



A Safety and Human Resources Company

# Safety World,® Inc.

Stay safe. Stay informed. Stay compliant.

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## NEWSLETTER



### CAL/OSHA – WILDFIRE EMERGENCY STANDARD

The current extreme high heat advisory and drought conditions make for another season of wildfires! Such events bring wildfire smoke and calls for health hazards to employees who work outdoors.

Cal/OSHA's Emergency Regulation calls for employers to stockpile and provide N95 respirators for employees for *voluntary* use and who are at risk from exposure to unhealthy air due to wildfire smoke. Wildfire smoke contains various chemicals, gases and fine particles that can harm health. These fine particles can cause coughing, wheezing, difficulty breathing, or even fatal health effects such as reduction of lung function, severe asthma, heart failure, or bronchitis.

It is important that employers follow these steps to help protect workers who may be at risk for breathing in wildfire smoke:

When wildfire smoke affects a worksite, employers must monitor the air quality index (AQI) for PM<sub>2.5</sub>. Employers can monitor the AQI using the following websites:

- U.S. EPA AirNow website
- U.S. Forest Service Wildland Air Quality Response Program website
- California Air Resources Board website
- Local air pollution control district websites or local air quality management district websites

If the AQI for PM<sub>2.5</sub> is 151 or greater, employers must take the following steps to protect employees:

1. Identification of Harmful Exposures – Employers must determine employee exposure to PM<sub>2.5</sub> at the beginning of each shift and throughout the entire work shift thereafter.
2. Communication – Inform employees of the AQI for PM<sub>2.5</sub> and the protective measures available to them. Encourage employees to inform you that they are experiencing adverse symptoms due to wildfire smoke.
3. Training and Instruction – Provide effective training and instruction to all employees on the information contained in Cal/OSHA Regulations Subsection E 5141.1 Appendix B.
4. Modifications – Implement modifications to the workplace, if feasible, to reduce exposure. Examples include providing enclosed structures or vehicles for employees to work in, where the air is filtered.
5. Changes – Implement practicable changes to work procedures or schedules. Examples include changing the location where employees work or reducing the amount of time they work outdoors or exposed to unfiltered outdoor air.
6. Respiratory protection – Provide proper respiratory protection equipment, such as disposable respirators, for voluntary use.
  - To filter out fine particles, respirators must be labeled N-95, N-99, N-100, R-95, P-95, P-99, or P-100, and must be labeled as approved by the US National Institute for Occupational Safety and Health (NIOSH).

For additional guidance for employers and workers on working safely in conditions with smoke caused by wildfires is available on the Cal/OSHA's website <https://www.dir.ca.gov/dosh/Worker-Health-and-Safety-in-Wildfire-Regions.html>.

## SUMMERTIME SAFE DRIVING TIPS



Road safety is one of the biggest concerns in companies, especially those that are in the trucking industry.

During the summer months, drivers are faced with the added traffic of vacationers on the road, which can increase the likelihood of collisions.

For fleet and professional drivers, they must pay closer attention to safe driving practices. Here are some tips for your drivers to be prepared for whatever comes their way on the road and by following these safe-driving suggestions:

**Maintenance** – Ensure that the company vehicle or truck is in tip-top shape. What does this mean? Check the tires, the engine's oil levels, battery, cooling system, and fluid levels. Supply-wise, be sure to carry water, a spare tire, flashlight, and other necessities.

**Wear Your Seat Belt** – Make wearing a seatbelt non-negotiable for your employees and its passengers. Create a seatbelt policy for your employees, if they fail to follow your policy, give your employee a written warning for the offense. In the event of an accident, wearing a seatbelt can make a difference between life and death!

**Avoid Distracted Drivers** – Drivers need to be extra vigilant when driving on a busy road or highway, and especially when operating larger vehicles. Grabbing a bite to eat while driving, talking, or texting on the phone, or trying to navigate directions from a screen monitor or cell phone can easily cause the driver to become distracted. Try to have hand-free devices turned on for making or taking calls, or to perform functions to access the phone.

**Be Aware of Tailgaters** – The best way to avoid tailgaters is to switch traffic lanes safely. This allows for the tailgater to go by you and avoid a potential accident. Do not tailgate other vehicles and give yourself sufficient space to be able to slow down, break as needed, and come to a complete stop.

