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Food & Beverage Sessions

RESTAURANT SAFETY—SLIPS & FALLS

By RALPH ANTENSON
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Minneapolis, Minn.

During the beginning of the twentieth century, high priorities were placed on the advancement of wealth and technology. In the meantime, man's physical and mental abilities to cope with this accelerated technology declined. The fissure continued to widen until today we have catastrophic incompatibility between mankind and his machine environment. We closed our eyes to the accumulating cause and effect.

This confirms the truism that man's ability to innovate is not always matched by his ability to make adjustments in his working habits to cope with the new dangers that have been created.

Common sense has eluded us in adjusting physical disciplines to technology. We must come to the realization that technology must be built around man and for his benefit. If it is not, the same technology that has advanced our civilization could be the cause of its destruction.

It is inconceivable that we consider a backward movement of gearing down technology and increasing the physical sciences, but rather that we place a higher priority on mankind and the necessary training that is needed to provide compatibility.

Survival depends on the use of knowledge. Man in the twentieth century had developed sufficient tools to provide the necessary systems and answers.

Industry seems bored with safety and has developed a philosophy of more and more information but less and less action. Industry must now play the mirror game and take a full length judicial look at itself; what we see is not a pleasant sight. To ignore what we see would be to turn away from the greatest lesson ever taught. America's greatest asset is her manpower—we must now reinvest in the survival of this manpower. We cannot afford to be a dropout nation.

There are many facets of the accident picture. Here we are primarily concerned with accidents to employees and the public in restaurants.

We all must eat, but the way we eat and the mood in which we eat will vary.

The restaurant acts as the host, the customer is the guest. This relationship places the burden on the restaurant to provide a building and grounds free of potential dangers that could present accident exposures to the public.

Before we outline the hazards, we must first define a customer. Most restaurants would define a customer as a man or woman about 25-35 years of age, parent of two or more children, and in good health.

If the above definition held true, most accident problems would cease to exist. The customer actually includes infants, the elderly, paraplegic, hard of hearing, poor eyesight, arthritic and other infirmities. A customer can run the spectrum from the very young to the very old, from the healthy to the very sick. We must, therefore, build our parking lots, sidewalks, door entrances, mats, carpets, lights, and handrails to facilitate customers of all ages and all physical conditions.

The public enters your food establishment in a variety of moods: pensive, cheerful, full of anticipation, troubled, angry, and quarrelsome. The mood will dictate their awareness of dangers and their normal response to obvious exposures. Irritations can flare up and be triggered by the slightest inconvenience in entering the restaurant or the spillage of liquid by waitresses. Children can be an annoyance to both parents and others sitting in close proximity.

Specifically, what are the most hazardous accidents we can anticipate in restaurants and parking areas?

Slips and falls accounted for 17,500

deaths in 1972. Slips and falls are a very common occurrence in and around food establishments in such specific areas as parking lots, sidewalks, door entrances, etc.

Dress apparel will determine to a certain degree an exposure, depending on the type of restaurant and time of day. Evening dress involving high heel shoes increases the tripping and falls exposure, and the climatic and geographic location of the establishment will determine the layout, slope, and drainage of the parking area. Snow, ice, and associated slippery conditions contribute greatly to slips and falls, especially to the elderly customer.

Historically, down spouts seem to be located near sidewalks or door entrances. In northern climates this moisture turns to ice, creating an extremely slippery condition. Drain pipes should be engineered within the structure or lead into a drain field.

Parking dividers are a constant source of irritation to the customer. Here again is an exposure that victimizes the elderly and poor-vision customers the most. Preferably, parking areas should be painted in.

Sidewalks should be flush with the ground level to prevent a tripping hazard. Entrance doors should always be designed to fit human habits and the path of least resistance. Entrance door to the right, exit door to the left.

Surface-mounted coco mats or carpets are lethal. All absorbent mats and carpets should be installed in a recessed area, with all edges secured to prevent curling. Floors should be covered with a non-slip material. The most ideal is wall to wall carpeting. Highly polished linoleum or tile should be avoided.

Customers entering restaurants are generally engaged in conversation, which is a form of distraction, keeping their eyes from floors and floor level obstructions. This type of distraction had caused legions of falls. The proper action would be to eliminate any floor level obstructions that could present a hazard.

It is to be expected that entrance and waiting areas will collect debris and foreign materials such as discarded cigarettes, gum and candy wrappers, etc. These items have an excellent accounting for their contribution to slips and falls. Waste receptacles and ash trays should be conspicuously located to provide a convenient disposal place for customers to discard waste material.

Displays, gum machines, mechanical horses, and other attractive nuisances should be avoided in vestibules and waiting areas. Numerous serious and expensive falls have been attributed to these items. It is to be assumed that these items do provide a certain amount of revenue and artistic value, but only as long as no accidents result from them. Documented claims and legal suits have proven the contrary for many restaurants.

Food spills have chilled the spines of many restaurant operators. There is no simple solution to this problem other than enforced disciplines by management. The employees' expertise will determine frequency; enforcement will see that spills are immediately wiped up. Volumes could be written on serving procedures and the type of containers used to the proper filling of the serving ware.

Emotional trauma and its resulting effects can surface at any time. It may start with a disobedient child reaching across the table, spilling a glass of water on the mother's new dress and causing a family quarrel and embarrassment. The drama will further accelerate if the waitress spills hot coffee, soup, or tea on an always expensive dress. A foot caught in a table leg, sending the customer sprawling and conspicuous to all eyes. Waiting to be served, waiting for ordered food or a second cup of coffee or perhaps even for the check induces anger which in turn is a distracting influence reducing judgment and causing an expensive accident.

It is to be remembered that the focal point of restaurant safety lies in the fact that you cannot adjust people to fit the restaurant; you must alter the restaurant to fit the customer.

Restaurant Coronary

A restaurant customer violently rises to his feet, grasping his chest, falls to the floor, his face turning blue. Death within minutes. Another coronary condition? Not so, this customer is one of the 2,500 people who annually choke to death.

Restaurants and fastfood services have followed the past tradition that no legal

obligation is imposed on them to render first aid to a customer choking on food. Although this legal position has provided restaurant immunity from rendering reasonable, prudent first aid, perhaps we should take another look at the moral obligation of food services to its customers. If the same customer fell in the parking lot, breaking an arm or leg, or received a serious cut from a broken glass or serious burn from spilled coffee, the restaurant would feel morally obligated to render first aid and call for a doctor and ambulance.

The above precautions appear reasonable, prudent, and socially acceptable. Why then should we exonerate ourselves from exercising reasonable first aid to a "terminal" choking case? According to the medical profession, no choking patient has survived the ambulance trip to the hospital. Oxygen can be shut off from a person for only a matter of minutes before death results. The urgency of the condition certainly dictates the necessity for immediate action by the restaurant personnel to save a life.

We are presently adopting a philosophy in this country that states a man has the right to work, drive, and live safely and to consume safe products. Wherever this chain is broken, negligence is to be assumed. If we are developing a new philosophy covering the safe conduct of the American people, then such obvious areas as choking customers cannot be overlooked but must be considered a part of this safety chain.

We have recently gone through the turbulent years of the 60's, resulting in industry re-evaluating all of their business philosophies and "sacred cows." Many changes have resulted from this re-evaluation in the placing of priorities. This change has done much to improve society and industry has gained also from the changes.

California is presently engaged in passing legislation requiring all food establishments to be equipped with choke-saver devices and personnel trained to use them.

There should be a moral obligation on the part of food establishments to render any type of first aid necessary to assist any customer in trouble where the existence of this trouble arose out of their properties or services rendered. The obligation should not go beyond the realm of first aid.

The objections that have been raised concern the choke-saving device and its possible misuse causing injury to the customer. What possible difference does it make; the customer is going to die anyway if you do nothing. The customer has nothing to lose but his life if you do nothing. Any scratches or cuts inflicted by the device can be readily treated by a physician. It seems reasonable by any standards to choose a scratched throat rather than death.

The medical profession indicates that choking on food generally occurs to customers who have had a few drinks, resulting in the juggling response of the throat muscles and nerves. Customers wearing upper plates or partial plates are another group vulnerable to food inhalation. The greatest frequency would apply to this group of people, although it is certainly not confined to older people. Many fast-food establishments cater to the eat-and-run young people. There is extreme danger when food is gulped down in large chunks and not properly chewed. Our society has created a populace of hurried and worried people. These people's eating habits are responsive to a hurried society, thus accelerating the possibility of food inhalation.

If necessity is the mother of invention, then certainly there is an urgent need for all restaurants to be responsive to the needs of their customers. The fear of litigation has been a detriment to progress and is merely a subterfuge. Our courts bear the facts that no negligence has been proven when first aid is rendered to anyone in need.

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THE CHANGING WORLD OF OSHA

By KEN BURNS
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I trust that the emotional hair-pulling period of the OSHA Act is over and that we now approach this legislation coolly and deliberately. After almost four years, everyone should be cognizant of their responsibilities under the Act and have taken the necessary organizational steps to enable compliance with the Act. Therefore, it is not my intention to review the basics of the Act but rather to discuss some of the finer points of employer rights and obligations as they have developed through interpretation and implementation of the Act and standards by the Department of Labor, the Occupational Safety and Health Review Commission, and the U.S. District Courts. These interpretations provide an on-going revision and development which are both necessary and desirable to the ultimate goal of the Act to provide every working man and woman employment and a place of employment free from hazard.

Certainly this past year can be characterized by the word "change." The standards package has been changed so many times it was necessary to print an up-to-date version last June in the *Federal Register*. Emphasis is shifting to the health standards where the hazards are more difficult to observe and are more dangerous to the worker.

The Log and Summary forms have been revised effective January 1975. On-site citations by compliance officers, an on-again off-again activity, is now approved. A new Field Operation Manual replaces the Compliance Operations Manual.

But the Act itself remains intact despite oversight hearings in the Congress —so far. One of the greatest threats to the intent of the Act is the pending legislation which will exempt employers of 25 or fewer employees. If passed and signed into law, this will remove about 30 per cent of the workers currently covered by the Act, even though over 46 per cent of the serious violations of the Act have been found in work places with less than 25 employees.

Another force for change has been the executive branch. Former President Nixon called for a "re-evaluation and re-adjustment" of safety and environmental regulations to reduce "burdensome over-regulation" which stifles the economy. President Ford will soon announce a survey to be undertaken on the economic impact of these regulations.

The National Institute of Occupational Safety and Health has submitted criteria documents to the secretary of labor on noise, heat stress, carbon monoxide, lead, mercury, and ultra-violet radiation, to name just a few. Although there has not been any great hurry on the part of the secretary to make standards of these, NIOSH is gearing up to submit many additional health standards in the coming year. Couple this with the recent survey within the Occupational Safety and Health Administration to identify vague and unenforceable standards, I think you can see there is a great deal of pressure building for future standards modification.

Just what are your rights and obligations in this ever-changing world of OSHA? First, I would suggest that you take advantage of the avenues of appeal and repeal available in the Act. For instance, if a standard is not justified or appropriate, it should be repealed or modified. A petition to do so can be initiated by any interested person, but an industry group petition will have greater impact and its chances for success will be greater. There have been about 116 petitions to promulgate, modify, or revoke a standard. These are in various stages of review and not all will prevail. However, it is through this process the emphasis on performance rather than specification standards can be realized.

The petition must state the reason for the change and its effect. If the assistant secretary of labor believes the petition has merit, he will then hold hearings or appoint an advisory committee. Some

things to consider when framing a petition is just what was the history of the present standard when it was first adopted by ANSI or the NFPA. Was it the result of the deliberation and foresight now required of a mandatory standard? Who was on the committee and did they truly represent the area covered by the standard? Has the state of the art progressed since the standard was promulgated so that it has little relationship to today's methods? Was the original standard a political compromise between the drafting parties?

Although the standards are the heart of the Act, they do not cover every possible hazard. Therefore, the General Duty Clause, Section 5,a,1, was written into the Act. Although, the General Duty Clause cannot be cited if there is a specific 1910 standard covering the violation, the Department of Labor does not always interpret the wording "free from recognized hazard" as Congress intended. When an attempt is made to give any definition to "recognized hazard" other than the following, the citation should be appealed to the Review Commission: "A recognized hazard is one which is either visibly recognized, one which can be recognized by any of the senses, or one which is recognized as a hazard in the industry and is ascertainable by monitoring devices." Industry custom may limit an employer's general duty, and the employer can only be cited for hazards discoverable under usual normal inspection practices. However, if he has a suspicion that a hazard exists, he must investigate it thoroughly and use any monitoring equipment available. Also, under the General Duty Clause the hazard must be of a serious nature. That is, the employee's life may be endangered or his ability to work may be impaired should an injury or illness occur. The emphasis is placed on the likelihood of an injury occurring rather than merely an incident resulting. Keep in mind that the Act holds the employer liable for using honest but incorrect judgment.

Another avenue of relief that the Act provides is temporary and permanent variances. If an employer finds that it is impossible or impractical to comply with a standard, he should apply for a variance. In doing so, however, the Department of Labor will not consider economic inability to comply with the standard. Temporary variances are, of course, for temporary conditions, for instance, inability to comply by an effective date because of the unavailability of materials. The burden of proof of the necessity of the variance rests with the employer, and he must specify how he will protect his employees during the period of the variance, as well as a program to comply with the standard.

In a permanent variance application, the employer must specify how his means, practices, and operations provide as much protection to his employees as if he were to comply with the standard. Filing an application for a variance after a citation is issued, of course, lessens the chances of getting one. The employees are parties to the application. Also, the employees have the right to petition the Department of Labor regarding the application, and the order may be modified or revoked on application by the employer, the employees, or the secretary of labor after six months beyond the date of issuance. There is a drawback to the variance approach. If it is not granted, the employer, in effect, admits he is not in compliance with a standard, and thus he may be subject to penalties if the conditions still exist during a subsequent inspection.

Another avenue of relief from a citation is through the appeals procedure with the Occupational Safety and Health Review Commission. Although there is a great deal of division among the Commissioners as to what does and does not constitute good law, and most decisions are divided, there is, nevertheless, a body of decisions appearing which will limit the interpretation of the Act. One of the biggest problems with the standards, in addition to the great number of them, is their vagueness of language. The Review Commission has held that vagueness does not impose a legal obligation and has upheld employers in contests over language of this type. Recently, the Department of Labor has attempted to clarify the standards by issuing 100 series Directives on excessive air pressure, grounding of electrical office equipment, etc. Copies of these Directives can be obtained from your local OSHA office.

Another instance where an appeal

should be considered is when a citation has been issued but there is no employee exposure. Review Commission Chairman Moran has stated: "It is the law that the mere fact that an employer might not be in compliance with one of the thousands of standards is not enough to create a violation of the law. An employee of that employer must be exposed to the hazard of that violation."

"Serious" violations should be appealed where the employer did not know and could not have known with the exercise of reasonable care that death or serious physical harm could result from the hazard cited. In other words, an employer should not be cited for a serious violation, regardless of the severity of the hazard, without the knowledge factor present. The secretary of labor must show that the employer knew or should have known of the hazard.

