

Safety Management 505
Safety Legislation and Compliance
Spring, 2015
John D. Parks CSP, CSHM, Professor

Class Meets Tuesday 4:00 to 6:50
Instructor: John Parks

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Office hours: By arrangement or before each class

Required Textbook: 29 CFR 1910 General Industry Regulations/Standards.
This is available on the net (OSHA.gov for example) or from Government
Institutes, Mancomm or Amazon.Com.

The Mission of the Safety Management program is to develop Leaders of an
Organization able to protect, conserve, and improve the resources- people,
property, and efficacy - of the organization.

Method of Instruction: This course is taught primarily through lecture, plus
readings inside and outside class. Students will do internet searches, case
presentations, standards outlines, methods of managerial implementation and
participate in group and individual class projects/activities.

Course Goal: To provide a comprehensive study and analysis of federal and state
regulations that mandate compliance with safety, health, and environmental
conditions and practices related to work performance in occupational and
comparable settings.

Grading: Grading is based on a system of
accumulated points from a variety of
measures, as follows:

91 - 100% earns:	A
81 - 90% earns:	B
71 - 80% earns:	C
61 - 70% earns:	D
Below 61% earns:	F

Relative proportion of grade:

Exams:	40%
Abstracts/reports on standards	25 %
Case presentations	25%
Class Participation/Attendance:	10%
Total	100%

Note: You cannot participate if you do not attend!!!!

Note: You must follow the Abstract/report outline to receive full credit.

Note: Each student will be responsible for various OSHA Law cases that he/she will brief and be able to present and discuss in class in a professional manner. All cases must be accurate and well presented for full credit. You must bring out the key points and prevailing party in all cases. You are responsible for a minimum ONE FULL PAGE summary to be distributed to all class members. Follow the OSHA CASE OUTLINE given. DO NOT READ YOUR CASE TO THE CLASS!!!!!!!!!!!!!! You will be graded on the content of the summary and the presentation thereof. Single space with margins left, right, top and bottom = 1 inch.

Note: Students will also do various standard outlines along with the management activities to implement, maintain and evaluate the effectiveness of the standard. You will be given a format.

All assignments are expected to be typed with a cover sheet and turned in on time. Assignments will have a due date and will **only be accepted on or before that date.**

Note: Students will compile a Portfolio/Manual of class activities; this is a **mandatory course requirement.** You will be given a format to follow. The Portfolio is to be turned in on the day of the final. It will be graded and count towards either the Case studies or Abstracts/Reports portion of your grade.

TURN YOUR CELL PHONE OFF DURING CLASS!!!!!!!!!!

There are no Extra Credit Activities!!!!!! There are no Extra Credit Activities!!!!!!

NO MAKE UP ON EXAMS, ABSTRACTS/REPORTS, ASSIGNMENTS OR CASES.

Homework: Various assignments are made for reading prior to class lecture. Nobody is expected to get through all of the CFRs in this course, but an in-depth coverage of selected sections highlighted in the syllabus is required. We will try to focus on the Top Ten OSHA Violations.

Note taking is strongly encouraged!!!! My method of teaching has limited Power Point with hard copies. Therefor Note taking is strongly encouraged!!!!

Course Objectives.

1. Identify and describe the nature and scope of agencies that enforce safety and health legislation and related compliance operations.
Assessment: *Class discussion, exercises, presentations, and exams*
2. Develop a familiarization with the intricate procedures of the standards development process and the parties, steps, and procedures involved with the development process of standards and variances.
Assessment: *Class discussion, exercises, presentations, and exams*
3. Identify and have a working knowledge of the record-keeping requirements set forth by state and federal agencies.
Assessment: *Class discussion, exercises, presentations, and exams*
4. Develop a thorough understanding of training requirements that will achieve voluntary compliance and reduce risk to employees.
Assessment: *Class discussion, exercises, presentations, and exams*
5. Specify the purposes, and responsibilities of Management and labor specified in key regulations such as LOTO, Machine Guarding, Confined Spaces, Exit Routes, respirators etc.
Assessment: *Class discussion, exercises, presentations, and exams*
6. Have a basic understanding of the Workers Compensation system and how it relates to the Safety function within industry.
Assessment: *Class discussion, exercises, and exams*
7. Demonstrate knowledge of new and/or other important regulations and guidelines such as ANSI Z10, ISO, CERCLA, RCRA and GHS
Assessment: *Class discussion,, exercises, presentations, and exams*
8. Have a basis understanding of how OSHA works, along with the adjudication process.
Assessment: *Class discussion, exercises, presentations, and exams*

Methods of Assessment: Class discussion, participation, case presentations, exams, abstract reports.