**Follow the Road Signs and Obey Traffic Rules**– Pay close attention to the various road and speed limit signs. Speeding may cause the driver to lose control of their vehicle or when making sharp curves, uneven surfaces, construction zones and other road hazards. Use common sense and obey traffic rules such as signal your intentions, park your vehicle in the correct zones, do not pass on a double yellow line, stay in your lane, only use the left lane to pass and yield to pedestrians. This is just a short list of traffic rules, refer to the state's motor vehicle department for more information.

**Safety** – Do not text and drive. It is illegal to drink and drive. Determine if your employee is under the influence of alcohol or a controlled substance by observation and documentation. Do not allow the employee to drive away in the vehicle and instead have the employee seek medical attention. Keep constant communication with your employee while they are on the road, ensure that they are taking the necessary breaks, especially during extreme heat advisory days.

**Training** – Provide the proper safety training for different seasons and weather conditions. Basic driving safety tips apply to most drivers in common conditions, but it is always important for every driver to receive the proper training that can be used in their day-today operations.

No matter how talented we think we are behind the wheel of a vehicle, we do not have control of what happens around you. Provide the proper training to your employees teaches them safe driving habits and techniques in emergency situations and is important to your business.



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## REASONABLE SUSPICION TESTING - KNOW WHEN TO ALCOHOL OR DRUG TEST YOUR EMPLOYEE



An employee shows up for work and smells like alcohol. What should an employer do if they suspect the employee is under the influence of alcohol or a controlled substance? The employer must have a stated policy that a reasonable suspicion drug testing will be conducted if the employer thinks an employee is using drugs.<sup>fc</sup>

Below is a guide on the proper documentation that an employer can take to determine if the employee is in need of an alcohol or drug test and if the employee is fit for work:

**1. Concerns / Complaints** – Managers and supervisors should always follow-up with any concerns or complaints from a coworker or witnesses who bring information forward about the employee. Take a few extra steps by interviewing and documenting the complaint.

**2. Evaluate Signs and Symptoms** - Follow-up by observing the employee and determine if this a new pattern of behavior. Get a second opinion from another management team member and have them confirm the behavior. Each person observing the employee should document the behavior and compare notes to confirm suspicions. Speak directly to the employee to observe any odd behavior such as blood shot eyes, pupils larger or small than usual, changes in work performance, unusual smells on breath, body, or clothing, and/or impaired coordination.

**3. Remove the Employee Promptly** -For safety reasons, it would be a good idea to remove the employee immediate from their position, especially if the employee is working around heavy equipment or machinery or electrical tools. Do not let your employee leave the premises and have the employee wait in an office or conference room.

**4. Document What Was Observed** – It is very important that both observers document the situation. Be as specific as possible on your document, but do not attempt to diagnose the employee and leave this up to the professionals.

Examples of an observation may include:

- *Body odor* – smells of alcohol/whisky;
- *Speech* – slurred, unable to complete a sentence;
- *Behavior* – talking to self, point to wall, aggressive, cursing twitching; or
- *Face*-sweaty, pale skin.

**5. Confirm Reasonable Suspicion** – Supervisors or Human Resources Department should access the situation and review the documentation to determine the next course of action. If management cannot come to an agreement, they may need to have a third party involved to help determine if reasonable suspicion exists.

There is a possibility that reasonable suspicion does not exist, then no further action is needed. As a reminder, document the complaint and observations for future reference.

**6. Reasonable Suspicion Is Warranted** – If it's been determined by both management and HR that the employee may be under the influence of alcohol or controlled substance, then reasonable suspicion is warranted. You should meet with the employee to review what was observed, document the meeting, and inform the employee of the company's procedures in such situations. Do not allow your employee to get behind the wheel of a car instead provide transportation to the testing facility and back home.

Call the facility prior to sending the employee to advise them that an employee is on the way for reasonable suspicion testing.

Keep in mind that an employee may have an underlying medical condition and the first concern should be for the health of the employee.