Serious violations are ones in which death or serious physical harm could result from the hazard. This classification depends on the nature of the accident or illness rather than the probability that the accident will occur. You should be careful during an inspection that you do not elevate a "non-serious" violation to a "serious" violation by telling the compliance officer that you were aware of the hazard (in other words, you had knowledge of it) but you have been debating over the best method of complying with the standard. This admission of knowledge of a violation can result in a "serious" or even a "willful" label resulting in criminal penalties.

Speaking of willful violations, it is not necessary that the employer's purpose be evil, but it is sufficient that the act be deliberate, voluntary, or intentional. If the act is none of these, the employer should appeal the violation.

By early 1974, the Department of Labor had issued citations for over 350,000 alleged violations of the Act and collected $10 million in penalties. However, the Review Commission has attacked the Department of Labor's system of determining penalties and has reduced them in many instances, especially for those as a result of failure to abate violations, and these should be appealed.

Where an employer feels the Department of Labor is in error, an appeal should be made. For instance, if the wrong standard has been cited, the citation should be appealed, since the Department of Labor cannot substitute a new violation in place of the wrong one.

Extensive delays in issuing citations or delays in forwarding notices of contest to the Review Commission have also been the subject of favorable decisions to employers.

A useful action in an appeal is for an employer to request all the notes, reports, etc., from the Department of Labor dealing with the inspection. Failure to do this has caused the appeal to prevail, since such refusal denies the employer a fair and impartial hearing.

An important decision for an employer to remember is that he does not necessarily discharge his obligation under the Act by merely cautioning an employee about a hazardous condition. Also, the Commission has held that an employer is not responsible for isolated and unauthorized actions by employees which are in violation of the Act, if the employer has maintained a record of enforcing safety rules in a reasonable manner. Therefore, the actions of injured employees and co-workers should be raised as a defense in appeals where this is involved. Further, failure of supervision to enforce safety regulations cannot be considered contributory negligence of a fellow co-worker.

Since the secretary of labor carries the burden of proof in contested cases, an employer should appeal where there is no proof of a violation of a standard, even though a compliance officer has issued a citation. Proof of an accident or injury is not proof of a violation of the law. Rather, a preponderance of the evidence must support charges by the secretary of labor.

Appealing abatement periods offers a special problem. Most abatement periods are short, about four weeks. Petitioning informally for an extension of the abatement date without contesting the citation will not keep the abatement period from continuing to run if the petition is denied. This may create a situation where the employer notifies the Depart.nent of Labor that he has failed to abate a hazard, and he may then be cited for the failure. The best method is usually to petition

formally for an extension of the abatement period and give notice of contest of the citation within the 15-working-day period in order to stop the running of the abatement period.

Since the problems of the employer begin with the inspection by the compliance officer, it is essential that the employer's defenses, if there are any, be considered at this time. Be prepared when your time comes by: first, designating a knowledgeable company official as the employer representative. He should be one who can effect immediate abatement, if necessary, and one who does not have a negative attitude; second, know who the employee representative will be; third, have complete and adequate records readily available, records such as safety committee meeting reports, training manuals, a written loss prevention program, etc. Fourth, take notes regarding the location of violations, environmental conditions, who is exposed, how many and how often, were the employees following the prescribed rules, etc. Fifth, if industrial hygiene tests are conducted, the employer should conduct his own at the same time. Aslo, if photographs are taken, the employer should do the same. Sixth, compare your notes and test results with the citation. If there are discrepancies, an appeal should be considered. And seventh, involve the employees in the corrective process. Complaints to the Department of Labor can be avoided and adverse replies to petitions will be discouraged if the employees engage in a cooperative effort with the employer to maintain safe working conditions.

It has not been my purpose to try to equate loss prevention with the legal relief specified in the Act. We all know that OSHA is not an end in itself, but only one instrument for use by the safety professional. The Act was designed to create a body of law which would result in greater safety at the workplace. So far it has failed in this, if we look at the statistics alone, and I doubt if any law in and of itself can do this. However, no one can doubt that it has created a greater awareness on the part of business and labor, yes, and of the safety profession, that there are certain minimum standards which are necessary to the health and safety of workers at the job-site. We should and must take advantage of the provisions of this law—change it, modify it, revoke it—if it is to have meaning and produce results. In our haste to comply with the standards and to abide by the Act, we should not forget our duty to assure all provisions of the Act are carefully followed by all parties at all times. The safety professional more than any, perhaps, has an inquiring, objective approach to his job, and he must use it to the benefit of his employer, the workers in his care, and of himself even in the changing world of OSHA.

ACCIDENT COST ACCOUNTING AND BUDGETING

By DONALD HERBSTMAN
Director of Safety, Burger King Corp., Miami, FLA

The fast food industry is one of the fastest growing industries in the United States at the present time. The annual gross of the fast food industry has grown from $5.4 billion in 1971 to $6.3 billion in 1973. Despite the current economic slack, future growth is still projected at about 12 per cent annually. The Burger King Corporation, which is a subsidiary of the Pillsbury Company, has had an annual growth rate of between 20 per cent and 30 per cent over the past number of years. In fiscal '74, 223 new restaurants were opened, out of which 144 were franchise units and the remainder were company restaurants. System-wide there were 1,198 Burger King Restaurants in operation as of May 31, 1974 and we're looking forward to opening between 200 and 250 new units for fiscal '75.

As the number of stores and supporting facilities have grown over the last number of years, management has realized that there was a need for a comprehensive safety program, so that each of our operating divisions would have a consistent approach to not only meeting the OSHA regulations but towards reducing the total number of accidents, whether injury causing or not. But before we get into a description of the actual safety program, let's look at the overall operations so we can then understand the scope of the program being implemented at Burger King.

As I indicated, there are now approximately 1,250 Burger King retail outlets in operation throughout the country. Approximately 850 of these are franchise owned. The remaining restaurants are company owned and are operated by employees working directly for the corporation. In addition to restaurant operations, Burger King subsidiaries include Davmor Manufacturing and Distron.

Davmor manufactures kitchen equipment, fryers, broilers, steamers, etc., used in all Burger King restaurants and also sold to outside customers. Davmor also includes a woodworking operation that manufactures furniture for our retail stores. This includes booths, tables, counters, etc. There are approximately 600 employees working at Davmor Manufacturing.

Distron is the food processing, supply, and distribution operation for Burger King. There are now nine distribution centers located throughout the country that supply all company restaurants and a number of franchisees with all food products and disposable products necessary to run the restaurant operation. Distron has approximately five to six hundred people working in their distribution centers and a fleet of approximately 70 refrigerated trucks and trailers that make nightly deliveries to the various restaurants throughout the country. The Distron food processing and packing operation includes a meat processing division that supplies sliced ham and ground meat for hamburgers, a lettuce processing plant in California that ships lettuce throughout the country to the various Burger King centers, and the syrup manufacturing operation.

As you can see, Burger King is not a small operation but a rather broad-based corporation that employs approximately 18,000 people, including part-time help staffing our store operations. So, when we talk about a safety program for the fast food industry we are really talking about a number of safety programs covering restaurants, sheet metal and metal fabrication, woodworking and furniture, warehousing, food processing, fleet operations, and office workers.

As corporate safety director, my responsibilities extend through all facilities and operations. However, for this discussion we're going to focus on the safety program established for the restaurant operations area. In terms of the number and age of employees and customer liability, restaurant operations presents our maximum exposure from a safety standpoint.

Before we get into the specifics of the accident costing and budgeting system we have adopted, I would first like to describe the overall loss control program that is being implemented at our restaurants.

The Restaurant Safety Program begins with an evaluation of the design and construction of the restaurant itself. Items such as aisle space, exit facilities, mechanical systems, fire protection, parking problems, lighting, store security, storage facilities, etc., are taken into account in the analysis of the physical layout of the restaurant. A review of the standard plans and contractor's specification for construction of Burger King restaurants, including the types of materials used for interior finishing, ceilings, and floor tiles is made.

The various positions and work assignments of the food handling and food preparation people are analyzed to evaluate the inherent hazards in the equipment or work assignment that can result in strains, burns, cuts, slips or falls, or other accident potential. Storage of materials and materials handling in these high-volume tight-space operations also represents a serious problem in terms of the number of injuries reported. Dining room safety involving customers is also a function of the safety review. An important consideration is store security. Although this may not be directly related to traditional safety activity, armed robbery, pilferage, and burglary are significant factors in the fast food operations that are open from 11:00 A.M. to 11:00 P.M., seven days per week. Many employee injuries have resulted from armed robberies.

A major weakness in terms of providing a safe work environment for hourly employees is the lack of understanding of basic safety concepts on the part of store supervisors. Most of these people are aware of the safety problems because they know that their employees are being injured and that certain activities are more frequently involved in these injuries, but as far as what action to take to eliminate these problems, that is another story. So a multi-facet approach to safety at the store level has been established as follows:

Environment Evaluation

Evaluation of the physical layout of the restaurant. This includes not only the material of construction, but also the use of space within the building and the Burger King property outside the building.

Equipment Evaluation

Evaluation of equipment and work procedures used within the restaurant. In most cases, injury-producing accidents occur when using the various food preparation equipment or handling food and service products within the store. By observing the use of this equipment and work procedures we can find the problems and, by working with the Engineering Department and the Research Development Department, make design changes that will tend to minimize these problems in the future. Examples of this would be: fryer use and maintenance, redesign of the tomato slicer, non-skid flooring for the kitchen areas, etc.

Training

Our training program is being constantly revised to increase the safety awareness of the store supervisory personnel. All restaurant manager trainees are given a four-hour session on restaurant safety and complete the Red Cross First Aid Training Course. At the same time we are providing more meaningful information on how to work efficiently and safely for the hourly employees. In conjunction with the training section of the Personnel Department, safety information is being incorporated into the typical training aids that are being supplied to the restaurants for use in training new hourly employees. This is in the form of work-study guides, slides, and movie films. In addition, a safety supervisor's training program for managerial personnel and a safety coordinator's training program where a key hourly employee would be responsible for coordinating safety activities at this level are now being implemented. Safety committees on a regional, district and store level are also being formed. Hopefully, incorporating the safety message in the work procedure training program and establishing safety oriented personnel at all levels of staffing, from the supervisory

to hourly employee, will provide for a two-way flow of safety-related information.

Safety Inspections

Periodic safety inspections utilizing a safety inspection checklist developed specifically for Burger King restaurants has been a successful program. These inspection forms, designed on the basis of a typical OSHA inspection for a restaurant, enable the restaurant manager to find and correct unsafe conditions before being subjected to federal or state OSHA inspection. Copies of the inspection forms are sent to the corporate safety office for review and at least twice a year a staff person not associated with the store makes a similar safety audit of the restaurants to determine whether the store management is doing the proper job.

Emergency Action Plans

Plans covering specific responsibilities for action for fire, accidents, and other disasters have been established and implemented at Burger King facilities. As an example, we have had a few fires at some of our restaurants. Where the manager has implemented the plan and the employees are aware of how to handle the situation, virtually no damage or downtime results. On the other hand, when there is confusion and ineffective action, even a small fire can result in considerable damage and a few days of shut-down for clean-up and repair.

Accident Reports

Accident records and accident reporting have been stressed very highly in the Burger King safety program. The reason for this is that without proper reporting there can be no meaningful evaluation of the results of the safety program and no data base available for determining appropriate action. A redesigned OSHA 101 accident reporting form set up along the lines suggested by the National Safety Council for use in their computer program is now in use at all Burger King facilities. This form allows for consistent reporting and provides considerable additional information beyond the original OSHA 101 form. The workmen's compensation form for reporting the accident to the insurance carrier is also completed by restaurant personnel. The basic requirement is that whenever an employee is injured on the job and visits a doctor for treatment, the OSHA 101 accident report form and the workmen's compensation form are both completed and copies forwarded to the corporate safety office. We hope to utilize the National Safety Council's computer program for accident reporting starting in 1975. This will enable us to keep current on all serious accidents and establish accident trends that can be related to specific operations, equipment, or personnel. Cost data can also be stored in with this program and a printout to identify restaurants, districts, and regions with accident cost figures considerably higher than the acceptable level can be accomplished on a monthly basis.

Safety Reports

Publication of monthly accident reports and accident cost data keep management and supervisors informed of safety performance and how well they are meeting their safety budgets. These reports also contain a comparison of accident data so that all managers of all operating divisions can see where they stand with respect to other similar operating activities within the corporate structure. Descriptions of the most significant or typical accidents occurring during the month are included in the monthly reports so that the restaurant managers can use this information as a basis for a safety talk. This information is also posted where hourly employees can read it and be made aware of accidents that have occurred in other locations where employees are performing similar activities.

Safety incentives

A safety incentive program has also been established to provide for an element of competition between operating divisions for the best safety record. Management is participating by not only providing financial support for the program, but also by being personally available to attend dinners, at which time awards are presented and strong management endorsement is voiced for the overall safety effort.

Accident Cost Accounting

One of the problems I've found with using traditional indicators such as frequency and severity rates for demonstrating the effectiveness of a safety program is that most managers are unfamiliar with these terms and don't want to take the time to learn. The question most often asked is, "Why can't you safety people tell me what's going on in a language I can understand?" I found, as I'm sure you have, that in most businesses "money talks." If we can translate our safety information into financial terms, not only will management listen, but they're going to sit straight up in their chairs and realize that a well run safety operation is not a luxury any longer, it's not something to keep the OSHA people off their back, but it's a very important money-making operation that's geared to plugging those cracks and holes where hundreds of thousands of dollars are leaking out of corporate profits each year. When these dollar figures are converted into production required to pay for the cost of accident damage and injury, most management people are staggered by the amounts involved.

It's nothing new or unusual, but we safety people have got to stop talking to ourselves and start talking the language of management—Money and Productivity. They have to realize that we're going to contribute more than respectability to the corporate image. We have to come up with techniques to translate accident costs, insurance costs, injury security losses—any loss that should be controlled through the efforts of safety personnel—into loss figures that management can understand and show them how these can be measured and controlled through establishment of a comprehensive loss control program.

We at Burger King have set up a program of this nature for our Davmor manufacturing facilities. We have had it in operation since April and we've seen our cost of accidents go down significantly. We are now in the process of implementing a similar program for the restaurant operations division. The problem is that we did not have a good data base from which to work in the restaurant operations area, and we're still developing data so that we can come up with a creditable cost figure for present accident experience and establish a reasonable budget figure for what we will accept as accident costs per man-hours worked.

I'm going to explain how this program was set up and is functioning at our manufacturing operation and from there show you what we have done to date in the restaurant operation area. But first, let me give a brief explanation of how the program is established. To control and reduce the cost of accidents, a three-step system making use of the generally accepted business practice of controlling production costs should be implemented as follows:

1. *Costing.* Calculating, recording, and allocating current costs; how much are accidents actually costing us presently.
2. *Budgeting.* Setting up a budget based on a level of cost that is expected and acceptable.
3. *Accountability.* Management and supervisory personnel must be held accountable when costs exceed the allocated budget factor.

Costing

As an example of how this system works, we summarized our work related injuries for 1973 and divided them into five categories as follows: (1) medical only cases reported under OSHA regulations; (2) temporary total disabilities, (lost time cases); (3) permanent partial disabilities; (4) permanent total disabilities; and (5) fatalities. Average cost rates are used to assign specific cost factors for each category. In this manner we can plug in the number of hours worked and arrive at a cost factor in terms of cents per man-hour worked. While the individual cases may vary considerably from the average costs used for each injury, the variations even out where a significant number of accident cases are involved.

