9.5%
- Personal Protective Equipment - 8.9%
- First Aid and Medical - 8.5%
- Fall Protection - 7.8%
- Fire Protection and Prevention - 7.2%

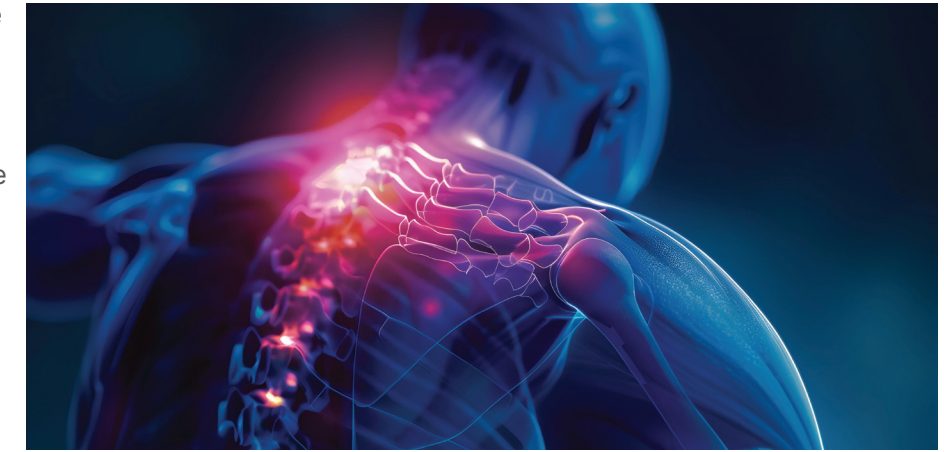
HAVE QUESTIONS ON ANY OF THESE TOPICS?

Ask our experts when you take a free trial!



THE ROLE OF DIVERSITY, EQUITY, AND INCLUSION ON MSDs

Musculoskeletal disorders (MSDs) are the most common workplace injury and often lead to worker disability, early retirement, and employment limitations. A recent National Safety Council (NSC) report explores the role of diversity, equity, and inclusion on work-related MSDs.



Per NSC’s report, MSDs occur because the workplace has not accommodated or provided for all people. The report notes that cultural considerations may impact these issues, as workers may have a perceived need to identify as a hard worker — tolerating dangerous working conditions or not reporting injuries.

Workers at greatest risk include:

- Latino immigrants and Black men — who are more likely to work in dangerous jobs and high-hazard industries;
- Women employed in industries more commonly afflicted by MSDs; and
- Non-White workers, who were more likely to be employed in occupations with a mix of day and night shifts.

Some recommended employer solutions include:

- Designing workplaces to accommodate employees with different sizes, abilities, and needs.
- Promoting diverse representation in ergonomic and safety leadership, committees, and training materials.
- Allowing frequent rest breaks.

By encouraging diversity, equity, and inclusion, employers can prevent MSDs while also creating a safe and healthy work environment for all workers.

EXPLORE OUR LIBRARY OF IN-DEPTH CONTENT CREATED BY EXPERTS.

GET FREE RESOURCES

Explore a library of articles, videos, and practical exercises to gain foundational knowledge on 120+ compliance topics and pursue professional development.



IN-DEPTH RESEARCH REPORTS highlight findings and key learnings in exclusive industry research conducted by J. J. Keller.

OSHA’s annual “Top 10 most frequently cited standards” always includes personal protective equipment (PPE) noncompliance. Keep in mind that these are only violations that OSHA cited; they aren’t reflective of the many other PPE challenges safety professionals face every day. This **IN-DEPTH RESEARCH REPORT** focuses on four PPE challenges: designing PPE programs, purchasing PPE, PPE training, and PPE compliance.

ACCESS FREE REPORTS





TOP NEWS

OSHA PUBLISHES PROPOSED HEAT ILLNESS PREVENTION RULE

OSHA issued a Notice of Proposed Rulemaking (NPRM) for the Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings standard on August 30, 2024! Employers have 120 days to comment on the proposal. As anticipated, this first-ever national heat rule intends to help employers protect workers from indoor and outdoor heat-related fatalities and illnesses.



WHO WILL BE IMPACTED?