**7. Test Results** – Reasonable suspicion drug testing can play an important role in helping to create and maintain drug-free workplace programs. When properly administered, it is a fair and reliable testing method that can help to both dissuade and detect drug and alcohol use.

Should the employee's rapid test results come back positive from the facility for alcohol or a controlled substance(s), you may suspend the employee for up to 3 days without pay until you receive the laboratory results. If the laboratory results confirm a positive test, you may terminate your employee for breaking the company's reasonable suspicion drug testing policy. Depending on the company's policy, the employee may be allowed to seek rehabilitation counseling and treatment and be able to return to work with the understanding that the employee may be terminated should there be another similar offense.

If the suspended employee's laboratory test result is negative, the employer must pay the employee for the time spent away from work and return the employee to his/her previous job position as soon as possible.

**What if an employee refuses the test?** This is why it is very important that your company has alcohol and drug policy. Follow steps 1-4 and review the policy with your employee. If the employee refuses to test, then the refusal would be considered a positive test result and will result in termination of the employee's position with the company.

Once again, do not allow for your employee to leave the premises without providing transportation by reaching out to a relative or by calling a cab such as Uber or Lyft. If the employee refuses transportation and gets behind the wheel of the car, immediate take down the license plate number, car make and model, and contact authorities to report your concern that the employee may be under the influence.

Because every business and workforce is unique, every employer should make a careful determination about the drug testing program elements that are most beneficial for their workplace.

Should you need HR support and assistance with a Drug-free Workplace Policy, contact Sandra Rowe by sending an email to [Sandra@safetyworldinc.com](mailto:Sandra@safetyworldinc.com) or call her at 559-936-6111.

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## UV RAYS SAFETY

Employees are susceptible to the sun's ultraviolet(UV) rays from working outdoors or working with non-solar sources such as arc welding. UV rays can cause an increased risk of skin cancer, damage to eyesight, sunburn, blisters and can affect a person's overall health. Some factors that affect UV Radiation include the following:

- UV levels are higher during the summer months due to the sun being higher in the sky resulting in the UV radiation to be more intense than usual.
- UV rays can penetrate through light cloud cover, and on lightly overcast days the UV radiation intensity can be similar to that of a cloud-free day.
- Grass, soil and water reflect less than 10% of UV radiation and fresh snow reflects as much as 80%.

UV radiation can neither be seen nor felt, therefore it is very important that your employees stay protected from intense levels of UV rays. Here are some ways to manage the UV ray risks in the workplace:

1. Have shade cover or canopies readily available for employees to help block UV rays.
2. Reschedule outdoor employees to begin their shift earlier in the day or move to shady area or indoors, if possible. For non-solar sources, place warning signs and keep employees at a safe distance when UV radiation sources are turned on.
3. For outdoor workers, remind them to wear a SPF 15 or higher sunscreen, bring a hat with a long brim to shade the face, neck and ears, and wear a long sleeve shirt and pants to protect the body. For non-solar sources, employees should be provided with the proper personal protective equipment such as a helmet with eye protection, goggles & welding sleeves.
4. Training regarding UV ray risks and what is expected from your employees in the workplace should be offered.

If your worker is overexposed to UV radiation, seek medical attention, identify the causes, and adjust work practices!

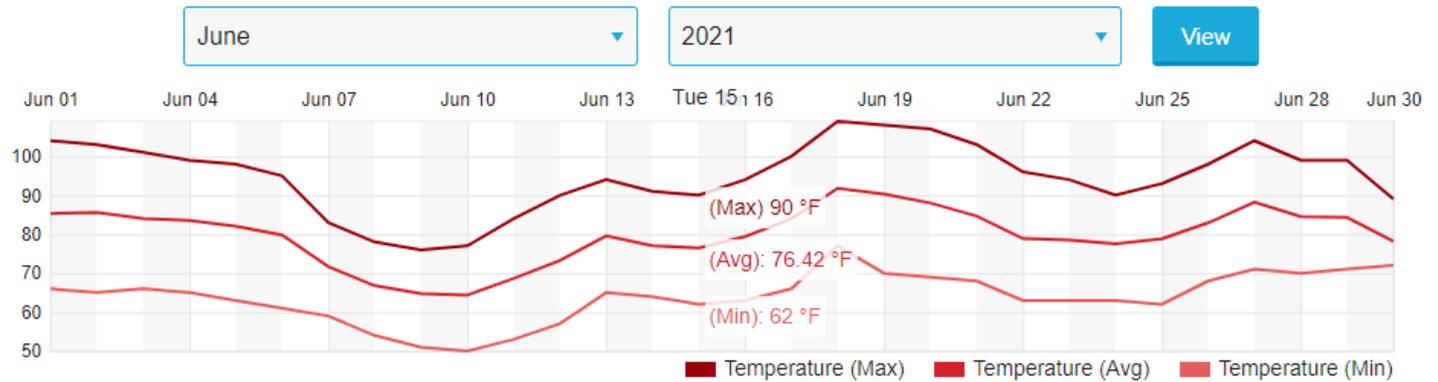
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# KEEP YOUR EMPLOYEES COOL THIS SUMMER....CALIFORNIA IS HOT!