Budgeting

Before a realistic budget can be established, a computation of the past injury cost rate must be made. In order to actually decrease injury costs, lower cost rates must be established for each operating area. This can be accomplished by establishing an average figure for each restaurant, district, or region. To evaluate how well the restaurant or region has done with respect to its budgeted figure would simply be a matter of summarizing

the accident experience, applying the predetermined cost factors for each injury, and then working out an actual cost in terms of cents per man-hour for each restaurant or region. This figure would then be compared to the budgeted figure to determine the variance from the established budgeted figure.

The main strength of this approach is that it provides an easily understood yardstick for measuring safety performance. Most managers or higher level corporate personnel cannot relate to OSHA incidents or lost time frequency rates. Their question is, "Well, what does it mean? How much is it costing me?" When accident cost figures are broken down in terms of dollars and cents, in terms of variation from established budgeted figures, the results become more meaningful. To make the results a bit more realistic, the cost of accidents can then be broken down in terms of production, i.e., how many Whoppers have to be sold to recover the accident costs for that month?

Accountability

The third step in the control of injury costs is accountability. Assigning a safety responsibility to a specific person is of little value unless we are able to measure how well that person carries out this responsibility. This system provides an equitable means of measuring injury costs in order to determine whether the supervisory personnel have stayed within their injury cost budgets. To make the program more meaningful to supervisory personnel, part of their MBO's (management by objectives) relates to safety performance. A percentage of their annual bonus or merit increase is tied to their safety activities. Have they met or exceeded the objectives that were originally stated for safety performance? The measuring tool becomes the cost accounting system to determine whether the cost of accidents per man-hour had exceeded the budgeted figure.

At this point, let's take a look at some figures to show how we established our accident costs. how our budget figures were established, and how we evaluate the operational facilities on a month-to-month basis.

Procedure for Establishing Accident Cost Controls

1. Establish costs of medical treatment, lost time, hospital time, permanent partial disabilities, etc., from OSHA reports, workmen's compensation loss tabs, and schedule for permanent disability (+40 per cent).

2. Obtain hours worked from payroll, accounting, comptroller's department, etc.

3. Use average cost of occupational injuries to calculate medical and lost time costs.

4. Calculate cost of work-related injuries per man-hour worked (a) for entire operation; (b) on a departmental basis; (c) other groups as desired.

5. Establish a budget. Using actual costs determine the budget figure to: hold the line on accident costs; percentage reduction over previous period; allow for percentage increase in accident costs.

6. Periodic reporting. A monthly report on a departmental basis should show monthly and year-to-date accident costs. This allows for prompt determination of problem areas.

7. Schedule meetings. Meet with department heads and first line supervisors to review accident cost reports and agree on corrective action and schedule for implementation.

8. Follow-up. Check next Monthly Cost Report for comparison. Make a facility inspection for compliance.

9. Charge-back procedure. Allow for charging individual departments, facilities, etc., costs commensurate with their accident experience. A portion of the budget can be set up for accident costs based on experience.

10. Total accident costs. Relate medical and lost time costs to total accident costs. Use generally accepted multiplier, (4x-8x) to obtain total accident costs. Show graphically, use slides, maintenance invoices, etc., to show what items are included in other accident costs. Relate the total cost of accidents to profits in terms of dollars and percentages. Relate the total cost of accidents in terms of additional production to make this cost up.

In conclusion, I would like to share a few of my thoughts on the safety profession. I think that safety people have been talking to themselves for too long. In this

common dialogue, we have developed a language that is unintelligible to outsiders such as people who run the companies we work for. As a result we've been relegated to a sort of second-class status; that is, the safety person is nice to have around when a problem arises or when the corporate image needs a bit of polishing. At other times it's just, "Stay out of the way and let us meet our production schedule and maintain our competitive position."

OSHA has opened the way into many companies for safety people. Now that we're aboard we must show management that safety and loss control are not luxury items but necessities that all companies, including those struggling to make a profit, should utilize because it will improve their operating efficiency and their profit picture through reduction of accidents, injuries, lost production time, and waste that is associated with inefficient management.

Before we can make clear to management the advantages of having an aggressive safety department we must first learn to speak their language—a language of dollars and cents. If we cannot talk in terms of accident costs, reduction of these costs to budgeted figures, total dollars added to the profit picture by reduction in costs of accidents, lower insurance costs, improved production, then we will not be accepted as a necessary member of the management team with the same status as other productive departments.

75 1739

SAFETY SAMPLING

By JACK WORKMAN
Safety Mgr., Caterpillar Tractor Co., Peoria, IL

A chart of results from 1971 through 1973 shows plainly that our safety trend was not good. We concluded that 1974 had to be a year of improvement. We recognized that increased production schedules, overtime, substantial numbers of new employees and new supervisors would require increased vigilance in order to operate plants safely and efficiently.

It seemed to us that one way to achieve safety improvement is through a technique called "safety sampling." Safety sampling helps identify practices, conditions, and areas where employees are likely to be injured if improvement is not made. It's preventive in the sense that it identifies unsafe acts and conditions before an accident has happened. While safety sampling is new to Caterpillar, it is not a new concept. In the past, there didn't seem to be a need for such a tool. But our results compelled a different approach.

Everyone uses sampling, whether they are aware of it or not. For example, you probably tried different routes and departure times from your home to work before you settled on the route and the time you are now using. You were sampling alternatives so you could find what was best for you. Your wife uses sampling when she shops other supermarkets to see if they have a better value than the supermarket she is already shopping. Teenagers soon learn when to ask for the family car by sampling your moods and willingness.

The safety sampling technique is patterned after work sampling techniques used by manufacturing and quality control engineers throughout industry. Safety sampling is based upon the principle of probability. It works because a small number of possible occurrences tend to follow the same distribution pattern that a large number produce.

Safety sampling shows per cent of unsafe acts and conditions. Safety sampling shows safe performance. Safety sampling identifies unsafe acts and conditions by specific plant sections. Safety sampling is conducted by safety people. Safety sampling evaluates your accident prevention program.

One thing that safety sampling will not do however, is correct an unsafe practice or condition. Correction is the function and responsibility of management. Subsequent sampling can be used to report the percentage of change when improvements are made.

Safety sampling can help you develop your ability to observe people. By this we don't mean just looking to see if people are working safely. Rather, we mean identifying and evaluating work activities for unsafe practices. Safety sampling can help you to make your evaluation on the basis of fact rather than opinion. And facts are necessary to report conditions as they are.

The advantages of safety sampling are: facts are obtained quickly; it is a do-it-yourself technique; extensive training is not required; and results are useful and reliable.

When an area is safety sampled, how is the percentage of work time determined? For the purpose of explanation, let's say that 10 people were observed 10 times each, giving a total of 100 observations or checks. And let's say we observed those people performing safely 85 times out of that 100. This means that 85/100 of the time people were observed working safely. We want observed safe work in a per cent form, in this case, 85 per cent. The remaining 15 per cent of the time, those observed were working unsafely.

Along with observing unsafe practices, there is a need for a uniform reporting method. A safety sampling code is used. The code includes the most prevalent unsafe acts and conditions that have caused injuries. In developing this code, we examined records of past disabling injuries; cases requiring a doctor; minor injuries, and near misses. Of course, different facilities could have different hazards. But generally, we believe the majority of these items will apply to all industry.

The code is divided into three specific areas: machine and tools; work area; and employee. The observation form provides a place to record tallies or hash marks for safe and unsafe observations, the totals of each, and the percentage working safely. Each area to be sampled should be assigned a sheet, and the same sheet can be used throughout the sample. The bottom half of the sheet contains safety codes; you must make one tally for each unsafe act or condition you observe. Multiple tallies will be made when one item of the code is observed more than once.

Inspections will be carried out at random times of the day. The area concerned must not be forewarned of inspections but, of course, all employees should be informed about the program and its implementation.

Only those unsafe acts and conditions observed at the time of inspection will be noted.

Inspectors need training in hazard spotting to insure uniform high standards of reporting. We take about four hours to train an inspector.

Daily feedback should be provided to the foreman.

Results from safety sampling will point out those unsafe practices and conditions that are typical throughout the plant or office. Although the specific unsafe conditions observed during the sample should be corrected, major emphasis should be placed on the identification and elimination of the practice or condition throughout the plant.

In other words, assuming that we have a statistically valid sample and we observe five out of a total of 20 burr bench employees using files without handles it is probable that 25 per cent of all burr bench employees are using files without handles. Or, if in one random sample of a plant, 10 machine operators out of 50 were not wearing safety glasses, it is probable that 20 per cent of all machine operators throughout the plant are not wearing safety glasses.

How many observations are necessary for a valid sample? Or, for practical purposes, how many observations of an activity are necessary before it's assured that the proportion of all activities or conditions recorded will show the same pattern as a continuous study?

Assume you are dealt five playing cards and get two aces. We all recognize this to be a better than average hand. From a sampling point of view, we have two of five cards which are aces, or 40 per cent of the sample. Applying this one sample to the whole could give the following results: 52 cards—40 per cent aces, or 21 aces in the deck. Obviously, the sample of five cards is not a valid sample.

When sampling activities or conditions, we must take a sufficient number of observations for a valid sample. We have found by actual experience the minimum number of observations to be statistically sound is 40 per area. To obtain even greater accuracy, I use 100 observations per area, over five days at my plant.

On any given day of sampling, select enough areas to completely fill the time from the start of the shift until the finish. This is necessary to give representation for each hour of the shift. A dry run in all areas to determine the amount of time required for each area will help. As a guide to start with, try 500 individual observations per day and adjust the total to fill the day. We have found that a good safety sampler can observe and record 400 to 500 samples a shift.

For example, if you have 10 areas to sample and five people in each area, you would have to visit each area 10 times to achieve the 500 trial observations. However, you must be careful to visit the areas in a different order each time. This is accomplished through random selection. Assign a number to each area and for each trip rearrange the sequence of areas by using a random numbers chart.

If you have a work standards department, I suggest you consult with them for their suggestions before establishing your schedules. They may have several forms that will be helpful to you.

(There followed a slide demonstration illustrating the safety sampling process. —Ed.)

75 1740

REPORT ON OSHA INSPECTIONS

Distillery Safety Directors Meeting

The meeting was called to order by Gerald Mueller of Hiram Walker, followed by an introduction of members and guests. Mr. Mueller, asked if there were any OSHA problems which were restrictive to the Distillery group as a whole. Those in attendance submitted various problems. Two items which were most prevalent were: (1) open ricks and catwalks in warehouses; and (2) the requirement for two fire exits in warehouses. Other items mentioned were: crash bars on fire exits; tank ventilation; elevators; methods of storing and ageing barrels; means of monitoring air for carbon dioxide and sulphur dioxide; grounding of electrical equipment and portable pumps; and testing and certification of vessels exposed to 15 psi or more pressure.

The need to ask for, and receive, a variance before being cited for a given item, was emphasized. If cited on a violation of the OSHA code, the only recourse is to apply for an appeal.

John Herpsor stated that money is not a valid reason why an OSHA code cannot be complied with. We must have a practical reason for wanting to change a code. It was suggested that a committee be formed to establish what OSHA codes cannot be complied without placing an undue hardship on the industry. Don Scheinost requested that any members interested in joining said committee contact him.

Jack Workman and his staff from the Industrial Division of Caterpillar Tractor Co. put on a slide-lecture program titled "Safety Sampling." It stressed the importance of observations and recording of safety violations. The violations are broken down into three major categories: first and largest—employee activity; second —machines and tools; third—work area. Mr. Workman stressed that the safety sampling program, like any other safety program, cannot function without top management's approval and participation.

Norman Paige stated that DISCUS would help present any OSHA code(s) that the industry felt could not be met. He also discussed the current political cli-

mate that has been caused by Watergate, President Nixon's resignation, and President Ford's granting amnesty to Mr. Nixon. The above phenomena has caused many in politics to resign because of the stigma of being in politics today. These individuals will be replaced by new people whose motivations are unknown. Organized labor has great financial backing and will try to elect or defeat candidates of their choice.

Mr. Paige stated that the country is running on emotions, not facts. He also asked for the support of President Ford and said that common sense must take over and replace the element of emotion.

Dean Preston, of American Distilling, related that lightning had struck their warehouses and caused fires during the past summer. Lightning rods have since been installed on their two highest warehouses.

Lee Krapp, of Schenley, commented on an OSHA inspection where they were cited for violations such as toe boards, intermediate railings, chocks not being used, and improper paint storage. He also stated that two government agencys, OSHA inspectors and BATF representatives, could not agree on a method to secure bonded warehouses.

The question was raised if the membership would rather meet in Washington, D.C. in the spring or summer of 1975. The item was put to a vote and unanimously accepted, Spring 1975, with the exact date to be announced later.

75 1741

A PROVEN APPROACH TO SAFETY TRAINING– DUPONT'S SAFETY PHILOSOPHY

By ARTHUR C. SANTORA
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Wilmington, DE

From its very beginning in 1802, the Du Pont Company has been involved in safety. Because it manufactured only gun powder and explosives for its first 100 years, positive safety thinking and action actually represented survival. Although the early incentive for safety consciousness was survival, it wasn't long before the company realized that good safety was also good business. Therefore, management paid continuous attention to safety, much the same way that it handles the more obvious aspects of its business, such as planning, production, research and development, scheduling, quality, and costs.

There are many incentives for making safety a management objective. There is the desire not to subject employees to pain and suffering caused by injuries. There is the desire for improved profits, higher quality work, improved productivity, and improved employee-management relations. And, of course, there is the Occupational Safety and Health Act of 1970.

Once safety has become a management objective, it is essential to clearly establish it as a line organization responsibility. Safety should become an integral part of every job. To whatever extent an employee is responsible for his company's activities, he is responsible also for the safety of such activities. A plant manager, a laboratory director, or a department head must be accountable for the safety of all employees in his organization. When a person is given the job of supervising an operation, the responsibility for the safety of those performing that operation goes with the assignment. But in the chain of an organizational structure, the individual employee must also assume the responsibility for working safely. The extent of responsibility and accountability of all people in an organization should be as systematic as it is in other job functions. This approach results in a safe working organization identical with the normal organization.

Behind every effective safety program there must be a specific safety philosophy. Many philosophies could be stated. One that I like and that has proved itself over many years is the one used by Du Pont. It contains five principles:

1. A positive belief that all personal injuries can be prevented.
2. An acceptance on the part of management, supervisors, and foremen of their responsibilities to prevent personal injuries.
3. A conviction that it is reasonably possible to safeguard all construction and operating exposures which may result in injuries.
4. Acceptance of the fact that the prevention of personal injuries is good business, both from the standpoint of efficiency and of economy.
5. A recognition that it is necessary to train all employees to work safely and to understand that it is to their advantage, as well as the company's, to work safely; further, that they have a definite responsibility to do so.

These excellent principles cannot be implemented, however, without a safety organization complete with a management safety committee to originate, guide, and coordinate the overall safety effort. The committee should follow the line of organization and be headed by the highest members of management assigned to a location. When management forcibly conveys its convictions about safety to the organization, you and each supervisory person in the organization will begin to carry out an effective safety effort as an integral part of your daily activities.

