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## A ROUND-UP OF RECENT REGULATORY UPDATES

Over the last several years, OSHA has updated a few key construction safety standards. Check out the latest regulatory changes and compare them against your current program. It may be time to refresh the language in your written plan, provide additional training to employees, and revise your policy for subcontractor selection.

### HAZARD COMMUNICATION

In 2013, OSHA adopted the rules set forth in the Globally Harmonized System, developed by the United Nations. Significant changes to the standard include:

- Changing "Material Safety Data Sheets" to simply "Safety Data Sheets"
- Development of new SDS and labeling requirements, including hazard statements and pictograms
- Language changes to 'Right to Know' posters required in your workplace
- Employee training deadline of December 2013
- Manufacturers required to produce new SDSs by June 2015
- Employers required to update written program and replace existing MSDSs with new SDSs by June 2016

For more information on how to bring your Hazard Communication program into compliance, visit <https://www.osha.gov/dsg/hazcom/index.html>.

### RECORDKEEPING/INJURY & ILLNESS REPORTING

Effective September 2014, OSHA updated the recordkeeping standard and now requires employers to report all incidents involving amputation, loss of an eye, and/or hospitalization of one or more workers. The rule requiring employers to report a work-related fatality remains unchanged.

For more information on the recordkeeping rule, including FAQs defining terms like "hospitalization," visit <https://www.osha.gov/recordkeeping2014/index.html>.

### RIGGING/HOISTING TRAINING REQUIREMENTS

As of November 2010, employers are required to ensure that the individuals responsible for rigging and signaling receive appropriate training and have been qualified to perform those duties. Documentation of qualification, such as a wallet card, must be available at the worksite. By November 2017, a certified crane operator will be required for most types of cranes and some other types of equipment. Between now and the deadline, operators are required to be *qualified*. Other changes to the standard include additional responsibility on the part of the controlling contractor regarding ground conditions, rules applicable to the assembly and disassembly of crane components, safe operating distance from

power lines, equipment inspection requirements, and clarification of required fall protection.

For more information on the revised Crane & Derricks standard, visit <https://www.osha.gov/cranes-derricks/faq.html#differ>.

### CONFINED SPACES FOR CONSTRUCTION

Construction workers often perform tasks in confined spaces. Until very recently, the rules pertaining to construction in a confined space were inadequate to protect workers.

In response to the industry's pressure to develop a comprehensive standard, OSHA has issued a final rule governing construction work in confined spaces. The rule requires employers to determine what kinds of spaces their workers are in, what hazards could be there, how those hazards should be made safe, what training workers should receive, and how to rescue those workers if anything goes wrong. The revised standard will be enforced beginning in August 2015.

There are five key differences from the general industry rule, and several areas where OSHA has clarified existing requirements. The five new requirements include:

1. More detailed provisions requiring coordinated activities when there are multiple employers at the worksite.
2. Requiring a competent person to evaluate the work site and identify confined spaces, including permit spaces.
3. Requiring continuous atmospheric monitoring whenever possible.


4. Requiring continuous monitoring of engulfment hazards. For example, when workers are performing work in a storm sewer, a storm upstream from the workers could cause flash flooding. An electronic sensor or observer posted upstream from the work site could alert workers in the space at the first sign of the hazard, giving the workers time to evacuate the space safely.
5. Allowing for the suspension of a permit, instead of cancellation, in the event of changes from the entry conditions list on the permit or an unexpected event requiring evacuation of the space. The space must be returned to the entry conditions listed on the permit before re-entry.

For more information on the new Confined Spaces in Construction standard, visit <https://www.osha.gov/confinedspaces/faq.html>.

#### OSHA VS. MIOSHA

Twenty-five states, Puerto Rico, and the Virgin Islands have OSHA-approved State Plans. Twenty-two State Plans (21 states and one U.S. territory), including Michigan, cover both private and state and local government workplaces. The remaining five State Plans (four states and one U.S. territory) cover state and local government workers only. Having MIOSHA in place means that our state has the option to adopt federal standards as-is or create a more stringent version applicable to work performed in Michigan. In most cases, MIOSHA adopts the federal standards as they are written. Side-by-side comparisons of OSHA and MIOSHA regulations are available on the MIOSHA website: [http://www.michigan.gov/lara/0,4601,7-154-11407\\_15368-39938--,00.html](http://www.michigan.gov/lara/0,4601,7-154-11407_15368-39938--,00.html).

For questions, training, or additional assistance on any safety standard, contact CAMSAFETY at (248) 972-1141 or [alfonsi@cam-online.com](mailto:alfonsi@cam-online.com). The Consultation, Education, and Training (CET) Division of MIOSHA is also available at (517) 322-1809.



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