
Sprayfoam 2018 Annual Convention and Expo

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Area Director Mobile, AL

Occupational Safety and Health Administration

U.S. Department of Labor



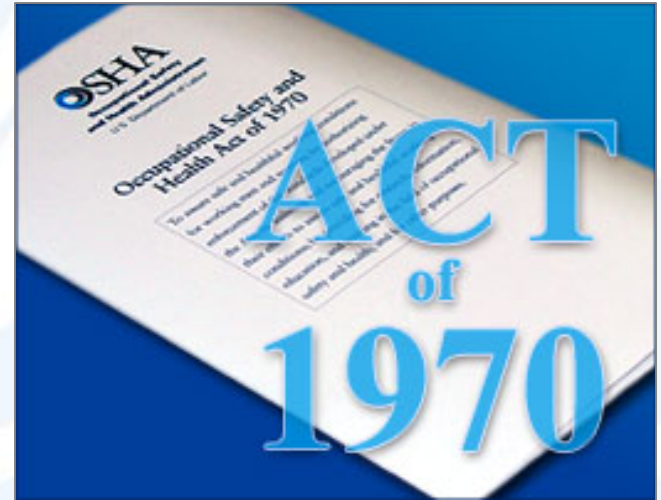
ANTITRUST POLICY STATEMENT FOR SPRAY POLYURETHANE FOAM ALLIANCE MEETINGS

- It is and shall remain the policy of the Spray Polyurethane Foam Alliance (“SPFA”), and it is the continuing responsibility of every SPFA member company, SPFA meeting or event participant, as well as SPFA staff and leadership to comply in all respects with federal and state antitrust laws. No activity or discussion at any SPFA meeting or other function may be engaged in for the purpose of bringing about any understanding or agreement among members to (1) raise, lower or stabilize prices; (2) regulate production; (3) allocate markets; (4) encourage boycotts; (5) foster unfair or deceptive trade practices; (6) assist in monopolization; or (7) in any way violate or give the appearance of violating federal or state antitrust laws.
- Any concerns or questions regarding the meaning or applicability of this policy, as well as any concerns regarding activities or discussions at SPFA meetings should be promptly brought to the attention of SPFA’s Executive Director and/or its legal counsel.



History of OSHA

- On December 29, 1970, President Nixon signed the OSH Act
- This Act created OSHA, which formally came into being on April 28, 1971
- Occupational Safety and Health Administration, an agency of the U.S. Department of Labor.
- OSHA's responsibility is to assure safe and healthful working conditions for working men & women



OSHA: 46 years of Progress in Workplace Safety and Health

Since 1971:

- **Workplace fatalities have decreased 60%**
- **Occupational injuries and illnesses have declined 40%**