A brief word about Du Pont's safety performance and profit benefits. The number of disabling injuries per million employee-hours of exposure during 1971 was less than 0.3. For the first 10 months of last year, it was less than 0.2. In contrast, the injury frequency rate for all manufacturing for 1970, as reported by the U. S. Department of Labor, Bureau of Labor Statistics, was 15.2. For 1971 the frequency rate for all industries, as reported to member firms of the National Safety Council, was 9.37. For the chemical industry, it was 4.76.

It is significant that of those reporting to the National Safety Council for 1971, the average industrial firm had 31 times as many injuries per man-hours worked as Du Pont. Firms in the chemical industry had 16 times as many injuries as Du Pont.

A closer look at injury frequency rates clearly shows how profits can increase from improved safety performance. A few years ago, we conducted a study which showed that the average lost-time injury costs about $10,000. While the cost per injury varies greatly from company to company, the following table illustrates the savings to Du Pont for one year, compared to the cost we would have incurred if our frequency rate had been the same as the experience of all industry, based on National Safety Council statistics.

Item	*DuPont Record*	*Industry's Record**
Frequency rate (injuries per million man-hours)	0.29	9.37
Injuries during year	54	1674
Average cost/injury	$10,000	$10,000
Total injury cost during year	$540,000	$16,740,000

*National Safety Council Members.

You don't have to be an accountant to see that good safety saved Du Pont over $16 million! It is important for each company to realize that poor safety is expensive and that long-term savings are available through good safety.

Let us concentrate on the fifth principle of our safety philosophy, namely: management's responsibility and need to train all employees to work safely.

By way of background, over the years much effort and emphasis had been placed on the improvement of physical environment and control of manufacturing techniques to provide the employee with the safest materials, methods, and places of work. Money and technology were poured into equipment design, building construction, and chemical safeguards.

As you know, OSHA standards are directed primarily at the physical aspects of safety. We analyzed our company in-

juries from 1954 to 1963 and found that over 90 per cent were caused by unsafe acts of people rather than from physical deficiencies in buildings and equipment. So it was and is agreed that major improvement in safety performance can result from the elimination of unsafe acts of people.

Various training methods were employed. Previous plant efforts in establishing formal supervisory training courses of the academic lecture type had failed to produce significant upgrading in hazard recognition and corrective activity.

A few years ago, while a survey engineer and a plant safety engineer were engaged in an annual plant inspection, they were asked to spend several days each in a supervisory on-the-job safety training effort. They worked out a formalized introduction of the lecture and discussion type. Then they scheduled themselves into the field for a period of time with each supervisor in his own and other areas for on-the-spot training.

It was soon apparent that this method was doomed to a short life and unfulfilled objectives. Manufacturing area noises made comment difficult and prolonged discussion impossible.

This led them finally to the use of programmed instruction and development of S-T-O-P which stands for Safety Training Observation Program. These self-study courses have become an important part of our supervisory safety training program and have been taken by over 30,000 supervisors outside of Du Pont.

S-T-O-P was planned and prepared by three members of the Fabrics and Finishes Department Safety Committee, Safety & Fire Protection Division, Supervisory Training Section, Engineering Services Division and safety representatives of several plants. The training objective was determined by analysis of company and department data of injuries and unsafe acts which show that 96 per cent of injuries are the responsibility of people.

The authors of S-T-O-P decided to use the programmed instruction technique of training. This was logical, since Du Pont had pioneered in its use to train employees in industrial craft skills for over five years. During that time over $3 million were spent in preparing over 200 vocational courses which provided better training at less cost.

Let us review programmed instruction briefly.

Course Characteristics. The training subject is broken down into a logical learning sequence, in small steps requiring active responses. The correct answers are provided for immediate confirmation. This active response plus immediate knowledge of whether he is right or wrong stimulates the learning process in the same way as a personal discussion between a teacher and a student. The trainee proceeds at his own pace, and there is a very low error rate in responses.

The courses are developed in the following order: definition of the objective in terms of the target people being trained; behavioral analysis of the task to be performed; writing of the course, test and revisions; field validation and final revisions; and final course production. Many courses were developed.

The objective of S-T-O-P is to make skilled safety observations on people a sustained habit in line management. The objective will be achieved when no unsafe acts are committed in each member of management's area of responsibility. It does this not by itemizing or check-listing detailed unsafe practices and operations, which would discourage the most interested student, but by teaching observation techniques in very broad fields under such headings as personal protective equipment, positions of people, actions of people, tools, equipment, procedures, and orderliness. These seven subjects, along with an introductory unit describing the background and reasons for the course, comprise the eight basic training units.

Each training unit contains programmed instruction training in the techniques, checks and actions of a skilled observer; application of the field observation cards for on-the-spot job application of the fundamentals taught; and follow-up observations and discussions.

The administration of such a program is very important. To be successful, the full backing of management must not only be obtained but demonstrated. The administrator's guide-book strongly recommends that the administrator be the assistant plant manager. At the least, he

should be a person whose position in the organization is highly respected, in order to insure the proper emphasis and dignity for the program. The leader's job falls into three categories: motivating, guiding, and testing.

Motivating. The administrator should talk very briefly at the beginning to emphasize that this program will only be as effective as each supervisor makes it. Another aid to motivation at this time is the expression of the plant management's view on the importance of the program, preferably made by the manager or assistant at the time.

Guiding. In the initial talk, the use of programmed instruction should be covered briefly, including:

1. Programmed instruction is the presentation of small bits of information followed by important questions. All questions should be answered in the sequence presented.

2. Emphasize the fact that the trainee should take the time necessary to work the program thoroughly—he is not being timed, there is no time limit, and there is no reward for speed.

3. The correct answer is provided for each question. The trainee, however, should not look at that answer until he has selected and written his own answer on the course. The trainee should check every answer immediately with the correct answer, even though he feels sure he is right. When he finds he has made a mistake, he should immediately find out the reason his answer is wrong.

4. The trainee may review previous material when he runs into difficulty in answering any question. He should never look ahead in the course.

The administrator should observe all trainees as they start the course to insure that they understand how to proceed and how to use the answer sheet.

Testing. Each programmed instruction unit is followed by a written test. The administrator will grade each test and inform the trainee's supervision whether or not he received a satisfactory grade.

The training also includes the techniques on how to observe, checks on what to observe for, and actions to take. In the application of the observation technique on the job using observation cards, the supervisor must follow this cycle: decide—stop—observe—act—report. The observation report covers the act observed and the action taken.

To summarize, each unit is followed by observations on the job by line organization, discussion by line organization, and reports using the observation cards.

The follow-up discussions provide an excellent opportunity to establish uniform understanding and agreements on objectives, policies, and principles throughout the organization and usually results in discovery of areas requiring clarification.

Who should take each training unit, and when? The answer is that every member of the plant's line organization supervisory staff, starting with the plant manager and including the line foremen, should take all of the eight units. While the material is primarily designed for completion at the plant, several of our plants had supervision complete the P.I. course at home, with the initial and follow-up discussions held at the plant.

With the exception of Unit 1, which covers a two-week period, each of the units are scheduled to be taken over a three-week period—starting with the administrator and plant management level first and ending with the foreman level, with each level being led by their immediate supervision. It should be emphasized at this point that this proposed plant schedule is offered as a guide for you, and that you should review your plant's ability to absorb this training schedule. For example, smaller plants may wish to take only two weeks for each unit, while larger plants may need to expand to a four week cycle for each unit (except Unit 1). Recognizing your own plant's ability to absorb this training schedule, you should then prepare a specific plant schedule covering every supervisory member on your plant staff. It is extremely important that everyone within a specific plant area, starting with the area supervisor, then to supervisors, to foremen, complete each unit in sequence, because each training unit builds upon knowledge taught and applied in previous units.

The leader of each group is the immediate supervisor of the group level being trained. He has the responsibility of following each unit being taken by his group through to completion. According to the recommended unit schedule the leader

must conduct two directed group discussions; make at least one ½-hour observation with the trainee in the trainee's own area of responsibility; and make certain that all daily safety observation cards be received at the end of each shift.

The total course time away from the job is about 12 to 16 hours. It is recommended that everyone start each unit on Monday and complete the unit by Friday. This should be followed by one to two weeks of on-the-job application while subordinate levels of supervision cover the same material. Therefore, total plant time to take the complete course runs from 16 to 32 weeks, depending on plant supervisory population and number of levels of supervision.

The administrator's responsibility is not an easy one. He must initiate the action, fully coordinate the efforts of all leaders, and follow up to assure discussions are held and the program is being used.

A tremendous boost can be given to safety performance by improving supervisory recognition and correction of unsafe acts of employees. It matters little whether violation of safe procedure, such as failure to wear eye protection or use of the wrong tool, or carelessness, such as leaving a hose or electric cord stretched across a walkway, is involved. The result could very well be the same—someone injured. Prompt assignment of responsibility and elimination of the hazard is paramount in preventing such a result.

Furthermore, action should be taken to prevent a recurrence of the situation. The S-T-O-P program is designed to enhance supervisory efforts in observing, correcting, and preventing recurrence.

Following the success of S-T-O-P, Du Pont developed the New Employee Safety Training Course for new employees and the Safe Practice Series for hourly and wage roll employees. The courses alone are not a panacea for solving all safety problems. They do, however, provide a valuable, fresh approach to safety training in pursuit of an elusive but attainable safety performance record; namely, not a single accident or injury to any employee.

75 1742

FIGHTING SLIPS AND FALLS

By T. J. REILLY
Manager, Casualty Department, Schirmer Engineering Corp., Niles, IL

In this presentation, we are going to be discussing certain controls which are possible to exert over the most expensive and most frequent injury source within industry. This presentation will describe the ideal situation, and also recognize that this is the only realistic approach you can take if you are truly to win a fight against slips and falls.

This session is jointly sponsored by the Fast Food Service Division of the Food and Beverage Section and also The Trades and Services Section. While the very principles we'll be discussing apply to all industry, we must realize that within this particular exposure we have something that most industry doesn't have. We have a very uncontrollable contributing factor to slips and falls, and that is the patron. We must realize that we have no control over the patron, the patron's wearing apparel and, in many ways, the patron's actions when in the environment found in fast foods units, by the many segments of the Trades and Services Section, such as the department stores, the supermarkets, the restaurants, the buildings, banks, and offices, the amusement parks, and all of those types of units. A patron may be in the establishment just once, not familiar with it at all, which makes it all the more important to have the safety professional exert his influence at the proper level—in the planning for the facility as well as the establishment of realistic operating controls. The battle on slips and falls begins in the evaluation of what the hazard really is. If we are talking about a new facility, the first of its kind, we have to base our battle lines on what we know and have evaluated our problem to be. In reviewing just a few different types of environments, perhaps we can point this out more realistically. It doesn't matter whether we are discussing this battle as it relates to an office, regional shopping center, freestanding restaurant, supermarket, a whole shopping mall, or a warehouse and support facility. The approach is much the same.

We must set-up realistic operating controls regardless of the type of operation. Naturally, the surfacing of the walkways and passageways people will be exposed to is of prime importance. However, many slips and falls occur because there is a poor traffic pattern, because equipment or fixtures are placed improperly, because customers are distracted, and in some cases, because the right method of disposal of paper, trash, and garbage is not afforded. Consideration of some of these things may come after the establishment has been opened and as a result of accident analysis or an accident frequency of slips and falls. As we have indicated, if the establishment is opened and we have analyzed our losses, then it could take an evaluation of the establishment to come up with the correct solution. It may be necessary to improve the lighting and minimize shadow spots. It may be necessary to highlight changes in elevation or move distracting fixtures to improve traffic flow.

It may be necessary to revise or establish uniform operating controls. In one major client with multiple location operations, we were able to cut slips and falls by 44 per cent by analyzing where the accidents were occurring. This was a case of after-the-fact evaluation. Being decentralized, we found this particular client to be using many floor-finish products. We established the actual frequency of slips and falls statistically on various products measured according to the Z108 Patron Injury Statistical Standard on the number of transactions occurring within the various units. The results of this were astonishing. We found something like 80 per cent of all slips and falls occurring on floor surfaces treated with supermarket shelf brand waxes. On the other hand, we found a low frequency in very busy units with the utilization of other waxes. We proposed to the client that they evaluate the relationship with the source and perhaps go to an approved list of floor finish products. This gave the client the benefit

but that doesn't usually occur.

Slips and falls in food preparation areas or food processing areas are serious. When I speak of picking up foreign matter from the floor, we have to be sure we have placed the proper type of waste receptacle in the right location so that employees will use it. I remember one discount chain in the East that specialized in serving their clientele hot dogs and sauerkraut on a bun. We analyzed their slip and fall exposure, and what it was costing them in claims more or less obviated the profit from the hot dogs, but management made it essential to continue selling hot dogs and sauerkraut. By merely evaluating the operation, we showed how the hot dog could be wrapped properly in an oversized bun. We could contain more of the very slippery sauerkraut by installing indoor/outdoor runners in a 10 ft. diameter around the sales counter. We did make a dent in the number of slips and falls caused by this particular operation. We placed this unit in an area not conducive to heavy traffic, although the aroma could still draw the shoppers, and also placed waste receptacles along the typical path shoppers took.

We have covered a lot of ground discussing the fight on slips and falls and have ranged from an ideal situation where the safety professional can have input into the planning and layout of the environment. This is where you want to be.

If you have a high frequency location, there is an answer somewhere, and you can get it by applying the engineering approach of analyzing what your problem is and developing a realistic solution. There have been advancements in material and products that can solve most problems. In the work environment, however, there is no real easy method. I recall one summer I worked for a dairy, and the job instructions involved avoiding slips and falls. The approach was not new inasmuch as we were in a wet quarry tile environment. We were given the proper rubber footwear with clogs, and the instructor, an old grizzled veteran, taught me how, as he put it, to walk like a duck. This is what you have to do if you have ever been exposed to spillage of butter fat. Actually, there is no substitute for cleaning up such a spill. Training, however, is essential.

I would suggest you put a formal claims control program in place to help yourself, especially where you have an exposure to patrons. We have initiated some claims control programs with various clients with a great deal of success. Depending upon the need of the facility, the frequency that floors are swept is set and a log is kept of all sweeping. Should someone complain or be seen slipping or falling, an immediate Polaroid photo is taken of the scene, witnesses names are taken, and all of this helps if the case ever gets to court.

The fight against slips and falls can be won with a sound engineering approach. There are specific programs you can initiate, depending upon the work environment. There is no substitute for, as OSHA says, "a clean, dry, level, well illuminated walking or working surface." How do you get these? You get these by assisting in planning and controlling the new work environment; by upgrading the condition or controls over an existing environment or the people exposed; by solving specific work environment problems; and by zeroing in on your major problems.

HOW EIGHT ARE INVOLVED AT SCHLITZ

By R. J. BACH
Vice President—Plants, Jos. Schlitz Brewing Company, Milwaukee, WI

Of the eight plant managers in the title, six are U.S. born and educated, one is from Scotland via Canada, and the eighth from Germany. Their ages range from 37 to 62. Four are engineers (three mechanical and one civil) and operated as plant engineers; three have brewing backgrounds, and the eighth is a graduate lawyer, former manager of Radio Free Europe for the State Department and then an industrial relations manager. Three have worked for only one employer—Schlitz, and the other five for other companies, with four for other brewers. That's quite a conglomeration and, hence, you would expect that their replies to my request for assistance in making this presentation would be quite varied; with but two exceptions they were, which is not too surprising considering they are all quite different men and the manner in which Schlitz operates its plants. I had better explain the latter.