## What happened to June!!!

Daily high temperatures *increase* by 7°F, from 88°F to 95°F, rarely falling below 77°F or exceeding 102°F.

Daily low temperatures *increase* by 6°F, from 58°F to 64°F, rarely falling below 51°F or exceeding 70°F.



How are you keeping your employees cool? As temperatures throughout California are at an all-time high, employee morale is low due to high heat weather. We have had some of our customers recommend purchasing bagged ice and having it delivered to their place of business on a weekly or monthly basis so that it is readily available for employees to fill the water jug. Also, another benefit to having bags of ice is that the ice is kept sanitary. Ice machines are costly and can be contaminated when employees are filling jugs without an ice scooper. Another consideration is employee morale, we all know how tough good labor is to come by these days and providing ice shows that you care about your employee's wellbeing. Employees are to receive suitably cool water per Cal/OSHA's regulations. Although, as an employer you are not required to provide ice, having ice on hand can help your employees to stay focused and it's a really quick way to hyper-cool the body.

Below is average pricing from Artic Glacier for the Fresno/Bakersfield area for our industrial accounts, but this is subject to change based on geography. I have also included the fees associated with deliveries and a merchandiser rental.

### **Pricing**

7 lb. Ice Bag- \$2.50

20 lb. Ice Bag - \$5.95

### **Fees**

\$10.00 Delivery Fee

\$75.00 Monthly Merchandiser Rental

\$300.00 One-Time Combined Merchandiser Set Up and Pick Up Fee

### **Contact:**

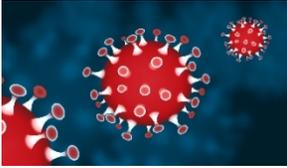
Blake Lyon by phone at 209-747-4062 or by email at [Blyon@articglacier.com](mailto:Blyon@articglacier.com).

You may also visit their website for additional information at [articglacier.com](http://articglacier.com).

Make it easy for your employees to get plenty of additional water by placing water jugs with ice around the workplace. This is a good way to remind your employees to stay hydrated throughout their entire shift.

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# UPDATE ON CAL/OSHA EMERGENCY TEMPORARY STANDARDS



Cal/OSHA’s Standards Board met on June 17, 2021, to vote on the updated Covid-19 Emergency Temporary Standards (ETS). Below are some important FAQ’s regarding the updated ETS.

**Can an employer require its employees to be vaccinated?** Yes. But, in order to avoid litigation and to stay in compliance with the updated standards be sure to follow these 3 guidelines:

1. Employers who have employees with disabilities and are unable to receive the COVID-19 vaccine, must have an interactive process meeting with its employee to determine if reasonable accommodation is required for the employees’ essential functions of their job, and if so, what the accommodation(s) may be.
2. Employees with sincerely held beliefs or religious practice and refuse the vaccine, the employer must reasonably accommodate the employee.
3. Employers cannot retaliate against employees for refusing to get the vaccine because of a disability, sincerely held beliefs or religious practice.

## What are the highlights of the changes to the ETS?

**Face coverings** – regardless of vaccination status, employees do not have to wear masks outdoors. However, unvaccinated employees when outdoors and unable to maintain 6 feet of physical distancing must utilize a facemask.