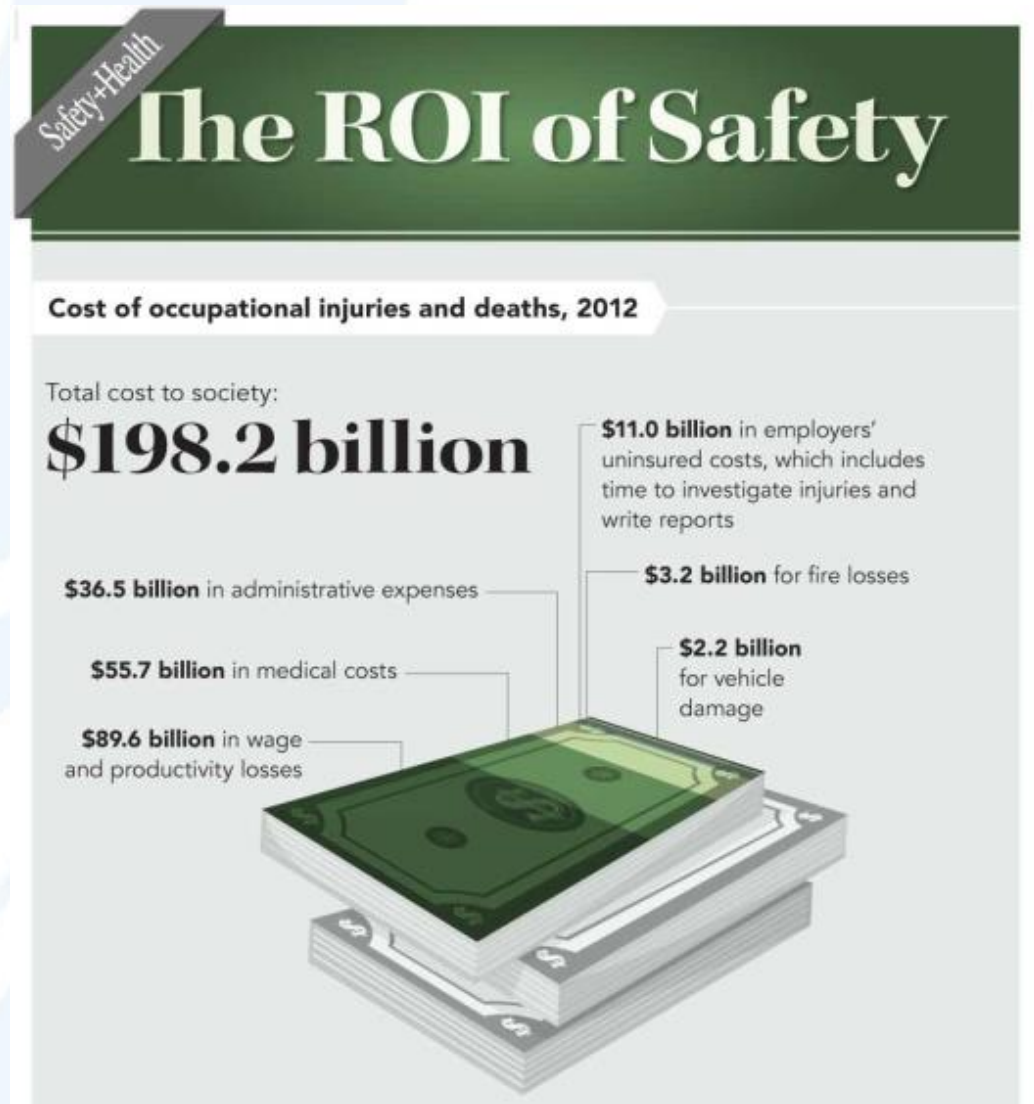
OSHA's Continuing Mission

- Every year more than **4,000** Americans die from workplace injuries.
- Perhaps as many as **50,000** workers die from illnesses in which workplace exposures were a contributing factor.
- More than **4 Million** workers suffer a serious nonfatal injury or illness annually.



**Workplace injuries
and fatalities
cost our economy
\$198.2 billion
a year.**

— National Safety Council
“Injury Facts” 2014



Balanced Approach

- Strong, fair, and effective enforcement
- Outreach and compliance assistance
- Cooperative and voluntary programs (Alliances, partnerships, VPP, SHARP)



Helping Responsible Employers

Responsible employers deserve a level playing field.

Why should they compete with those who cut corners and costs on worker safety?



Leveraging Enforcement Actions

- Severe Violator Enforcement Program (SVEP) – approx. 500 employers listed
- Corporate Wide Settlement Agreements (CSAs) – 8 since FY13
- Criminal Referrals for Prosecution (MOU w/ DOJ- Worker Endangerment Initiative)
- Penalty Increase- \$12,500-S, \$120,500-W
- Development of significant and egregious cases
- Section 11b