It is the responsibility and authority of corporate staff to set policies, specifications, and procedures from which local management can not deviate without prior approval. However, the implementation is solely a plant responsibility, and they have the authority to make all decisions providing, again, that they do not violate that which is the authority of corporate personnel. Therefore, in giving them this authority, I can then hold them responsible for their operations—regardless of what it is, including safety performance, safety management, safety motivation, attitudes, and morale. So with eight plant managers having this latitude of operation, it is not at all surprising that I received eight somewhat different answers.

It is also not too surprising from another standpoint. Since we are dealing with people and we all are different, there can not be one set perspective on either safety managing and/or motivation. What works in one plant for a given set of circumstances and with certain types of individuals may be completely ineffective or possibly even detrimental elsewhere. Also, what is required in an old facility with older employees will, in all probability, be quite different from that which is necessary in one of our newer plants with somewhat younger employees; also, the size of the plant and numbers of employees makes a difference, as do individual personalities. Obviously, then, taking all of these variations into consideration, there can not be any set way of safety managing and/or motivating.

Now for some of the specifics that I was provided by our Plant Managers dealing with their individual safety programs. I will not detail how each plant handles this matter and/or how they differ; instead, I will detail the number of various approaches to safety and/or methods of operation.

While a total safety program is administered by the local industrial relations department, to be successful, implementation has been delegated to the operating departments and, more specifically, to first-line supervision. This is the first of the two identical replies I received. Hence, the responsibility and burden for the prevention of accidental injuries to employees is placed with this first-line supervisor, with advisory services being provided by plant industrial relations. This requires safety training which is too often forgotten when promoting a man from the hourly or non-exempt ranks to supervision. All too often, the training is confined to only the operating or technical aspects of the position, and the important area of safety either completely forgotten or given the broad brush treatment.

In conjunction with supervisory safety training and to help the plants with the implementation, we have just put together a comprehensive training manual which will be going out to our plants shortly. The course is intended to take about eight hours in four two-hour sessions.

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75 1743

HOW EIGHT ARE INVOLVED AT SCHLITZ

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Vice President—Plants, Jos. Schlitz Brewing Company, Milwaukee, WI

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department head, the I. R. manager, and finally to the plant manager.

2. Each of our plants has a weekly plant meeting of all department heads, presided over by the plant manager. An important facet of this meeting is a thorough review of the previous week's accident experience, what corrective action was or is to be taken, when, and by whom.

3. A further involvement of our plant managers is his personal responsibility for the follow-up of recommended safety expenditures.

In conclusion, we believe that example is the best motivator; when the "boss" becomes involved and shows an interest, subordinates will follow suit.

75 1744

MOTIVATING THE TOP MAN AND LINE SUPERVISION

By O. R. GIGANTE
Corporate Manager, Safety, Health, & Security, Miller Brewing Co., Milwaukee, WI

I think we all ought to be impressed with the enormity of the problem of motivation. We are dealing with people who have been in management for many years and have an inbred attitude toward production, which we can all appreciate for it is our livelihood. We now have the task of getting top management and line management to see the benefits from a good, sound safety and health program. I would like to state, at this point, that many management functions in today's industrial society are not only aggressive in the manufacturing of goods, but in the safety, health, and welfare of the employees producing their products.

Traditionally, management's main concerns have been profits, efficiency, and production costs, and rightly so. Now we have the enormous task of adding a new dimension to management concerns relative to the productive operation, and that is motivation toward a safe operation. Let's put this problem of motivation into proper prospective.

In order to stimulate management, we must give them something tangible whereby they can relate safety and health with production and profits. This tangibility we are talking about is a cost analysis of accident experience versus overall business expenses. Directly, we are telling management that safety today is not something they have to put up with, but rather consider as a profit center. As soon as we mention safety as a profit center, we have started the cycle of motivation toward a safe operation. Why? Because in the safety profession, we have to speak the language that management understands, a language they have been living with for many decades, and that is profits and losses. A safety professional must show management how they can add dollars to their profit margin through a good, sound safety and health effort. I'm not saying that management is not concerned with the general safety and health of their employees, but rather that it's important to speak their language with, of course, their ultimate objective being kept in mind.

Let me qualify the first step in this motivation cycle, which I mentioned earlier, about safety being a profit center. Let us assume that you or your company is covered by workmen's compensation insurance on a retrospective plan, and your workmen's compensation premiums amount to $250,000 per year. Let's also assume that, at the end of the year, your losses amount to $50,000. Under a retrospective plan, the company will receive a refund of $100,000 from the insurance company. This $100,000 is added to the company's profit after taxes at the end of the year. So what we are saying is that safety can produce profit.

We have all been in the safety profession for many years and are quite aware of the various ratios that are used to help sell a safety program to management, such as four to one, or ten to one. With inflation the way it is today, I'd use ten to one; that is, for every $1.00 the insurance company spends, it costs the company $10 in hidden costs. These, again, are added costs which can be shown to management at the end of the fiscal year that were saved through an effective safety and health program.

It is my personal opinion that the primary tool for a safety professional in motivating top management is enthusiasm. Enthusiasm is something that cannot be picked up automatically. It's something that an individual has because he believes in what he is doing. When enthusiasm is a constant part of the day-to-day safety and health effort, it seems to be picked up by management automatically and makes the job of obtaining support for a safety program (or if you want to use the term "motivation") that

good safety condition, employee safety depends largely on attitude, which dictates a safety awareness program. This could take on many forms, but I would like to mention a few: prizes awarded by telephone for knowing the safety slogan for the month; drawings for prizes by those employees not having an accident during a specified period; safety shoe promotions; sale of fire extinguishers to employees; the use of banners, posters, newsletter articles on safety, etc.; home involvement in the form of safety tips or precautions in or around the home or on vacations. Also, home involvement in the awarding of prizes. Any of these could be just the catalyst needed for getting employee attention; however, a word of caution: Such programs must have occasional changes and variety or they become "old hat" and interest is easily forgotten.

The correct action for an operation is also the safest action! This I received from the least expected of our plant managers, but it is really quite a statement of fact, since most accidents occur because an employee in a given situation acted improperly. Hence, this plant has initiated a program of identifying the most common incorrect, shortcut, and impulsive actions and then makes sure that the employee is trained properly by the line supervisor. These are then constantly brought to his attention by the supervisor, warning signs, posters, etc. This concept of accident prevention obviously ties back into the first I mentioned—that of safety being the responsibility of first-line supervision and the training required. Naturally, without safety training the supervisor can neither identify the improper actions nor instruct the employee in the proper ones.

This ties into another mentioned safety concept—that of assigning the right individual to a given job. A supervisor must know if any of his employees have any impairment, particularly to their senses of sight and sound. Many accidents happen because the individual did not see or hear the danger in time to take preventive action. Hence, this program can be one way of managing safety.

The first four items mentioned all deal with what I call management or salaried people, but what about the hourly person who actually performs the work? He has to be involved for the success of any safety program. Two good methods are the safety committee, comprised of both salaried and hourly personnel, and top union involvement. A successful safety committee should consist of a number of salaried personnel from different levels of management and from different disciplines, plus an equal number of hourly personnel from different disciplines. One word of caution—there may be a tendency on the part of hourly employees to by-pass their immediate supervision with their suggestions. This must be discouraged! Minor items can and should be handled by the supervisors as part of their routine responsibilities. The safety committee should be confined to major items, those beyond the authority of supervision, or those which have been ignored by supervision due to other pressure. Also, for the safety committee to be an effective tool, management must follow up on the practical and reasonable recommendations with fast corrective action.

I also mentioned top union involvement and their support of safety programs and rules. I do not believe it should be any problem in getting the support of business agents and shop stewards; it is like being against motherhood or the environment. If handled properly, it can and has been done. For example, a few years ago, the employees of our Honolulu plant were promised a 10-course Chinese dinner if there was no lost time accident during the entire year. Sometime in early December, I was in the plant and to date they had a perfect record. I was up on the catwalk over a bottle line and all of a sudden there was a big commotion and a very one-sided and heated discussion going on between two hourly workers on the floor. A short time later I found out the man doing all the talking was the shop steward and the other had committed an unsafe act and had nearly been hurt. The gist of the conversation was that if the second employee had been hurt, costing the plant their promised dinner, the steward would have gotten him fired; and if he ever committed that act again, whether hurt or not, he would see to it that disciplinary action would be taken. That is a true story of union involvement and support, plus an example of one type of motivation. By

the way, they won their 10-course Chinese dinner.

Dinners, incidently, are one way of first motivating and then honoring plant safety performance. We have what we call the "President's Award" which goes to the plant having the best overall safety performance based upon a number of criteria; it is an annual award. All employees, both salaried and hourly, are invited to the dinner along with wives, husbands, or escorts, and each are given a special memento of the occasion such as a commemorate beer mug, etc.; also we have drawings for door prizes such as color TV's, stereo sets, etc. But, most importantly, there is participation by top management, including officers of the company. Obviously, this lends importance to safety. These affairs are not cheap, but we feel the expense is well worthwhile and justified.

Speaking again of motivation, one of our plant managers reminded me that safety management is no different from any other managing; that safety should be considered as just another important facet of a manager's responsibilities. In supporting this concept of management, safety performance becomes just another criteria for evaluating overall total plant performance and the performance of the people in the plant.

We have a worker's compensation debit-credit plan whereby a plant is debited or credited with funds depending upon their accident experience. Across our company, we get about one-third of our annual premium back, which has amounted to about $\$⅓$ million each of the last three years. Since this debit-credit plan affects a plant's cost/barrel, safety becomes one of the measures of plant performance. As for the plant personnel per se, since the Schlitz Compensation Plan is based on performance evaluations, and safety performance is one of the criteria, then at Schlitz safety performance is tied into salary increases. One way of motivating your salaried employees—their pocket book.

Earlier, I made an apparently extraneous point in detailing how different our plant managers were and said I had a reason. The reason is that to a man they stressed one item which I have not yet mentioned, but also personally consider the most important facet of both safety management and motivation. This is the second of the two identical replies I referred to. It can best be set forth by a little story from Volume 12 of the 1973 National Safety Congress *Transactions*:

> A farmer once asked a wise man for help in improving an unprofitable farm. The wise man wrote a charm on a piece of paper and sealed it in a box which he gave to the farmer. "Carry this box into every part of your farm three times a day for a year," he told him.
>
> The farmer did so. In the morning he carried it into the fields and found a hired man asleep instead of working. At noon, when he carried it into the barn, he found the cows deep in filth, the horses unfed. At night, he carried it into the kitchen and found the cook wasting food. Every day, as he took the box from place to place, he found things to correct.
>
> At the end of a year, he returned to the wise man. "Let me keep the magic charm another year," he begged. "My farm has been a hundred times more successful this year than ever before."
>
> The wise man smiled and took the box. "I'll give you the charm itself," he said. He broke the seal, lifted out the piece of paper and handed it to the farmer. On it was written: "If you want things to prosper, look after them constantly yourself."

I would like to change what would be written on the paper to read: "If management wants an effective and successful safety program, whether it be managing or motivating, they absolutely must become personally involved." Personal involvement by all levels of management is necessary before anything else for a successful operation which definitely includes safety. I am involved, I insist that my plant managers get involved, and, to a man, they insist that their personnel right down to first-line supervision do likewise.

Here are but a few of the involvements of our plant managers:

1. We have a Supervisor's Accident or Near Miss Report which the supervisor must fill out following every occurrence. This is then routed for both comments and signature to his superintendent, the

much easier. So what we have to do in the safety profession is demonstrate that we believe in what we are doing and put forth the effort it takes to accomplish our goals and achieve the ultimate results.

Motivating the top man is not a serious problem. This can be done quite easily just by following the simple approach previously mentioned—production and profits.

How do we motivate the line supervisor? Well, there are many ways. You can use a whipping stick, discipline the line supervisor, educate the supervisor on a continuous basis without letup, or you can terminate a few to impress upon the rest of them that you do mean business in safety and health. It is my opinion that the line supervisors should be approached from an educational standpoint, especially if you are now embarking on a new safety and health program.

Let us take a look at the line supervisor and what he is expected to do. He is expected to produce the product with the resources he has at hand and get the product out. He must do this by keeping production costs down, quality and efficiency up, and performing these functions in a safe manner. I put safety last because, on the overall, the line supervisor places safety last.

There is no set approach to motivation, especially with line supervisory personnel. Line supervisory personnel are just like the hourly people we have in our shops. Each thinks differently, has his own way of doing things and, therefore, makes the job of motivation in this area quite difficult. You have to approach him, not on an overall basis covering all line supervisors at one time, but rather on an individual basis, which takes time.

The following is what I feel should be done in motivating the line supervisor: First, we should find out what the line supervisor, on an individual basis, wants out of life. This will give the safety professional an idea of how to motivate the individual supervisor. Second, what does the employee expect from his supervisor? Third, what does the company expect from a supervisor in the way of performance? Fourth, explain to the line supervisor what his responsibilities are in safety and health. It's surprising how few line supervisory personnel realize their ultimate responsibility in the area of safety and health. Many of them feel their only responsibility is to get the product out the door.

The items just mentioned are basically the foundation by which we are going to build a safe attitude on the part of the line supervisor. Now let's look at how we will motivate this line supervisor. Let's take the important responsibility he has of investigating an accident. In most safety programs, after an accident occurs, the line supervisor must investigate the accident thoroughly with a written report, show what immediate preventive action was taken, and what future preventive action he recommends the company take. The big problem on accident investigations is that the line supervisor does not appear to have the time to do the investigative work; therefore, accident reports are not submitted to the various managers directly involved until quite a few days later and, in some cases, weeks or months later. What do we do to motivate this supervisor to investigate the accidents the way he is supposed to?

1. When the accident occurs, the safety engineer must go out and personally take the line supervisor to the site and do an in-depth investigation and, while doing the investigative work, point out to the line supervisor, in a professional manner, the importance of the data he is trying to establish.

2. Each time the safety engineer has a person-to-person contact with the line supervisor, he must stress the professionalism involved in being a line supervisor; of course, showing the relationship between safety and health efforts on his part and the rest of his duties.

3. We must continuously show the line supervisor how important his overall job duties are through safety and health efforts.

We must sell management on the basis that safety and health is a profit center, no longer a function that is forced upon us, and that we must include this in production activity. Further, we must make management recognize, with tangible evidence, that safety and health efforts will contribute greatly to their overall production efforts. Line supervisors, as I mentioned earlier, are somewhat more difficult to motivate, especially those who

have been around for many years. I feel that if we find out what line supervisors' wants are, what they expect from the company, what employees expect from their supervisors, and what management really expects from supervisors, we have a basis on which to approach the individual. We can then help him help himself in the area of safety and health.

I am certain that when the safety engineer is continuously working with the line supervisors, and in some cases forcing them through a procedure such as investigating accidents, eventually the line supervisors will take off on their own and perform the way they are expected to perform. It is the repetitious approach that the safety engineer uses, coupled with the important factor of enthusiasm, that will condition the line supervisor to be much more motivated to perform his tasks.

There are many approaches in motivating line management in the area of safety and health, and I have found that the approaches mentioned work for me.