Here is a table for quick reference regarding face coverings (courtesy of Sagaser, Watkins & Wieland, PC):

<b>Summary of Treatment of Vaccination Status</b>		
	<b>Fully Vaccinated</b>	<b>Not Fully Unvaccinated</b>
<b>Indoor Status (face coverings)</b>	No face covering required.	Employees must continue to wear face coverings indoors and when in vehicles.
<b>Outdoor (face coverings)</b>	No face covering is required.	Generally, no face covering is required. Employers must provide face coverings and recommend they be worn when social distancing cannot be maintained.
<b>Close Contact Exclusion Analysis</b>	So long as symptomless, the employee need not be excluded.	Must exclude the employee if the employee is exposed, with exceptions.
<b>Outbreak Settings</b>	<i>Regular (3205.1)</i> Continue with the above requirements and all employees in the exposed group must wear face coverings when indoors and when unable to properly distance outdoors.  <i>Major (3205.2)</i> In addition to the above, employers must provide respirators for voluntary use to all employees in the exposed group. Social distancing must be maintained.	

**Physical Distancing** - Physical distancing is also still required in some cases, including:

- ★ If an employer assesses a workplace hazard and determines that physical distancing is necessary for the workplace.
- ★ If there is an outbreak, employers must evaluate whether physical distancing or barriers are needed to control transmission.
- ★ Physical distancing and barriers are mandated in the event of a major outbreak, defined as 20 or more employees testing positive.

**Testing** - Employers must continue to offer testing at no cost to employees under the following circumstances:

- ★ The employee is symptomatic and unvaccinated, regardless of whether there is a known exposure.
- ★ The employee is unvaccinated and has had a workplace exposure to COVID-19 (i.e. close contact with known or suspected COVID-19 infected person).
- ★ The employee is vaccinated, but has had a known workplace exposure, and has developed symptoms.
- ★ Employees who are unvaccinated in an outbreak (i.e., 3 or more employee positives within a 14-day period).
- ★ All employees in an exposed group during a major outbreak (i.e., 20 or more employee positives within a 30-day period).

**What remains the same?**

- ★ Covid-19 Prevention Program must include (1) identifying and evaluating employee exposures to COVID-19 health hazards, (2) implementing effective policies and procedures to correct or remedy unsafe and unhealthy conditions, and (3) allowing adequate time for handwashing and cleaning frequently touched surfaces and objects (tables, countertops, keyboards, doorhandles, shared workspaces, etc.).
- ★ Training and instructions that cover COVID-19 spread, infection prevention technique and benefits under applicable federal, state, or local laws.
- ★ “Close contact” is still defined as an employee who has been within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high risk exposure period.”
- ★ “High-risk exposure period” is still for COVID-19 cases who develop COVID-19 symptoms, from two days before they first displayed symptoms until ten days after symptoms first appeared, and 24 hours passed with no fever, without the use of fever-reducing medications, and symptoms have improved. For those who are asymptomatic, from two days before until 10 days after the specimen for their first positive test for COVID-19 was collected.

**Who is eligible for 2021 Covid-19 Supplemental Paid Sick Leave Law; § Labor Code 248.2?**

The 2021 Covid-19 Supplemental Paid Sick Leave Law is effective from January 1, 2021, through September 30, 2021, for employers with 26 or more employees to provide up to 80 hours of paid sick leave to employees who are unable to work or telework:

**(1) Caring For Yourself:** the covered employee is subject to a quarantine or isolation period related to COVID-19 or has been advised by a healthcare provider to quarantine or is experiencing symptoms of COVID-19 and in the process of seeking a medical diagnosis.

**(2) Caring For a Family Member:** the covered employee is caring for a family member who is either subject to a quarantine or isolation period related to COVID-19, has been advised by a healthcare provider to quarantine, or the employee is caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises.

**(3) Vaccine-Related:** the covered employee is attending a vaccine appointment or cannot work or telework due to vaccine-related side effects.

Safety World, Inc. will continue to monitor any changes in COVID-19 guidance and regulations in the workplace. If you have any other questions regarding this information, please send email with your questions to [Sandra@safetyworldinc.com](mailto:Sandra@safetyworldinc.com) and she will be sure to reply to your question as quickly as possible.

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