Top Ten Violations

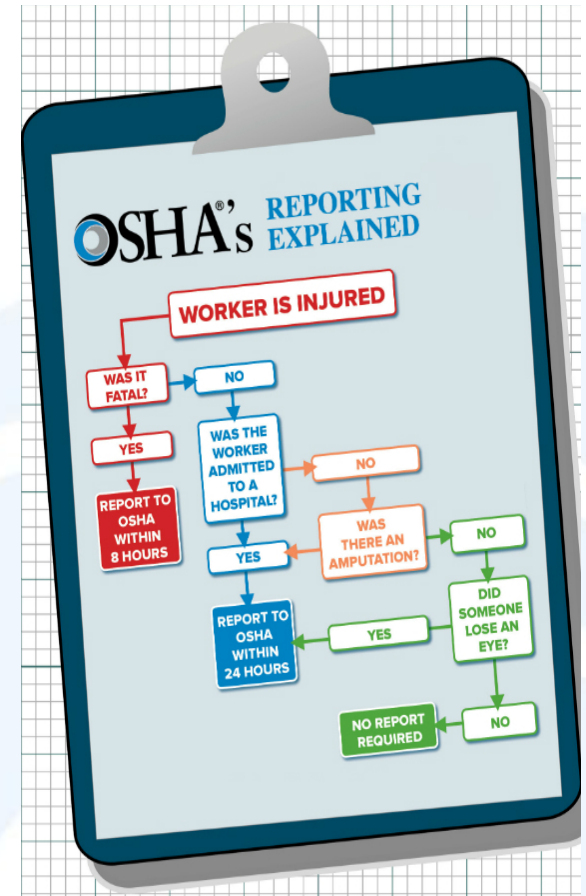
**Most frequently cited
OSHA regulations
during FY 2015
inspections**

1. Fall Protection
2. Hazard Communication
3. Scaffolding
4. Respiratory Protection
5. Lockout/Tagout
6. Powered Industrial Trucks
7. Ladders
8. Electrical – Wiring Methods
9. Machine Guarding
10. Electrical – General Requirements



Report a fatality or severe injury

- All employers are required to notify OSHA when an employee is **killed** on the job or suffers a work-related **hospitalization, amputation, or loss of an eye**.
- A fatality must be reported **within 8 hours**.
- An in-patient hospitalization, amputation, or eye loss must be reported **within 24 hours**.



Will Compliance with OSHA Regulations Make My Workplace Safe?

Safer, but not Safe!

Some fatalities and serious injuries will *not* be prevented by simply complying with OSHA regulations




WHY?

- **OSHA regulations don't cover all hazards**
(In some cases, not even the big ones)
- **Many OSHA standards are out of-date**
- **Regulations can't address every situation**



The Value of PREVENTION

- 
- **saves lives**
 - **prevents injuries**
 - **saves you money**

Safety & Health Program Management Systems

Core Elements

- Management leadership
- Worker participation
- Hazard identification and assessment
- Hazard prevention and control
- Education and training
- Program evaluation and improvement
- Communication & Coordination for Host employers, Contractors, & staffing agencies



Federal and State OSHA



- The OSH Act covers employers and employees either directly through federal OSHA or through an OSHA approved state program.
- **26 States**, Puerto Rico, and the Virgin Islands have OSHA approved State Plans.



entv-six states. Puerto Rico, and the Virgin Islands have OSHA-approved





WHISTLEBLOWER DISCRIMINATION

- Any type of retaliation taken against an employee for exercising their rights under any of the 22 whistleblower statutes administered by OSHA.

Firing or laying off

Blacklisting

Demoting

Denying overtime or promotion

Disciplining

Denial of benefits

Failure to hire or rehire

Intimidation

Making threats

Reassignment affecting prospects for promotion


Reducing pay or hours



OSHA'S Whistleblower Webpage

[Home](#) [File a Complaint](#) [Fact Sheets & Statistics](#) [News & Updates](#) [Statutes](#) [Regulations & Directives](#) [Advisory Committee](#) [Contacts & Links](#)

THE WHISTLEBLOWER Protection Programs



Know Your RIGHTS

OSHA's whistleblower statutes protect you from retaliation. An employer cannot retaliate by taking "adverse action" against workers who report injuries, safety concerns, or other protected activity.

[Learn More →](#)

Worker PROTECTIONS

Since passage of the OSH Act in 1970, Congress has expanded OSHA's whistleblower authority to protect workers from retaliation under twenty-two federal laws. Complaints must be reported to OSHA within set timeframes following the retaliatory action, as prescribed by each law.