75 1745

GETTING SAFETY WHERE IT COUNTS

By LEE HINYTZ
Safety Consultant, Employers Insurance of Wausau, Milwaukee, WI

There has been a great deal written and preached in the safety world on motivation. It becomes increasingly obvious, though, that when we're talking about motivating people, about changing, influencing, or controlling the behavior of people, none of us really has the key. Yet, if we are to be successful in our efforts in accident prevention, it becomes our responsibility to motivate our employees. We must make them want to have the same goals we want. Or another way of expressing the thought of motivation is by stating, "How can I get them to have it my way?"

It's becoming increasingly apparent that even as we talk motivation, we really can't actually motivate. Motivation, by dictionary definition, means to "incite to action." It seems that, at least in safety, we can't incite action; we can only influence attitudes and hope that action results in the attitude that we have improved by influencing. Management, through its definition of policy, makes the decision that it wants safety performance from its people. Management, however, can't force safe performance, even with the most sophisticated procedures affixing accountability that are now coming into the safety scene. Each employee decides for himself whether he will work, how hard he will work, how safe he will work. He decides on the basis of his attitudes—attitudes toward himself, his environment, his supervision, his company, his entire situation. He decides based on his knowledge, his skills, and his group's attitudes toward the problem. All we can do is to create influences to help him decide, to extend some influences where we can't fully control, and to merely recognize and understand these influences over which we have no control.

Perhaps this sounds weak, as if we have little real power. Well, that's not true, really. Whereas we can only influence people, some of the influences that we can bring to bear are powerful. It's true that at the final decision—the last second before the accident—we have no power. But if we have used our influence well, we have done a great deal to determine whether or not the accident will occur. As managers, whether staff safety specialists or line managers, it seems wise to reexamine those influences that we can bring to bear on our people:

1. We influence people through training.
2. We influence people through supervision.
3. We influence people through special emphasis programs.
4. We influence people through media.
5. We influence people to accept their

safety responsibility.

A great deal has been written on the importance of training in molding individual safety consciousness and attitude. We all know the crucial role of the supervisor as an influence over employees. We've all read about and many of us have used some form of special emphasis program to mold attitudes—the "Knowing's Not Enough" program is perhaps the best example of a special emphasis program aimed directly at attitudes. We all use safety media of all varieties to try to shape the thoughts and the attitudes of our people toward safety. But what about number five above? How much can we do in safety really through influencing people to accept their own individual responsibility for safety? This is something that we should look at rather intently.

Before we do that, let's look a little more analytically at what we really mean by motivation. We said before it's a way of getting people to have it our way, so obviously we're indicating that it's a persuasion or selling or conviction technique. The late Dr. Abraham Maslow at Brandeis University told us that before we motivate people, we must know the needs of people. To motivate, we must find out what the level of these needs is. Some of the needs of people are: the actuation need; needs appealing to ego; social needs; needs appealing to security; and psychological needs. There's a whole hierarchy of needs.

Then we develop a pattern. We establish the level of needs and then we motivate. Motivation yields behavior. Let's say, for the sake of discussion here, that behavior is work. Work yields results and results yield satisfied employees or dissatisfied employees. Doctor Hertzburg at Western Reserve University tells us one of the most powerful motivators or satisfiers is, believe it or not, work. Work itself motivates people to do more work. Responsibility is also considered a strong motivator. Opportunities for advancement, opportunities for recognition, all these are among the strong motivators.

What are some of the dissatisfiers or anti-motivators, according to Doctor Hertzburg? Well, company policy doesn't turn anyone on. Profit usually means very little to the line employee. Work conditions don't do much to influence or change or shape the attitude of an employee. And there's a whole hierarchy of these as well.

It's important to get our employees participating or involved in decision making, if possible, in planning, or in any other way that we can do this. It's important that we understand their perception, that we effectively communicate with our employees, and that we develop a style of supervision that Doctor Rensislick of the University of Michigan characterizes as employee centered—concerned with the human aspects of our employees' problems, but endeavoring to build strong work groups with high performance goals.

How can we get people to accept their responsibility for safety? Well, it reminds me of a fellow who was applying for a job. And the employment manager asked him if he was a responsible person. He replied: "Well, I must be. At the last place I worked, whenever anything went wrong, they always said I was responsible." As far as the applicant's personal injuries were concerned, his previous employer was probably right in saying that he was responsible. Because an accident is usually caused by the way the injured person handled himself, by something he did that he should not have done, or by something that he did not do that he should have done. For example, hand and finger injuries usually occur because the injured places his hand in a position not required to properly perform the work. Thousands of accident reports show that nine of every ten injuries could have been prevented by the injured person himself.

Sometimes we fail to recognize our own personal responsibility in preventing injuries. Sometimes we deliberately avoid facing up to this responsibility in order to save face. But the fact remains, in most cases we could have done something to prevent the accident that caused our injury.

With so much talk about OSHA, consensus standards, safety programs, etc., it's easy to forget that our safety is primarily a personal responsibility. Our work places can be covered with safety posters and bulletins. Potentially dangerous machinery can be properly guarded. We can be shown the safe way to do our work. But none of these things can insure

freedom from accidents unless we want to prevent them. It's up to us. Unless we realize that our own actions determine whether or not accidents occur, and unless we accept the responsibility for these actions, injuries will continue.

Who puts tools and equipment into motion and controls their movements?

Who but the individual can control the placement of his body, the movement of his arms, legs, and eyes and, most important, the activity of his brain?

But man's ability to direct his own actions and control his environment carries with it the responsibility to use this direction and control so that his own creations do not destroy him or his fellow workers. Machines don't reach out and bite; tripping hazards don't grab a person's feet; hand tools don't slice and jab into flesh by themselves. But, judging from the statements people use to describe their injuries, one would think that the tools and equipment they use were alive. Here are some actual statements made by injured persons: "A piece of lumber with a nail in it punctured my arm." "The drill hit the metal plate, causing it to hurt my hand." "The machine was running, and it slammed my hand against a bolt." "The wrench slipped off the nut and struck me over the eye." "A wire entered my finger." "The blade of the screw driver slipped and punctured my hand."

Statements like these are hazards in themselves. It is apparent that the people who made them refuse to accept responsibility for their actions. Until these people wake up to the fact that they are not the innocent victims of their surroundings, that they are accountable for their own actions and must accept the responsibility for them, little can be done to prevent their accidents and injuries.

Of course, the employer, too, has responsibilities in accident prevention. These responsibilities include: providing safest possible working conditions; furnishing safe tools and equipment; providing required protective clothing and equipment; formulating safe practices and rules and train employees in these practices; providing competent medical attention for work injuries; and providing good supervision.

Injuries will be prevented when these employer responsibilities are met, and each individual employee accepts his own responsibilities: maintaining safe conditions by orderly housekeeping and by reporting unsafe conditions that he cannot correct himself; using tools properly, keep them in good condition and reporting defects; applying the safe practices and procedures which have been brought to his attention; and reporting all injuries promptly.

It might be well for us to follow the example of the motor vehicle experts in determining the "chargeability" of injuries. To determine if a driver shall be charged with an accident in which his vehicle is involved, the following question must be answered: Was there anything the driver could have done to prevent this accident? If the answer is "No," the driver is not charged with the accident. But ask any driver or traffic expert, and he will tell you that there are very few cases where the honest answer to this question is "No." There are very few cases, no matter what the nature of the accident, where the injured person himself can honestly say there was nothing he could have done to prevent it.

It is usually the immature person or the one with a complex who refuses to face up to the responsibilities of his own actions and decisions. Hard luck, conduct of other people, inadequate tools, and unfavorable conditions are just a few of the favorite excuses people use to absolve themselves of their personal responsibilities when things go wrong. When the results are favorable, though, they are the first to credit their personal actions with the success.

Accepting responsibility for our own actions is a sign of maturity. As it relates to safety, it means we have to believe firmly that it's up to us to do everything we can to prevent accidents. We must recognize that no one else can accept our safety responsibility for us, and that is getting safety where it counts—in the hands and minds of our line workers.

Remember: Accept your safety responsibility!

MINUTES OF CANNERS & FREEZERS ROUNDTABLE

JOHN HEIN reported on divisional activities. He introduced two letters from NCA; one on noise and heat stress, and the other on conveyor standards. He reviewed letters from NCA's activities and indicated that NCA will probably set up a Safety Committee, which will be a first for NCA.

LAURA VERHOOG, an RN, spoke on communications, particularly, on seasonal employees. This segment of the Roundtable centered around the use of visual aids. The main points brought out were:

1. We must have training of people.
2. The methods of training those people: showing and telling was by far the best from the standpoint of retention and of getting the point across (at this point, various audio and visual aids were used); another was the method of showing without using audio and see, also use of audio with no visual aids.
3. Where and when to use visual aids: at initial hiring and for reinforcement at a later date; for special information dissemination.
4. A main point brought out was that audio and written information should be brought down to the level of the worker. Laura indicated that she uses the FOG index.
5. Examples of visual aids are: movies; CCTV; diagrams; overheads (these are extremely good for small groups); actual showing of equipment; slide and sound (slide and sound should be of in-house preparation because revision and updating will be easier).

Laura showed slide examples of her work. Much discussion followed this presentation and a number of questions and answers were entertained during this session.

JOHN HEIN spoke on field indoctrination. The basic points brought out in this discussion were:

1. Proper training of plant employees at the onset. For this John had a handout and brought out these points:
   a. So far Larsen's have trained approximately 400 people, including first-line supervisors and group leaders, under this program.
   b. Ninety per cent of the accidents he observed were because of poor job introduction, on-the-job training, and repeaters.
   c. While training these employees, the trainer should set definite goals to be obtained.
2. John talked about developing a slide-sound program. Again he emphasized in-house because of the particular nature of each individual's program.
3. Larsen Company was fined for no evidence of training personnel; and at this point, John handed out another form that has since been adopted by the Larsen Company. This is kept in the individual employee's personnel jacket, signed and dated that he has had instructions for a number of different items.
4. It was also emphasized that the supervisor should handle training of equipment and protective equipment for each particular job, because they are the most knowledgeable of what is required.
5. For any training program, a script should be written first and pictures taken to augment the script.
6. John also noted that a number of fact sheets from different equipment manufacturers are available and should be put to use. The most notable one he mentioned was FMC Fact Sheets. These do give a variety of information that is pertinent to the operation of their equipment.
7. The investigation of each accident should be thorough, and should include: the manufacturer of the machine; the model and year of manufacture; and the serial number. The reason, of course, for these particular facts is because of the new liability code.

FRANK GRADISEK spoke on pre-employment indoctrination. Frank felt each establishment should do their own visual aids, and he showed a slide tape presentation of one of his Heinz plants.

I believe at this point, it would be noteworthy to point out that of the first three speakers, all said that each establishment should do their own visual aid programs; also, that supervisors should do the basic training of employees.

JERRY SULLIVAN gave a demonstration on a Fork Lift Training Program for seasonal employees. Once again, the crux of the training program was the use of visual aid; both pamphlets, slides and audio.

1. Jerry noted that they had an average of three lift fork accidents over the last five years, and each accident cost approximately $15,000.
2. Many dollars, he noted, are saved by using this training program, particularly for seasonal and new employees.
3. Indoctrination for new employees at first are generally held about 15 minutes.
4. Handouts are given to drivers both in booklet and binder form. Jerry noted that he got the information for developing his Fork Lift Training Program from a number of different sources and then drew up a program that suited his particular needs.

 75 1747

PROTECTING OUR GREATEST ASSETS--PEOPLE

By JAMES PALS
Vice Pres., Intermountain Inspection Co., Englewood, CO

No asset is more important to a business than its employees. That's really what we are here to talk about: Keeping employees safe! Why? So that they can enjoy their lives, so that the job that they have with our companies will be rewarding to them, so that they will remain a viable economic factor, if those terms are appropriate.

What does it take to keep an individual safe? Some wise man has defined it this way: Like liberty, the price of life is eternal vigilance. Each individual has to be his own safety man. He cannot rely on a corporate safety director or on a plant safety director to keep him safe. He must somehow be instilled with an internal "safety urge," if you will, which will keep him safe under all conditions. So if we are going to put a goal up to achieve, let's state it this way: To provide a means to make every man his own safety man.

Our profession has come up with wide range of ways to keep an individual safe. If you find a pinch point on a machine, place a guard over it. Guard openings in the floor, so that no one can fall into them. If you are working around hazardous materials, wear proper protective equipment such as gloves, respirators, aprons, face shields, and masks. We have devised all kinds of external ways to keep the individual employee safe. Yet accidents still occur. Something more is needed.

Too often the safety equipment that is provided is not used properly. Too often when maintenance is performed on a piece of machinery the guard is not replaced. Everything else is fine—the machine runs properly, but the guard is left laying on the floor under it. Even when guards are replaced and personal protective equipment is worn religiously, accidents still occur. What it boils down to is the fact that we have not yet convinced our employees to remain safety conscious.

Replacing guards, wearing personal protective equipment, keeping safety uppermost on your mind—these are people problems. They cannot be engineered. People problems can only be affected through motivation and training.

Training goes on in every business, whether we realize it or not. A new man coming onto the job must be taught, in some way, how to do his job properly. Yet, too often he is placed with someone who has been on the job for several years and is expected to "catch on" to how to do the job. As a result, he picks up all of the man's good habits, but he picks up all of the man's bad habits also. Not knowing better, the new employee considers them all to be good habits. If he happens to be placed with a man who hates to wear a hard hat, but is a pretty fair worker, possibly he will end up a pretty fair worker, but you know he will hate to wear a hard hat.

The problem is, we are not using training in an intelligent way. Safety training should be a part of every type of training that is done in a business. If a man is taught to operate a piece of machinery, he should be taught the proper and safe way to operate it. If some kind of personal protective equipment is involved in that operation, there should be no question in his mind whether the operation can be done without that protective equipment.

Safety must be presented as a normal function of that job. To do this job, you need gloves; to do that job, you put on a face shield. When this type of training is finished, the man will do things in a safe way simply because safety is as much a part of getting that job done as using a wrench or pushing the start button on the machine.

Safety wasn't picked out of the procedures so you can say, "All right now, this is a safety precaution." Too often when that is done, the man's reaction is, "Oh—that's a safety precaution. Well, I probably don't need that because I'm pretty safe anyway." When training is finished, the man must understand that the normal way to do the job is synonymous with the safe way to do the job. All the safety procedures should be included in training for every operation.

This type of training instills within the man the knowledge to be safe and the way to be safe without actually highlighting it and saying, "This is safety." The word "safety" is used too often. That word has been degraded into something that people react to with, "Oh, oh, that's something I've got to do, but I don't want to do." That is a sorry set of circumstances.

A lot of safety men are saying to themselves, "Training is all fine and good and I do some talks occasionally, so I feel training is a part of my job." Do you realize that OSHA has specific categories of information that a worker must be trained in? The most-often cited one of these, is having a trained first aid person on every shift. In fact, in a seven month period in 1972, OSHA issued 371 violations of this specific standard. The second most cited violation, 118 violations, was one requiring training of powered industrial truck operators. In all, OSHA gave out 645 violations of training standards during that seven month period. Training is not just something nice to have around, it is required by law.

The law also states that every employer must instruct all employees how to recognize and avoid unsafe conditions. That encompasses a lot of information. How many of your employees can recognize and avoid unsafe conditions? There are also well over 30 other specific training standards that are required by OSHA. Suffice it to say that training is important. Training is important enough to be included under OSHA.