TOPICS TO BE COVERED TIME PERMITTING

1. Hierarchy of controls Engineering and Administrative
2. WV Workers Comp then and now, exclusive remedy, 5 part test.
3. The OSHA Act 91-596 Coverage and pre-emption
4. WV Safety and Health Act, WV Department of Labor
5. OSHA approved State Plans
6. How OSHA works inspection enforcement
7. How standards and regulations are made, a loooooong process.
8. A standard or regulation? Start up standards.
9. Section 5A1 General Duty Clause
10. Machine guarding, LoTo, Respirators, Hazard Communication, Industrial Trucks forklifts, Electrical wiring and methods, walking and working surfaces, recordkeeping, ANSI Z10, ISO, New GHS requirements
11. Civil and Criminal penalties within OSHA
12. Multi Employer Citation policy
13. Whirlpool and refuse to work, 3rd party issues
14. Barlow Probable cause Right of Entry
15. Service, abatement, notice of contest, stay or abatement
16. Adjudication, OSHRC, ALJ, Circuit Court, Area Director
17. Types of Violations: Failure to Abate, Repeated, Serious, Willful, Egregious, and adjustment.
18. Affirmative Defenses: Greater Hazard, Impossibility of compliance
19. Exposure and Medical Records (Access)
20. Plain View and Open Field with respect to inspection
21. OSHA'S Voluntary Protection Programs
22. Overview of DOT, CERCLA and RCRA

PROFESSIONAL SKILL DEVELOPMENT

Computer usage: Each student will work with computers in order to demonstrate some degree of competency with some aspects of computer usage (CD ROMs, word processing, graphics, the Internet, e-mail, etc.). The project papers will be produced on a computer. It is assumed that all students are reasonably computer literate.

Presentation Skills: By giving presentations, students are improving their skills to speak before an audience and answer questions “on their feet”. These are valuable skills for any manager or supervisor.

Writing Skills: Written assignments are expected to be well defined and coherent. The instructor has often heard from employers or recruiters to stress that good

writing skills are essential to their organization. With this in mind, students assignments will be reviewed for grammar, spelling and coherent content

CHEATING

"Cheating: If you cheat (copy someone else's answers on a test, knowingly allow someone to copy your test, use someone else's term paper, etc.), **then you can receive a failing grade in the class and could be subject to further disciplinary measures."** (Mountie, 1996, p. 14)

"Plagiarize ... vb.. to steal and pass off (the ideas or words of another) **as one's own : use** (a created production) **without crediting the source ~ vi: to commit literary theft : present as new and original an idea or product derived from an existing source"** (Webster's New Collegiate Dictionary, 1979, p. 870)

In order to protect yourself from being accused of cheating you must reference (cite) any thought, idea, or fact that is not your original thinking. This means noting in the body of your paper (project report, etc.) the source of the fact or idea, and, if you are quoting a source directly, including the page number where the quote may be found. In this course we will use the **Publication Manual of the American Psychological Association, 5th edition**, as a guide for citing works (APA, 2001).

To further protect yourself (and your grade), you must be sure that any work you hand in contains a substantial amount of your own thinking. It is not acceptable to paraphrase another's work (even if you refer to that work and give the author credit) and submit it as your work. Originality on your part is required to pass this course.

For the official WVU code of ethics go to –

<http://studentlife.wvu.edu/studentconductcode.html>

SOCIAL JUSTICE

West Virginia University is committed to social justice. I concur with that commitment and expect to maintain a positive learning environment based upon open communication, mutual respect, and non-discrimination. Our University does not discriminate on the basis of race, sex, age, disability, veteran status, religion, sexual orientation, color or national origin. Any suggestions as to further such positive and open environment in this class will be appreciated and given serious consideration.

If you are a person with a disability and anticipate needing any type of accommodation in order to participate in class, please advise me and make appropriate arrangements with Disability Services (293-6700) **NLT the 3rd week of class.**

For the WVU policy on Social Justice go to – **<http://socialjustice.wvu.edu/>**

Format for OSHA Cases and Standards Review

OSHA Cases: Follow the outline given, Title of case, Case, Facts, Issue, Held, and Reason with your name at bottom. Margins left, right, top, and bottom = one inch. Keep it to one full page, partial page will not receive full credit. Minimum of one page Maximum of 1.5 pages. Use standard spacing with 12 cpi. You must provide copies of your case to each class member before your presentation.

Standards Overview:

A summary in your own words of the key points of the safety standard assigned. Do not use the standard outline form!!!!!! Maximum of 2 pages with same margins spacing and cpi as stated above. This needs to be a good summary.

Managerial Steps

A. In a minimum of one or more pages consider how you are going to manage the implementation of the particular standard assigned. Consider each standard assigned as starting anew. Said differently your company has no Lockout Tagout program. What managerial steps are you going to initiate or take to get the standard in place and functioning?

These steps should be divided into 3 areas:

Area 1. Steps to initiate the standard

Area 2. Steps to assure compliance once initiated.

Area 3. Steps to evaluate the effectiveness of the standard assigned once implemented.

Note. For this use the cookbook format, short sentences listing who will do what, when. I will be looking for things you will be doing. E.G. Assigning supervisors, scheduling meetings, conducting training, conducting fit tests, meeting with upper management, forming committees, writing policy statements, developing safety procedures, etc. Keep it as simple and precise as possible and address all key points of the standard. A member of your office should be able to take this listing and know specifically what to do in your absence.

How to arrange your student Manual/Portfolio

Put the example sheet by Dr.. Winn in the plastic cover on the front of your manual. Make the changes to reflect 505, and your name.

One the inside

The syllabus

Index : A listing the title of the tabs and what they contain

Tab 1 W/C all handouts and your notes

Tab 2 Section 5 a 1 General Duty clause all handouts and your notes

Tab 3 Standard summaries put some small tabs identifying the different summaries HCS, LoTo, maching guarding, respirators, trucks etc

Tab 4 OSHA law cases and your notes on each.