

# MIDWESTERN INSURANCE ALLIANCE

## Loss Control Newsletter

March 2000



Midwestern Insurance Alliance maintains the goal of providing our insureds with a wide range of loss control services.

Only one of which is this monthly *Loss Control Newsletter*.

To become aware of the many other services offered, contact Loss Control Manager, Keith Wertz at (502) 429-9990 or send e-mail to [krwertz@midwesterninsurance.com](mailto:krwertz@midwesterninsurance.com)

## ERGONOMICS (Part 2 of 2)

### Review/Overview

Last month's newsletter introduced the term "ergonomics" and defined it as "the study of work" and "the design of tasks and equipment to match human characteristics." It also pointed-out that *musculoskeletal disorders* (MSD) are the result of when there is a ergonomic mismatch. Several examples of the financial and physical costs of ergonomic "mismatches" were also provided. Finally, mention was made in last month's newsletter to OSHA's proposed ergonomics rule, which is currently under public debate. This newsletter will focus explaining OSHA's proposed ergonomics rule.

### For Whom The Bell Tolls

Right now OSHA's proposed ergonomics rule just covers workers in general industry. However, it is notable that construction, maritime and agricultural operations will be covered in future rulemaking.

Specifics jobs covered are:

- Manufacturing jobs (production jobs that account for a significant amount of an employee's work time)
- Manual handling jobs (positions where the core element of the job requires forceful lifting/lowering, pushing/pulling and carrying)
- Other jobs in general industry where a covered MSD occurs

These above jobs were selected because every year MSDs are reported in virtually every industry in the nation. Because of the breadth of this problem, OSHA is first focusing on the areas in general industry where the problem is most severe and where the solutions are well-demonstrated.

The incidence of MSDs is particularly severe in manufacturing and manual handling jobs in general industry. In addition, a number of workers in other jobs also experience MSDs.

Where workers are getting hurt, their employers need to address the ergonomics problem.

### What Triggers Employer Action

In OSHA's proposed ergonomics rule, an OSHA recordable MSD will be used to "trigger" employer requirements to analyze and control hazards for specific jobs. This means that employers must react to a reported OSHA-recordable MSD.

The incident "trigger" focuses employers on first analyzing and controlling the hazards associated with jobs that have resulted in one or more MSD, rather than requiring employers to expend their resources on analyzing all jobs at the outset. This helps to minimize burdens on employers by limiting the number of jobs employers must address and limiting the action employers must take if they only have very limited or isolated problems.

OSHA proposed ergonomics rule leaves employers free to develop ergonomic programs that use triggers that are more sensitive. For example, many employers already initiate action at early points before MSD symptoms progress to recordable injuries - something OSHA encourages.

### Hey, It Did Not Happen Here!!!

OSHA's proposed ergonomics rule would not require employers to implement controls or provide MSD management if the employer determines that the MSD is not an OSHA recordable and does not meet the screening tests for coverage. These screens are:

- The physical work activities and conditions in the job are reasonably likely to cause or contribute to the type of MSD the employee reported, and
- These activities and conditions are a core element of the job and/or make up a significant amount of the employee's work time

### What About the Little Guy?

OSHA estimates that about 1.3 million establishments with fewer than 20 workers have manufacturing and/or manual handling jobs. According to the OSHA's proposed ergonomics rule, they will need to adopt a basic ergonomics program. The proposal requires employers with these jobs to have a *basic program* which includes:

- Management Commitment
- Employee Participation

- Hazard Information/Reporting.

A *full range* program would include the above, but would also include:

- Job Hazard Analysis/Control
- Training
- MSD Management
- Program Evaluation.

OSHA's proposed ergonomics rule incorporates several provisions that will assist small employers in complying with the standard:

- Exemption from record keeping requirements (10 or fewer employees)
- Long compliance phase-in. (2 years to do job hazard analysis and 3 years to implement permanent controls)
- Use of Quick Fix option instead of setting up full ergonomics program
- Control hazards with any combination of engineering, work practice and administrative controls, which should reduce control costs
- Work restriction protection period shortened to 6 months, compared to 18 months in some other OSHA rules.
- Employers can discontinue their program in a job that has been fixed if no MSDs occur in that job for 3 years

### How Do I Obtain a Copy?

Individuals can get a copy of OSHA's proposed ergonomics rule, including the entire preamble, in several ways:

Electronically - access the proposed rule and preamble on the OSHA web site: [www.osha-slc.gov](http://www.osha-slc.gov)

Telephonically - get the proposed rule and preamble (hard copy or CD-ROM) by calling OSHA's Publication Office at (202) 693-1888.

The full proposed ergonomics proposal, proposed rule and preamble, is approximately 400 pages as it appears in the Federal Register. The full proposal includes the proposed regulatory text, information on public participation (submitting comments and participating in informal public hearings), plus an additional 360 pages of supporting material, such as economic analysis, health effects and risk analysis. The full proposal is also available on CD-ROM. You can also obtain an abbreviated version of the proposal, which is approximately 40 pages, and includes a brief introduction, the regulatory text and information on public participation.

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