

# The Safety & Health Advisor

## Fall 2021



### OSHA's Top 10 Most Frequently Cited Standards

Earlier this year the Occupational Safety and Health Administration (OSHA) announced its Top 10 most frequently cited workplace safety standards for fiscal year 2020. Several of the standards changed positions from the prior year, but the top 10 violations from FY 2019 to FY 2020 stayed the same. Fall Protection – General Requirements ([1926.501](#)) remains OSHA's most frequently cited standard for the 10<sup>th</sup> successive fiscal year with 5,424 violations issued in FY 2020. Ladders ([1926.1053](#)) rose to the top-five spot, and Respiratory Protection ([1910.134](#)) also climbed to the third most frequent from the fifth spot in FY 2019.

OSHA publishes this list to alert employers about these commonly cited standards so they can take steps to find and fix recognized hazards addressed in these and other standards before OSHA shows up.

1. **Fall Protection, construction** ([29 CFR 1926.501](#)) [[related OSHA Safety and Health Topics page](#)]
2. **Hazard Communication Standard, general industry** ([29 CFR 1910.1200](#)) [[related OSHA Safety and Health Topics page](#)]
3. **Respiratory Protection, general industry** ([29 CFR 1910.134](#)) [[related OSHA Safety and Health Topics page](#)]
4. **Scaffolding, general requirements, construction** ([29 CFR 1926.451](#)) [[related OSHA Safety and Health Topics page](#)]
5. **Ladders, construction** ([29 CFR 1926.1053](#)) [[related OSHA Safety and Health Topics page](#)]
6. **Control of Hazardous Energy (lockout/tagout), general industry** ([29 CFR 1910.147](#)) [[related OSHA Safety and Health Topics page](#)]
7. **Powered Industrial Trucks, general industry** ([29 CFR 1910.178](#)) [[related OSHA Safety and Health Topics page](#)]

### Highlights in this Issue

#### OSHA TOP 10 Citations (FY 2020)

*Hospital Workplace Violence Prevention Update*  
*In the News – Recent Healthcare Facility OSHA Citations*  
*Workplace Violence Prevention – Home Healthcare Workers*  
*Revised Safety and Health Handbook for Small Business*  
*New NIOSH Worker Well-being Questionnaire*

8. **Fall Protection–Training Requirements** ([29 CFR 1926.503](#)) [[related OSHA Safety and Health Topics page](#)]
9. **Eye and Face Protection** ([29 CFR 1926.102](#)) [[related OSHA Safety and Health Topics page](#)]
10. **Machinery and Machine Guarding, general requirements** ([29 CFR 1910.212](#)) [[related OSHA Safety and Health Topics page](#)]

### OSHA's 2020 Top 10 Most Frequently Cited Violations



### Hospital Workplace Violence Prevention Update

The Joint Commission (JC) published new and revised requirements on June 18, 2021 for workplace violence (WV) prevention set to go into effect on January 1, 2022 for accredited hospitals. The JC will be required to conduct an annual analysis of the facility's workplace violence incidents as well as provide employers and workers with WV training, education and resources.

The JC defines WV as "an act or threat occurring at the workplace". This could be verbal, written or physical aggression, threat, intimidation, harassment or bullying involving staff, licensed practitioners, patients, vendors or visitors.

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More details, including the requirements for employers, may be found on the Joint Commission website at:

<https://www.jointcommission.org/standards/prepublication-standards/new-and-revised-workplace-violence-prevention-requirements/>

### ***In the News: US Department of Labor proposes \$83K in fines to healthcare facility for failing to protect workers from coronavirus hazards***

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) initiated a follow-up inspection at West Suburban Nursing and Rehabilitation Center LLC, in Bloomingdale, IL on July 28, 2021, under the [National Emphasis Program for Coronavirus Disease 2019](#) and the [Emergency Temporary Standard for Healthcare](#). The agency cited one repeat and five serious health violations and proposed \$83,675 in penalties. In June 2020, an employee died after exposure to coronavirus.

OSHA determined West Suburban required employees to wear N95 filtering face piece respirators while entering the quarantine area and providing care to suspected coronavirus positive residents. However, it failed to ensure proper use of respirators and fit test all employees to ensure an effective seal, as required.

OSHA also determined the facility failed to implement a [hazard assessment process](#) to evaluate for potential coronavirus exposure, track vaccination status of employees, erect barrier and control procedures to maintain 6 feet of distancing between employees at entry points and nursing stations, and control access to the quarantine zone by staff and patients.

### **Workplace Violence Prevention – Home Healthcare Workers**

Home healthcare (HH) workers primarily work alone in situations that can be dangerous. In addition to workplace violence, they often face similar

occupational hazards as other healthcare workers employed in hospital settings along with risks specific to the home care environment, such as unpredictability and decreased control of their work environment, lack of policies and procedures, and insufficient training.

Research studies have reported a range of 18% to 65% of home healthcare workers experiencing verbal abuse from patients. Between 2.5% and 44% of home healthcare workers have reported being physically assaulted. Researchers have also reported that physical or verbal threats of violence were associated with providing home care services to patients with a history of violence or patients with mental illness or substance use disorders.