Training is important. How do we accomplish it? Too often the word "training" is misunderstood. Training is thought of as a series of facts, or information. That's all! If training only presents information to the employee, with no sound way for him to put that information to use, of understanding why that information is required of him, of understanding why this or that particular piece of equipment must be used in a particular way, then training has failed.

Training should not only provide information, but it should provide an immediate use for that information, and it should provide the reason for acquiring that information. Training must be more than just telling a man what to do. It must also give him reasons for why he is to do it. This is especially true for younger employees. They really want to know how to do a job and why! You've got to have the answer. Why is he to be safe? Why is he to use gloves in this operation? The answer to these questions is important. "Because that is the way it is done" is not an answer. An astute training director somewhere once said, "If you can convince an individual that he needs a certain concept, that's all the training you need to do." Because he will then go out and acquire that concept for himself. The key, then, is not merely to present information but to convince him why he needs to use that information. Then provide a means for him to acquire it for himself. This is the strongest type of training possible.

Why isn't training done in a professional manner? The complaint I hear most often is, "I don't have enough time to do it." And often, that's a good excuse. You *don't* have enough time to do it. That doesn't, however, excuse you from the need to do it. Where do we find an answer to this time problem? A company we were working with recently put on a course in finishing concrete for its employees once a year. But they had a problem. Personnel changed, notes were lost, procedures were incomplete, what happened was that each year they had to start from scratch again, and create another finishing course which ended up pretty much like the one they had given the year before.

You don't have time to do that kind of training. You don't have time to present the same message over and over and over again. I agree. But there is a way to get around it, because once you have designed an effective training device, why not use some type of media and put it down for good?

Let me define that term "media." I'm talking about television, slide tape presentations, audio tape presentations, audio tutorial presentations, film presentations, booklets, instruction sheets, all these types of things. Things that are easily used by an individual over and over again.

Creating instructional media can be as simple as sitting down and recording a 15-minute cassette tape on your dictating

machine in your office. Then provide that tape to any employee who needs to learn that information. It takes no more time than to sit down and dictate a report, yet that 15 minutes of message is available to every employee in the plant on an individual basis, and every new employee who comes into that plant, without taking up another minute of your time. Not only that, but each employee gets exactly the same message in an identical way. If the first message is effective, the 180th message will be effective, and the 8,000th message will be effective.

Media, then, is a very real savings to you in getting your training messages across. Some are already available. Hundreds of films on safety topics from the National Safety Council, from local distributors, from many of the large corporations, are available for safety training. These films are available, yet few of them are used. Many of them cone down to specifics such as to how to lift a load, why to wear personal protective equipment, right down on the line. So, right here you have a ready made way to begin to use mediation in your training methods.

Video tape is another dynamic way to put your training message across. Video tape is sometimes kind of scary to people. Television takes tremendous amounts of money, time, and effort to produce and television, as you see it on the tube at night, certainly does. However, a video tape recorder, with full color, loaded by a cassette, can be operated very simply with a camera. This equipment is available under $3,000—everything you need. So, even television is not something that's only for the big companies—it's something that can be used very economically, right away.

Let's say that you made one video tape dealing with a subject that everybody needed to know about. You really put in a lot of work and spent three days to put this tape together. Two thousand employees were shown the tape in 40 separate meetings, and since the time of the production of that tape, another 100 new employees have seen it in 50 different meetings. Ninety meetings, each meeting took an hour—90 hours of instruction for an investment of 24 hours of time. All this and the tape is still good and still being used. Plug in how much money an hour of your time is worth. Now multiply that by the 66 hours you saved. I think you can begin to see how quickly an investment of $3,000 is recovered.

If video tape is not the type of thing that you want to do, there are slide tape programs, there are narration tapes accompanied with pictures or drawings that can be used, there are booklets, instruction sheets—the field is endless. With each media device, you have something that can talk to an individual as many times as is needed to communicate the message. Simple repetition is an excellent method of instruction.

If you decide to use media you should take the time to produce the most effective training possible. A good training program costs more, but poor training programs cost most.

If you produce a media training program with mistakes in it, you will not make the mistakes just once, you will make them again and again each time you present the training. That's not saving you any time, because you are going to have to take it out and revise it. So a little extra care in producing the training will pay big dividends by giving you the right type of training and the most effective type of training.

To assure the design of the most effective type of training, you should spend some time thinking about what you want to accomplish. To aid your thinking process, I want to present a helpful approach to develop effective training materials.

A flow diagram tells the story. When you begin the development process, start by doing a task analysis. In other words, gather together all the information that you wish to present. If you are going to train someone how to perform a specific job, the best way to accomplish it is to sit down and watch someone doing that job. While you do this, make a list of the actions that are necessary to perform the job. When you have a complete listing, go back over the procedure and identify any hazards that might exist. If any hazards are encountered, consider how to deal with them. Perhaps a new procedure is needed.

The next step is to determine what you want to communicate. Ask yourself this question: "What do you want the student to do as a result of this training?" When you can answer this question, in detail, you have identified your objectives.

An objective might read: The student shall be able to demonstrate how to hold a knife to cut the neck of a chicken without harming himself. The next step is to turn this objective into a question to test whether the objective has been accomplished. Using a knife, demonstrate the proper way to cut the neck of a chicken so that you will not harm yourself.

Now you have something observable to look for, to find out if the training was effective. The next stage is to design the training. Be sure that you explain the information dealing with each objective completely.

When the training is completed, try it out. Bring together a group of people who need to be trained and have them go through the program. When they have finished, ask each one the list of questions. Make sure your training has been effective. If, for instance, several of the students cannot hold the knife correctly, you know that part of the training is not effective, so you can revise it.

Using this method, you can quickly decide what part of the training is doing what you intended and what part is not. For instance, if you have 20 objectives and questions number 4 and 8 are not being answered correctly, you know just what part of the training to revise. The rest of the information is correct.

Developing training is a big job, but it pays even bigger dividends. Many of you will find it hard to set aside the time, but it must be done. Too many of us tend to act like wheelbarrows—useful only when pushed and too easily upset.

'75 1748

NOISE INVESTIGATION FOR THE POULTRY INDUSTRY

By WILLIAM H. IHDE
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The purpose of the noise investigation for the Poultry Industry Advisory Committee on Safety and Health was to study three noise areas common to all plants in the poultry industry. By limiting the study to the three areas specified, many plants could be visited in the time provided for the project.

From the study, a set of principles for the control of noise as generated in the poultry plants was to be evolved. These principles could also be used when planning any new plant expansion or modification.

Work Accomplished

Eighteen chicken plants and eight turkey plants were visited. These were along the Eastern seaboard and into the southeastern part of the country. The turkey plants were mostly in the Minnesota and Wisconsin area, except for two plants in North Carolina. The live hang area, the picking room and adjacent areas, and the lung gun area were measured and studied in each plant.

Also, a meeting was held with the Safety and Health Committee, the USDA officials, and the OSHA officials to report the progress of the study, and to ask about certain techniques that could be tried. Their input into the program is very important.

A meeting was held in New Orleans with some of the manufacturers of picking machines and lung guns to learn what they can and are doing to reduce the noise of this equipment. Their participation is vital to the success of any program for the whole industry. Their cooperation was assured.

Individual reports were sent to each of the plants visited with a summary of the observations and suggestions as to how the plants might approach their noise problem in the areas studied. Since each

plant is a little different these reports had to be specific in nature rather than general.

Live Hang Room

The live hang area was not too bad, with the worst case around 91 dBA. If men are not in this area more than seven hours a day they are in compliance. However, there is no need for the levels to be this high. Many plants were less than 88 dBA, and the turkey plants were all less than 81 dBA except for one. This plant was 86 dBA because its live hang area opened into the scald and kill area. If reasonable care had been taken around its conveyors, then its level would also have been down around 81 dBA.

The general principles for a fairly quiet live hang area can be stated as follows:

1. When possible, provide as much room as is possible for the receiving area. If this is not possible, provide as much acoustic absorption in the area as is possible.
2. Do not have conveyors doubling back on themselves. This puts too much moving equipment in a confined space.
3. Fans used for ventilation and dust collection should be large, slow-speed fans rather than the high-speed small diameter fan. These fans can cause problems of noise when operating.
4. Provide acoustic separation for lines when operating more than one line at the same time. These lines when operated singly generally are between 85 and 87 dBA. When two or more lines are adding together, the noise may reach or exceed 90 dBA. The barrier between them should reduce the noise.
5. Absorption is a must if draft curtains of corrugated metal or concrete blocks are used to confine the area for dust control. Functional absorbers consisting of acoustical fiber glass enclosed in vinyl bags and mounted behind protective perforated metal pans are very effective. These can be hung overhead and from the side walls.
6. No equipment other than the chicken conveyor and the coop conveyor should be in the same area. When the live hang area opens in to the kill and scald area, the noise level can be expected to rise.
7. If conveyor equipment is used to return empty coops to the dock area, then these conveyors should be quiet. When the conveyors are not maintained they become noisy, adding to the noise of the hang area.

In turkey plants, the coop conveyors are absent. This in part explains the low noise level that exists in the turkey plants' live hang area. Also, since they bring the turkey pullman right into the hang dock the requirement for adequate space is easily met.

Picking Room

Both chicken plants and turkey plants have problems in their picking rooms. The rooms will run from 96 dBA to 105 dBA. Most of the plants had their scald area in the same room with the pickers. When the scald was separated, the picker's noise levels were lower.

Many of the plants use too small an area for the picking operation. Although it is adequate for the production, it is too confined for the noise problem. Putting the scald and the pickers on a line that travels back and forth in a small room is bound to produce more noise than when the line is straight or winds around corners. Some of the plants had their conveyors go around corners and through walls separating their various operations. Their picking rooms made less noise than the ones which were all jammed together.

The noise from the pickers is generated by the rubber fingers beating on the bird and transmitting this vibration into the frame of the picker and its large side panels. Some reduction can be accomplished by increasing the stiffness and the damping in the panels.

Another approach is to open the panels by using expanded metal that is flat rolled to permit easier cleaning. Open panels should not radiate as much as a solid sheet. The use of sandwich metal should also be effective. This metal is not readily available, but is coming into use by one of the picker manufacturers. The effectiveness of these panels for silencing is now being evaluated by the manufacturer in a picking operation. If this proves to be very effective, the change should be tried in the field.

The most effective means of reducing noise to the pinners is to place a well designed wall between pinner and picker. This wall should have well sealed doors between picking and pinning areas and should have the minimum opening to bring the conveyor through a labyrinth. This can be accomplished by putting a bend in the conveyor just before reaching the wall, then put a "U" bend in the conveyor to go through the wall. The conveyor then can go anywhere after it has cleared the wall. The opening then in the wall will have a hood around it to block the sound from coming straight through. This technique should provide an additional 5 dBA noise reduction. Such a wall should provide between 12 and 15 dBA reduction, which will be adequate for most situations where the noise level would be less than 90 dBA if the picking area were not there. Some plants had other problems not associated with the picking room. When this occurs the technique is to treat the other problems also.

Lung Gun

This noise source will be most difficult to handle. The lung gun manufacturers are going to investigate methods of covering the cavity of the bird from the lung gun by a hood method. There are some difficulties, particularly with the turkeys, since they vary in shape so much.

In the meantime the noise can be reduced some by separating the lung guns with barriers. A 3 dBA reduction can be obtained by installing a barrier between the conveyor lines at the lung gun station. Also, the people on each side of the gun can be protected by side barriers to the lung gun platform.

If there are more than two guns per station, such as two pairs of guns at a station, then separating these guns by individual booths consisting of side panels and the barrier in the center should reduce the noise to around 90 dBA. Observation of single guns seemed to indicate a noise level of 90 dBA or less when operated by themselves. It certainly stands to reason that one gun makes much less noise than four guns operated together.

Conclusion

The live hang area is very nearly meeting the OSHA specifications in most plants. Those that do not need to put some absorption in the area and provide more space to hang. All of the hang areas observed that exceeded the 90 dBA were only 1 dBA over. This means that anything we do should work, just so that it makes acoustic sense. This will get us the 2 or 3 dBA we want.

The picking rooms will eventually need quieter pickers, which are in development at the manufacturers. In the meantime, the rooms that are not walled off should have a wall put in, or the wall that is there should be improved. If we get a wall that can provide 12 to 15 dBA reduction, the pinning area will get down to 90 dBA.

The lung gun will need some work on it for a hood that works. The lung gun manufacturers are working on this and should have some answer soon. In the meantime, barriers as described should be installed around the lung gun station. This should improve the noise considerably, particularly for the people adjacent to the lung gun stations. If each of the gun stations could be reduced to around 92 dBA, the break time for the operators should mean that they are in compliance.

When the above suggestions are installed in some of the plants which were visited, a revisit to these plants should be made to see how much difference the changes made. This should be done as soon as it can be arranged with the poultry plants.

75 1749

Meat & Leather Industries Sessions

OSHA REVIEW COMMISSION ACTIVITIES

By ROBERT D. MORAN
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Washington, DC

We should thank the Meat & Leather section for having a session on the Review Commission. It is very important that the actual law and the application thereof should be understood by the people in the safety field, because they are the people who have to live by it and it is observed on a day to day basis in the plants and in the construction industry sites where they have the responsibility. Of the various sessions of the Safety Congress, only one or two are devoted to the actual application of the law, and that is probably a mistake, because it's like reading the U.S. Constitution and thinking that you know all about constitutional law. If you read the Constitution you don't find anything about segregated schools or one man—one vote—those things have all been grafted onto the Constitution by interpretation. By the same token, you can't read the OSHAct and all the standards that have been promulgated to that Act and know what the law is or what you are required to do or just how the program is being implemented so far as protecting workers from various hazards or how to design against them.

In this regard, I would like to point out some of the things that have been done by those who have started to put meat on the bones of the act and the standards. Many people are concerned about the limitations, and if you go back a year or more, some people actually felt that the law had usurped some of the rights of some of the requirements that have been in this country from the very beginning. Some people actually thought that the OSHAct has repealed the U.S. Constitution. They thought they had lost their right to hearings, that they had to close down operations if they felt that they were hazardous. Of course, we all know that that is not true. The Constitution is still in effect, the persons that are charged with violations have the right to a hearing. The burden of proof is on the Department of Labor. You are still innocent until proven guilty by a court of competent jurisdiction. And all of those rights that we have come to live by and know still prevail under the OSHAct, and as I proceed thru this discussion you will see that some of the constitutional provisions have come into play in the way this Act has been implemented.

One of the primary problems, as I see it, is that too many people will read the standards and think that that is the law. That is a very common mistake. The truth is that it isn't. Suppose you send a worker up onto the roof of a building to repair a hole in the roof. The standard says that when you have a flat roof and a worker is working on a flat roof, you should have guard rails so he won't fall off the side. Well, if he is working in the middle of the roof and it's 100 yards to the nearest edge, there is no requirement that there be guard rails there, although if you read the standard and didn't understand the law, you would come to the conclusion that, yes, you could send that worker up to repair that leak in the roof but would have to have guard rails around the edges, because that's the way the standard is written.