[Learn More →](#)

File a COMPLAINT

File a complaint if your employer has retaliated against you for exercising your [rights as an employee](#). In states with approved State OSHA Plans, employees may file a complaint under the OSH Act with both the [State](#) and [Federal OSHA](#). Under the other federal laws, a complaint must be filed with Federal OSHA directly. You may file a complaint by calling 1-800-321-OSHA (6742), [contacting your local OSHA office](#) or [filing online here](#).

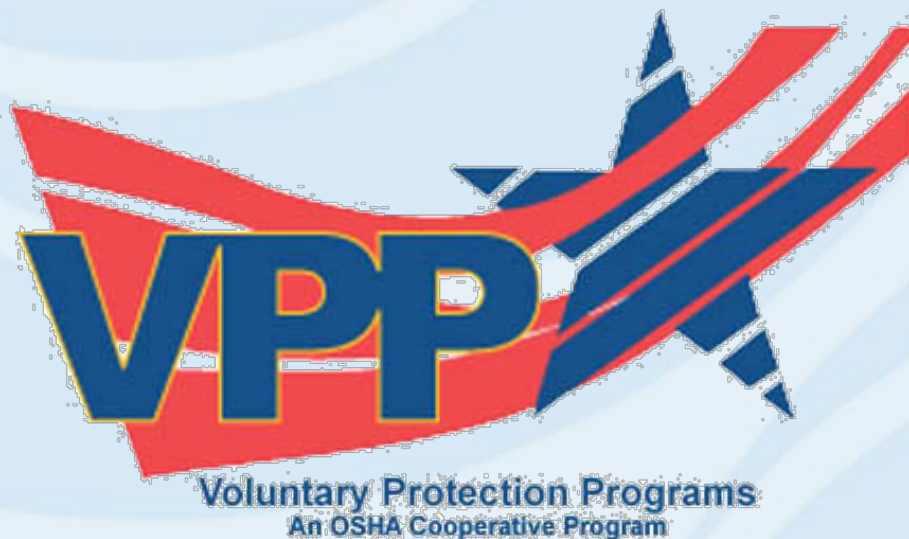
[Learn More →](#)

