Holiday Season Starts This Month

As the Holidays approach it is a good time to remind everyone about the added dangers on the roadways. Sometimes a tough topic but absolutely should be included in a pre-shift safety talk.

The ISHM staff would like to extend our hopes that each of you has a great holiday weekend this month.

For those unable to be with family and friends - - - the ISHM staff sends you heartfelt wishes and prayers.
$25.00 Off Your Next Renewal Fee
Write a testimonial about how an ISHM certification has helped you or how an ISHM staff member went above and beyond your expectations.

Accepted testimonials will earn a $25 discount on your next renewal fee and will be posted on the ISHM Website.

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ISHM Logo Shirts
Styles - colors - prices here

Does Everyone Understand Your Safety Training
This is an issue we have been dealing with for decades.

Pinkie Wood, ISHM Board of Directors Chair, has some excellent thoughts on the subject.

Read about it HERE

Guest Post
Rescue Me
Bob Whitfield who works with mobile equipment at the Disney Parks submitted an excellent article on aerial equipment.
Read the article HERE

Ask the Lawyer by Darren Hunter

Question: What is the status of OSHA's silica rule?

Response: On March 24, 2016, OSHA adopted a new, comprehensive standard regulating exposure to crystalline silica in the workplace. Under the new standard, OSHA reduced the permissible exposure limit ("PEL") for silica to 50 milligrams per cubic meter of air, and created an action level of 25 milligrams per cubic meter of air, calculated over an 8-hour time-weighted average. The employer has a number of compliance obligations under the new standard, including, but not limited to, engineering controls, respirators, exposure assessments, housekeeping requirements, and medical surveillance. The new standard became effective on June 23, 2016, with the following compliance dates: construction on June 23,
2017; general industry on June 23, 2018; and hydraulic fracking on June 23, 2021. OSHA extended the compliance date for construction to September 23, 2017, and stated that it would not begin enforcement until October 23, 2017. Additionally, on October 19, 2017, OSHA issued a memorandum titled: "Interim Enforcement Guidance for the Respirable Crystalline Silica in Construction Standard, 29 CFR 1926.1153." This memorandum is highly relevant for companies subject to the new silica construction standard.

Industry groups and labor unions challenged the new silica standard in federal court. Industry argues that OSHA failed to take into account the technical feasibility and economic reasonableness for employers to comply with the new rule, and labor takes the position that the new PEL is not stringent enough. All of the appeals have been consolidated before the U.S. Circuit Court of Appeals for the D.C. Circuit, and oral arguments were held in September 2017. I cannot predict the outcome, but the court will likely issue a decision within nine months, likely much sooner.

Darren Hunter is a partner and an experienced OSHA practitioner in the Chicago law firm of Rooney Rippie & Ramaswamy LLP. This column does not constitute legal advice or the formation or proposal of an attorney-client relationship to or with any person or entity. In addition, this column should not be understood to represent the views of ISHM, the law firm, the individual attorneys at the firm, or of any of the firm’s clients or former clients.