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Public Sector Safety Report, Winter 2005

Maine Department of Labor

Maine Public Sector Enforcement

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Public Sector Enforcement Activity July through September 2004:

- Total unadjusted penalty amount: $80,000.00
- Reduced by 31% for size and good faith efforts
- Total adjusted penalty amount: $55,250.00

Most cited violations with penalties July through September 2004:

- 29 CFR 1910.134 (f) (2) The employer shall ensure that an employee using a tight fitting face piece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.
- 29 CFR 1910.134 (e) (1) The employer shall provide a medical evaluation to determine the employee’s ability to use a respirator, before the employee is fit tested or required to use the respirator.
- 29 CFR 1910.1200 (g) (8) Employer shall maintain in the workplace copies of the required material safety data sheets for each hazardous chemical, and ensure that they are readily accessible during work hours.
- 29 CFR 1910.1030 (g) (2) (iv) Hazard Communication. Annual training for all employees shall be provided within one year of their previous training.
- 29 CFR 1910.120 (q) (6) (i) First responder awareness level training. First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release.

Fire Fighter Information-gathering Meetings:
The Board of Occupational Safety & Health and staff from the Workplace Safety & Health Division hosted information-gathering meetings in five locations (Madawaska, Presque Isle, Bangor, Portland and Hallowell) during September and October. Area fire chiefs and/or their designees attended and all meetings had a strong turn out. A full report of all comments and questions received during those meetings will be addressed at the Board’s next meeting on December 13, 2004 at the Bureau of Labor Standards in Hallowell.

Occupational injuries and illnesses decline in 2003:

Workers’ Compensation First Reports of public sector disabling injuries (injuries or illnesses resulting in one or more days away from work beyond the day of the injury or illness) declined from 2002 to 2003. In state government the decrease was from 800 to 664 and in local government from 1,655 to 1,529 First Reports. The overall decline was, therefore, 10.7%.

Public sector OSHA incidence rates for all cases showed a similar pattern. Total recordable rates went from 5.2 to 4.7 in state government (down 9.6%) and from 6.3 to 5.9 in local government (down 6.3%). However, the state government rate for lost workday cases rose from 1.6 to 1.9, an increase of 15.8%. For more information, go to www.maine.gov/labor/bls/charwork.htm.

Public Sector Employers are Getting in SHAPE:
The Maine Department of Labor will be launching a new safety & health recognition program, the Safety & Health Award for Public Employers (SHAPE). SHAPE recognizes public sector employers who operate an exemplary safety & health management system. Acceptance into SHAPE by the Maine Department of Labor, Bureau of Labor Standards is an achievement that recognizes your program as a model for worksite safety and health. Upon receiving the SHAPE award, your worksite will be exempt from programmed inspections for at least one year. For information about acceptance into the SHAPE program, call SafetyWorks! at (207) 624-6400 or toll-free at 1-877-SAFE-345, TTY: (207) 624-6003.

Bureau News:
On June 30, 2004, Maurice Nadeau, Public Sector Enforcement Officer, retired after more than 25 years of keeping public sector employers and employees safe and healthy. His hard work and many years of dedicated service will be missed.

On November 8, 2004, the Bureau welcomed Michael LaPlante as the new Public Sector Enforcement Officer for Southern Maine. Mr. LaPlante has many years of experience in the safety and health industry. He also has several years of experience in the fire service as a member of the Farmingdale Fire Department.

Regulations and compliance assistance for Maine public sector workplaces can be found on the internet at www.Maine.gov/labor/bls/newpsw.htm

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available upon request to individuals with disabilities.
Public Sector
SAFETY REPORT

Winter 2004

The Public Sector Safety Report is issued quarterly to inform public sector employers and employees of safety and health enforcement issues. Published by the Maine Department of Labor, the compliance and enforcement agency for occupational safety and health regulations for public sector workplaces in Maine.

Please post this Report to share the information with employees.

To be added to the mailing list, or to make address corrections, send information to Public Sector Safety Report, MDOL, 45 State House Station, Augusta, ME 04333-0045, (207) 624-6400, TTY (207) 624-6003, fax to (207) 624-6449 or e-mail at webmaster.bls@Maine.gov.