www.whistleblowers.gov



PARTNERSHIP

An OSHA Cooperative Program



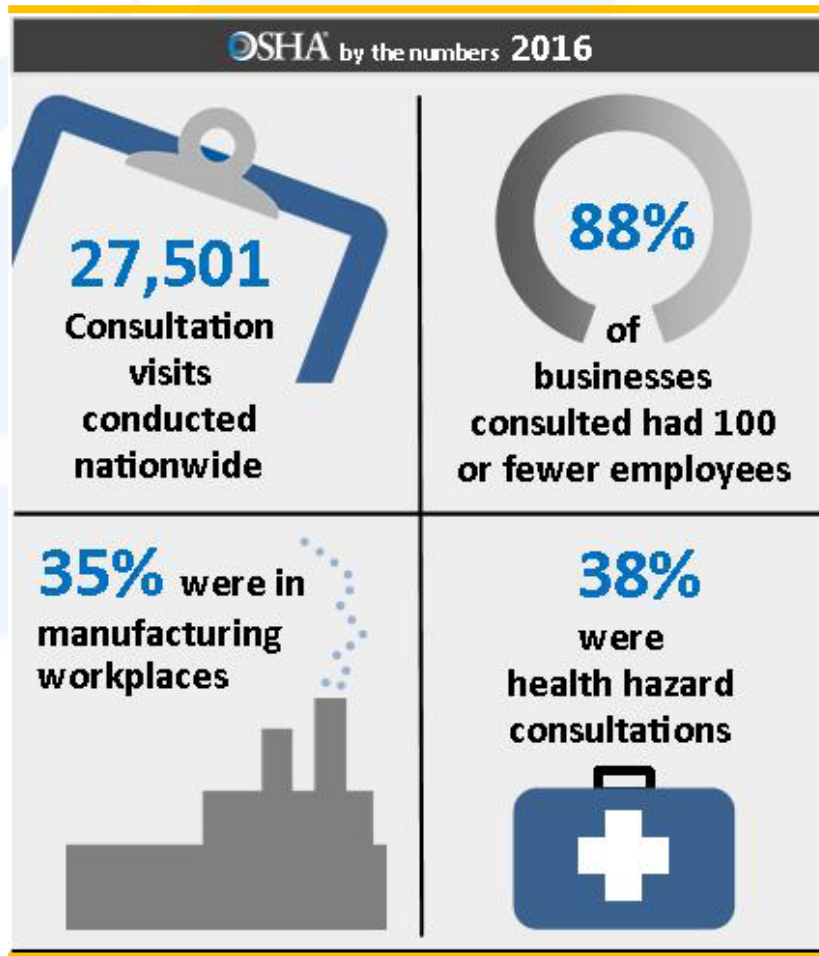
SHARP

Safety & Health Achievement
Recognition Program
Consultation: An OSHA Cooperative Program

alliance
An OSHA Cooperative Program



On-site Consultation



ACC Announces Working Alliance With OSHA



ACC and OSHA Alliance



Occupational Safety and Health Administration

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[OSHA National Alliances](#) / American Chemistry Council - CPI



[Quick Links](#)

American Chemistry Council [Center for the Polyurethanes Industry, Diisocyanates Panel, and Aliphatic Diisocyanates Panel] (ACC)

(signed September 13, 2017)

[Related Documents](#) [Products and Resources](#) [Areas of Emphasis](#)

Through the Alliance, OSHA and ACC will work together to provide members, occupational physicians, stakeholders, and others within the polyurethanes value chain with information, guidance, and access to training resources that will help them protect the health and safety of workers, particularly by: 1) illustrating methods for reducing and preventing exposure to aliphatic and aromatic diisocyanates (MDI, TDI, HDI, HMDI, and IPDI); 2) providing a better understanding of the health issues, routes of exposure, and medical surveillance/clinical evaluation techniques related to diisocyanates; and 3) understanding the rights of workers and the responsibilities of employers under the Occupational Safety and Health Act (OSH Act). The goals of the Alliance include:

Raising Awareness of OSHA's Rulemaking and Enforcement Initiatives:

- To share information on OSHA's National Emphasis Programs, the Regulatory Agenda, and opportunities to participate in the rulemaking process.
- To share information on occupational safety and health laws, standards, and guidance resources, including the rights and responsibilities of workers and employers.



Deputy Assistant Secretary Loren Sweett, USDOL-OSHA (seated, center), with representatives of ACC and OSHA at the



ACC-OSHA Alliance

OVERVIEW
INTRODUCTION TO POLYURETHANES >
HEALTH, SAFETY, AND PRODUCT STEWARDSHIP ▾
ACC-OSHA Alliance
Potential Health Effects
Worker Protection
Environment
Emissions
Spray Polyurethane Foam and California DTSC
SUSTAINABILITY >
SPRAY TRUCK BED LINER >
PRODUCTS, RESOURCES, AND DOCUMENTS LIBRARY
EDUCATION CENTER >



The American Chemistry Council and the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) recognize the value of establishing a collaborative relationship to foster safer and more healthful American workplaces. The ACC partners include the Center for the Polyurethanes Industry (CPI), Diisocyanates (DI) and Aliphatic Diisocyanates (ADI) Panels. To that end, OSHA and ACC have formed a voluntary Alliance to provide members, occupational physicians, stakeholders, and others within the polyurethanes value chain with information, guidance, and access to training resources that will help them further protect the health and safety of workers. This webpage will host information about the projects and events created by the Alliance partners.