In February of 2012, the National Institute for Occupational Safety and Health (NIOSH) published a Fact Sheet with employer and employee tips, [Home Healthcare Workers: How to Prevent Violence on the Job](#).

On September 2, 2021, NIOSH posted a Science Blog, [Home Healthcare Workers: A Growing and Diverse Workforce at High Risk for Workplace Violence](#). It defines workplace violence (WV) and WV types and risks for HH workers. It also provides recommended prevention measures, illustrated by a Haddon Matrix, to prevent workplace violence to home healthcare workers before, during, and after assaults.

Workplace violence in the healthcare sector received attention from Congress earlier this year. On 4/16/21, the House passed a bill, *H.R.1195 - Workplace Violence Prevention for Health Care and Social Service Workers Act*, requiring the Department of Labor (DOL) to address workplace violence in health care, social service, and other sectors. Specifically, the DOL must issue an interim occupational safety and health standard that requires certain employers to take actions to protect workers and other personnel from workplace violence. In addition, the DOL must promulgate a final standard within a specified time line. The latest action on 4/19/21 was the Senate referring the bill to the Committee on Health, Education, Labor, and Pensions.

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From the NIOSH Science Blog, “Home healthcare workers are a growing workforce who provide essential services in work environments that often have special challenges. Workplace violence may result in several adverse effects on home healthcare workers’ physical and psychological health. It is essential for home healthcare workers to be aware of risks of workplace violence in providing home care, and for employers to ensure that the work environment is safe.”

### Resources

[Occupational Violence](#) (NIOSH)

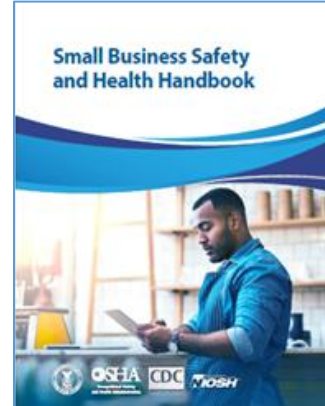
[Workplace Violence](#) (OSHA)

[Guidelines for Preventing Workplace Violence for Healthcare](#) (OSHA publication 3148, rev. 2016)

### Revised Safety and Health Handbook for Small Business

OSHA and NIOSH recently completed a joint effort to update the “Small Business Safety and Health Handbook”. This comprehensive 83-page Guide, intended for General Industry, was last revised in 2005. NIOSH Director John Howard stated in a press release *“Small businesses face many unique challenges, and providing a safe and healthy work environment shouldn’t be one of them. The updated small business handbook is an easy-to-use tool to help keep your most valuable asset – your employees – safe and healthy on the job.”*

The handbook provides guidance on how to implement a safety and health program as well as a variety of self-inspection checklists (with regulatory references) for the workplace for a number of compliance topics such as hazard communication, walking-working surfaces, lockout/tagout, emergency evacuation, material handling, machine and tool safety and personal protective equipment (PPE) and recordkeeping and reporting to name a few. Additional resources from both OSHA and NIOSH are also given.



A PDF version of the handbook listed as DHHS (NIOSH) Publication Number 2021-120 | OSHA Publication Number 2209-07R 2021 may be downloaded for free at

<https://www.osha.gov/sites/default/files/publications/small-business.pdf>

### New NIOSH Worker Well-being Questionnaire

In 2018, NIOSH described the development of a new, expanded framework for worker well-being. The project began in 2012, when NIOSH, through its [Total Worker Health® Program](#), partnered with the RAND Corporation to define and put into practice the concept of worker well-being. The program encourages a holistic view on the health and safety of workers, focusing on work and non-work factors. Using this approach, the new framework defines and creates objective measures for worker well-being.

The framework comprises five main influences, or domains, according to an article published in the [Journal of Occupational and Environmental Medicine](#):

- Workplace physical environment and safety climate
- Workplace policies and culture
- Health status
- Work evaluation and experience
- Home, community, and society

In addition to the five main domains, it includes 20 subdomains. For example, the subdomains of the workplace policies domain are salary and rewards, benefits, workplace culture, workplace health culture, and work-life integration.

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Since publication, NIOSH, in collaboration with the Rand Corporation, created a new survey tool called the [NIOSH Worker Well-being Questionnaire \(WellBQ\)](#). Released in early 2021, the WellBQ uses the five domains of the framework to provide an integrated assessment of worker well-being across multiple ranges, including individuals' quality of working life, circumstances outside of work, and physical and mental health status.



More information is available at:

[NIOSH Total Worker Health® Program](#)

[NIOSH WellBQ](#)

[Expanding the Paradigm of Occupational Safety and Health: A New Framework for Worker Well-being](#)

*If you need assistance in evaluating your ergonomics or safety and health program, please contact Neal Freedman, John Cotnam, or Mark Hickox from Atlantic Charter's Safety and Health Department at (617) 488-6500.*