OSHA's proposed heat rule would apply to all employers conducting outdoor and indoor work in all general industry, construction, maritime, and

agricultural sectors under the agency's jurisdiction with a few exceptions. In addition to temperatures, heat generation from industrial processes and radiant heat such as ovens and furnaces have also been considered throughout the rulemaking process.

Employers would be responsible for determining which work activities are covered by the standard. They may have some work activities that are exempt from the standard and others that are covered.

Key elements within the proposal include: heat hazard assessments; heat illness and injury prevention plan (HIIPP); heat safety coordinator; monitoring and communication; water, rest, and shade; acclimatization; training; and recordkeeping.

CSB STUDY EXPLORES REMOTE ISOLATION EQUIPMENT

In response to several catastrophic chemical incidents that have occurred in recent years, the U.S. Chemical Safety Board (CSB) released a study, *Remote Isolation of Process Equipment*, exploring the use of remote isolation equipment to prevent explosions and fires at chemical facilities.

Remote isolation of process equipment can quickly stop the release of hazardous materials, which can help prevent fatalities and injuries, limit facility damage, and better protect communities and the environment. CSB recommends the:

- U.S. Environmental Protection Agency incorporate requirements for an evaluation of the need for remote isolation capabilities into its Risk Management Program Rule; and
- OSHA include requirements for an evaluation of the need for remote isolation capabilities into its Process Safety Management standard.

In addition to the safety recommendations, CSB also suggests that chemical facilities assess whether the use of remote isolation equipment is warranted, and if so, install in a location that is safe for workers to activate.



POLL RESULTS

[VIEW CURRENT POLL ON COMPLIANCE NETWORK HOMEPAGE](#)

Each month, we present our members with a new poll question. It's a great way to find out what your fellow compliance professionals are thinking on a specific topic.

DO YOU HAVE A HEAT INJURY AND ILLNESS PREVENTION PROGRAM?

48.1%

HAVE PROCEDURES IN PLACE WHEN IT'S HOT BUT DON'T HAVE A FORMAL PROGRAM.

36.5%

HAVE A WRITTEN PROGRAM.

9.6%

ARE SEEKING MORE INFORMATION OR ARE WAITING FOR THE FINAL OSHA RULE.

5.8%

ARE UNSURE.



RECENT EVENT

DRIVING EMPLOYEE ENGAGEMENT

Exclusive to **COMPLIANCE NETWORK** subscribers, our virtual conferences give you the chance to hear directly from our experts and your peers on in-demand topics.

The September event, "Driving employee engagement," discussed trends seen in today's workplace that create speed bumps on the road to greater engagement. These trends include a multi-generational workforce, increased diversity in all jobs, a growing number of remote and hybrid workers, and an increased demand for improved work-life balance. By acknowledging the challenges that accompany these trends, employers can boost employee engagement by improving workplace culture.



The virtual conference began with presenters sharing their ideas for best practices for improving workplace culture. Then, attendees had an opportunity to learn from each other as they shared their mistakes, challenges, and successes regarding employee engagement and workplace culture.



UPCOMING EVENTS

[VIEW UPCOMING EVENTS](#)



Accommodations in the workplace

Date: Thursday, Oct. 03, 2024
Time: 1 p.m. (CST)
Duration: 60 min.



Get the safety training buy-in you need

Date: Thursday, Nov. 14, 2024
Time: 1 p.m. (CST)
Duration: 60 min.



Cargo security and theft prevention 101

Date: Thursday, Dec. 12, 2024
Time: 1 p.m. (CST)
Duration: 60 min.

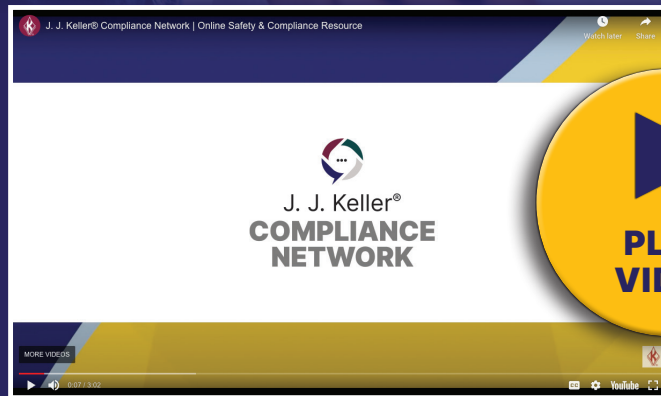
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