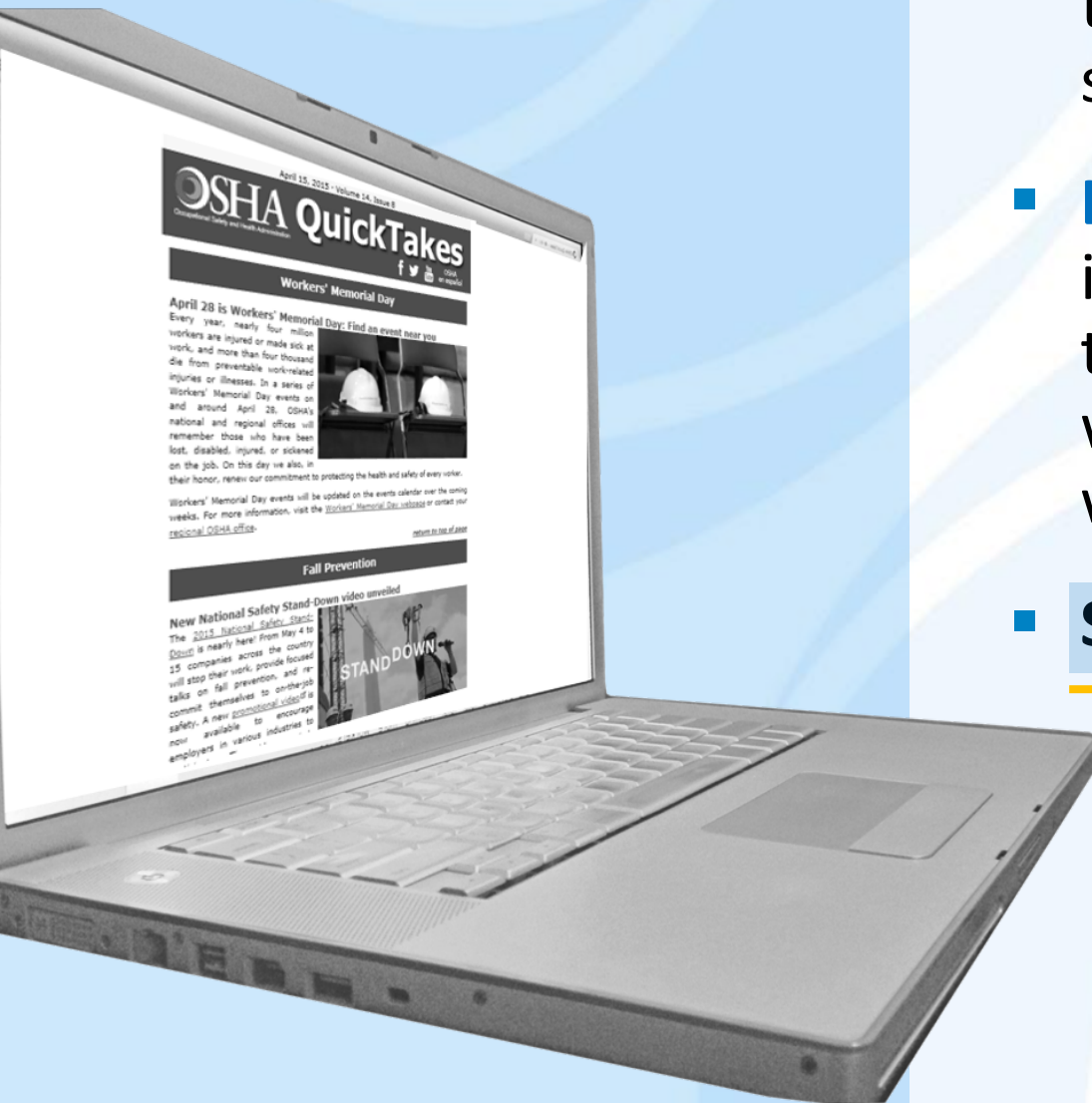


<https://polyurethane.americanchemistry.com/ACC-and-OSHA-Alliance.html>

<https://www.osha.gov/dcsp/alliances/acc/acc.html>



OSHA QuickTakes



- **FREE** OSHA e-newsletter delivered twice monthly to more than **170,000** subscribers
- **Latest news** about OSHA initiatives and products to help employers and workers find and prevent workplace hazards
- Sign up at **www.osha.gov**





Working Together, We Can Help