But the law says that the purpose of this law is to protect employees from hazards, and unless an employee is exposed to a hazard, there cannot be a violation of the law. It's almost elementary. If you read Section V of the Act, it will say that each employer should protect his employees from hazards.

Another example would be an unshored trench—a very hazardous situation—but if there is no employee working in the trench, then there is no violation. But if you read the standard on shoring of

trenches, it will say that any trench five feet or more in depth should be shored or otherwise braced to prevent cave-ins. There are places where they dig trenches by machine and other types of equipment and no man goes into the trench nor is the worker exposed to any hazard, so there is no violation of that nature.

No matter how many times I say this or how many times it is written, there are still people who want to know how I comply with these standards. For instance, they are building a building and want to make sure that all the standards are observed in the course of the building. Architects, for example, will ask this question, and you tell them there is no requirement until such time as you get employees in the building. That seems to be difficult for them to understand, but nevertheless that is the way this law is written. Perhaps it's not the right way. Perhaps they should have promulgated a national builders code so that all buildings could comply with what experience has shown is the safest for building zoning and constructing it. But Congress in its wisdom decided that they should not promulgate a national safety code and they did not require that people live with these standards in all cases, only in those cases where an employee would be exposed to the hazards.

Getting back to some of the constitutional questions that have come out in the various cases that have occurred under this law, some of you are familiar with the due process clause of the U.S. Constitution—that no one shall be convicted of an offense except with the facility of the due process of law. In a lot of cases the defense is raised that the standards that have been promulgated are vague and uncertain and indefinite in their request. The one that I have been a great dissenter on is 1910.32A, which requires that personal protective equipment for the extremities be used whenever there is a hazard of process or environment, and many people say they do not understand that. What is a hazard of a process or environment, and how do you know it, and when do you see it? Many a legal brief filed with us alleges that this does mean the constitutional test of due process of law because the courts have said that before you can penalize a person in this country, you must have given him adequate warning of what it is that he is supposed to have been done or what it is that he is supposed to refrain from doing, and when you have a statute phrased in vague and indefinite language, so the police officer can tell you what the law is. You don't know it by reading it, only an individual policeman can tell you. For instance, The Supreme Court has ruled many times on what is a movie or book that is obscene. The requirement is that you shall not distribute any obscene literature or display any obscene literature. Well if we asked everybody to define what the word "obscene" meant, you would hear a hundred different definitions, and the Supreme Court has said that the standard must be the requirement, the test must be specific enough so that an ordinary prudent person can look at that requirement, law, regulation, or statute and be able to tell what it is that he is supposed to refrain from doing or is required to do before you can have a law or regulation that meets the constitutional test—which is due process of law.

This is a problem that has cropped up continually under the safety and health standards, because people in all cases do not know exactly what they are required to do, and various inspectors will give different interpretations. The courts have said that it is not the inspector that interprets the law but the courts. And so if an inspector tells you that this means that and another inspector says it is the other thing, then neither one of those persons meets the constitutional test, because it must be the statute itself that is clear enough so that a person can understand it.

There are various other tests within the Act itself, one of which is the definition of occupational safety and health standards itself. The term "occupational safety and health standard" is the term of art. It has a very specific and definite meaning: a requirement that is reasonably necessary to implement occupational safety and health. So that some of these requirements or regulations are alleged to have not been reasonably necessary to achieve the objective of the Act. We have never had a case under the well known standard requiring the split toilet seats, for example. People in conversation will

say that that is not reasonably necessary to achieve occupational safety and health, and that it could well be a defense to a charge that a person could violate that particular standard, because the allegation could be that it does not implement the Standard and doesn't meet the test of the definition of OSHA standard, because it is something that is not reasonably necessary to achieve the objective of the Act.

Another problem arises with the way that the Department of Labor adopted various standards in the beginning, back in the summer of 1971. Most lawyers will tell you that one of the most all-pervasive Acts that has been enacted by Congress is the Administrative Procedure Act, which was enacted some 25 or 30 years ago and requires many things, one of which is that regulations that have a force in effective law must be promulgated pursuant to certain requirements which permit those affected by it to have an opportunity to comment on it. The requirements are, briefly, that if the Department of Agriculture, the Department of Labor, the Department of Treasury, or any other agent of the federal government is to make a regulation, they must first publish the proposed regulation for comment and allow people 30 days or more to submit their views, and those views must be considered prior to the time that the regulation be issued in a manner that will be effective. This applies across the board to every department and agency of the Federal government and has been with us for 25 or more years. Now, Congress bypassed this and provided for short cuts when they adopted the OSHAct by providing that for the first two years under which this law was in effect, that is from December 1970 to Dec. 1972, the Department of Labor could short-cut the process provided that they promulgated regulations that met one of two tests that were specified in the Act. One is the National Consensus Committee; the other was an established Federal committee. Congress put specific definitions of those two terms into the Act. So this is an alternative way to meet the APA requirements, something that industry lived by, and was issued in such a way that both labor and management and all segments of industry that it would have any impact on would have an opportunity for their views to be considered prior to the time it was in effect. Anyone in the safety field is familiar with ANSI, NFPA, ASTM, and some of the others that are in the standards coordinating business. Those who work for the Department of Labor decided that it would be National Consensus Standards that would be familiar with the way these organizations adopt standards; they have committees that are representative of people that are concerned with the standards, they meet day to day, and they come up with some sort of a safety standard. Now it is not, as you well know, enforceable when ANSI or NFPA or ASTM or any of the others adopt a standard. It is in the nature of a guide line or goal or a model that people should observe, but there's no requirement that they do. But OSHA came along and under this national consensus standard test adopted many of those safety standards as occupational safety and health standards and put them into effect.

With that in mind and with the background that this was a short cut in the Administrative Procedure Act, the question constantly coming up is: Were persons affected by the scope of these ANSI standards given an opportunity to participate? One that might be of some interest to the people in the meat industry is a guard rail standard. It came from ANSI. I think the standard in effect is that if a person is working on a platform four feet or more above the ground or floor, he had to have a guardrail to protect him from falling. Now that at the time ANSI adopted this years ago, the meat packing industry didn't participate for some reason or another. I don't know who actually did participate, but I am of the impression that the construction industry and various industries that had people working on elevated platforms participated, and their views were considered and they had an opportunity to comment on the outcome as to what that standard shall be. The meat packing industry was not one, so the question is: Should the guardrail standard apply to the meat packing industry?

Going back again, if this short-cut procedure were not used, if the administrative procedure or the ordinary procedure were used, then obviously the meat pack-

ing industry wouldn't have a chance to comment on the promulgated regulations. So the questions is, Was this short-cut proper? Can you apply a standard to an industry that didn't participate in its formulation? There was no consensus in that industry as to a particular standard. That's a constitutional right or statutory question that's constantly before us.

The other short cut method was to establish Federal standards. Many of you are familiar with the Walsh-Healey standards and maritime safety standards. Here, again, you get another question. The Walsh-Healey Act, for example, is one that applied more broadly than any of the others. There are six or seven different federal laws prior to OSHA that included safety and health requirements for employees. The Walsh-Healey, of course, was the best known, and it applied to any manufacturer or any supplier of goods to the Federal government if the contract was for $10,000 or more. It didn't apply to people rendering services or quite a few people in construction. It didn't apply to anybody who didn't have a contract with the Federal government and only applied to hourly contractors and labor under $10,000.

Here again was a short cut. The Congress was under the impression that these people already lived by these standards and therefore we'll just take them and will not require them to go through the APA process. We will just take these standards under the Walsh-Healey Act and apply them under the OSHAct. But there was a different enforcement procedure, and therefore under the Walsh-Healey Act, if you were not observing a standard, the penalty was that you'd be barred from further government contracts. Under the OSHAct the penalty is a fine or a proposed penalty or things that are pretty familiar by now.

The question, therefore, is: If you were not bound by the Walsh-Healey Act because you didn't have federal contracts, could a standard under the Walsh-Healey Act now apply to you? Did you have an opportunity to comment at the time the Walsh-Healey Act went into effect in 1970? A person who didn't do business with the Federal government didn't pay any attention. The idea of participation in the regulations is involved in American law, and so we get a lot of questions under the short-cut procedures, the things that are known as established federal standards and national consensus standards. All of these are questions which are constantly coming to our attention and we have to resolve.

75 1750

OSHA COMPLIANCE AND TRAINING

By EDWARD MENDENHALL
Safety Engineer, OSHA Training Institute, Rosemont, IL

Because we get variety of education and experience in our new CSHO's, we have to orient their thinking towards reasonableness. Some guys coming in from other agencies, for example, think they can go out and wave a ball bat. You get another person coming in from some other business where they have been in an advisory capacity, and they do not believe in first instance sanctions. You get both sides of the coin. Somewhere there is a happy meeting ground, and I think it speaks for itself that the Act has been administered in a very fair way in the last three years that we have been in operation.

We teach our students to go into industry looking for hazards. Now is that a switch. You always think they are just going in looking for violations. But what you are really looking for in a work place are things that are likely to cause death or serious physical harm. That's what the Act says, so that's what we are training these people for—to look for hazards. So we have Hazards/Violations Workshop Training to do this, and we found it worked just beautifully with private industry. They really get a bang out of it. I've got what I call "Mendenhall's bouncing ball concept" for coding the standards, where we take you down two levels within each Section instead of going way out to the ii and the *a* and the I and so on—two levels and boom—you learn how to use those standards.

Six and one-half million dollars worth of contracts were let during FY '74 alone. That's in the area of OSHA training. The U. S. Amalgamated Meat Cutters has a contract to make a film. There is a movement now where the Association of Community Junior Colleges throughout the U. S. has a contract, and 20 of these colleges are going to train some 48,000 people altogether on OSHA, including this business of standards coding, etc. So we are trying our very best through training and education to get everyone up to speed as to what it is all about and how to use it instead of letting it work you or be a ram over you. OSHA is for you to use effectively, and it can be a very important tool in your little bag of tricks as a manager.

In addition to these other work shops, we inject a little bit of humanity along with the communications. You'd be surprised some of the odd-ball situations that will happen.

We had a roving inspector, for example, up in Alaska who was out at a construction site, and it just so happens that some anti-OSHA people are out there. Well let me tell you, the first time he set foot on the site and told the owner who he was, the employees came out of the hole with pick axe handles. Now what do you do in a situation like that? What would you do if you were an officer? How would you handle a situation where somebody is threatening your safety? Well we tell students, "Make a 180° turn and run." You would be surprised at some of the instances. We just had one recently in Texas—the company refused entry. So what do you do? You try to be nice about it, ask the employer his reason for refusal, explain about warrants, and then get one if necessary.

So we try to teach inspectors to learn to use their minds. Communications, obviously, is a very important part of any "real world" training. One young girl went out on a construction site. She sat down and started filling out the OSHA 1 Form, which is the one we have to fill out with the company name, type of business, address, etc. All of a sudden this guy walked over, picked up a book, and hit her on the hard hat. She had her hard hat on right, fortunately, and the guy said, "Well, at least you have the headband adjusted properly." Now what would you do in this situation? This young girl responded in a pleasant manner. I wouldn't have even thought of it, frankly, but she turned around and pointed her finger at this guy and said "You know it's against the Law to strike a compliance safety and health officer, and there is a penalty of

$5,000 and/or up to three years in prison." That was just enough to change the situation, and the guy calmed down and she never had a bit of trouble with him throughout the rest of the inspection. But you see some of the interesting problems that can happen with our inspectors who go out into the different workplaces. We have to try to impress these people with some of the unusual circumstances and how to handle themselves and what to do about them.

Let's look at the courses outlined in the training catalog. A course that you can enroll in besides 500-2 course is the 400-1. These are the two courses that you as individuals in a private sector may enroll in—Construction and Voluntary Compliance Course. The VC course for instructors is a course designed for those who want to go back and have a card that says you are certified or you have been trained under OSHA. You can in turn go out and train others, which has an outreach effect. We are trying to get the help of people in industry to go out and also spread the word to your own people, so if you have a big series of plants and you are doing training, why not give them a certificate. When you pass this course, you send us the list of people who have taken a minimum of 20 hours training that you gave them, and we will give you wallet size certificates to issue to your students. A little bit of PR, if you will.

People often ask, when they come in for training at the Institute: How can I keep up to date with all these changes in the *Federal Register*? Do I have to subscribe to the *Federal Register*? The subscription service is one means that you can keep up to date with all of the Federal Register changes that come out in addition to all the administrative and policy changes coming out in the Form of 100 and 200 series Program Directives from Washington. What they do is to crank all that in and you get it just like you would any other subscription service. When changes are made you receive them in the mail, and if you have a good secretary she can keep cranking them into the master copy. The price of the service with the binder is $6.00. That's not an annual charge, but a charge for *X* number of changes.

We have a list of selected publications which can be purchased by sending either to the area director's office or any of the 10 regional offices.

Other training materials are available from the National Audio Visual Center in Washington, D. C.

I thought it might be fun if we tickled the computer up in Washington and see if there is anything unique and different about citations, violations, etc., that have occurred in the last year that might be different from general industry. With this in mind we fed the computer and out came three separate SIC code numbers. These three SIC codes were meat packing, processed meat products, and poultry. Average 1974 serious violations approximate $660, but there is only one per cent serious in the meat packing industry on the whole, which is sort of interesting. Therefore, 99 per cent of them were non-serious types of violations that you were cited for. This compared to the all-industry average of $605.

Non-serious violations for meat packing were running around $75. This is the cost per citation. For a non-serious citation, there may be several violations of a non-serious nature. They use one citation number. The range was from $100 down to $47 in the processed meats, which I don't understand but maybe you understand that better than I do. This compares roughly with the figures you have been seeing nationally, right around $90 for non-serious. The number of contests though, were lower, about one-third less. There were one cent, which tells me that you are correcting hazards noted by our inspectors or voluntarily working most problems before the inspectors arrive.

As far as what triggers your inspections, the complaints were running around 5½ per cent compared with about eight per cent national average, so there must be some good rapport between your management people and your unions and you're keeping things inside working properly. Otherwise the complaints would be higher.

The national average for general inspections runs about 70 per cent. Accidents we have investigated in your industry are running about 1.3 per cent, which is less than the three per cent nationally. So we aren't investigating as many accidents in your industry also, which is interesting. Follow-ups are up to 21 per cent versus 16 per cent on national average. So evidently, because of the nature of your industry our compliance task force is conducting a lot of follow-up inspections.

Let's see what happens on these follow-up inspections. Here is a little compliment for you. On follow-up inspections, when we talk about those that are in compliance, are up to 74 per cent. On initial inspections the average for your three SIC is amazing, because it's really getting to an in-compliance status like maritime where you expect an industry which has been inspected for years should be. The meat packing business average was found in compliance 26 per cent vs the national average of 13 per cent on first inspections. That's twice the national average in compliance, which is significant. This is during the Fiscal Year 1974. So you see there has been progress. I attribute a lot of this to your interest in what you have been doing out there to promote this kind of thing. It's very gratifying for you to find out that things are working after all.

We have now completed about 165,000 inspections in our program to date—Feds, not State. The penalties have averaged about $90 for a visit on the national average. Now that's got to tell you something; I have heard a lot of people say cheaper than a consultant price to come in and do inspections. I was on the other side of the fence, and let me tell you, when I went out as a consultant in no way could I do one for less than $500. It depends on the size of the plant and how many violations you find and the paper work that you are going to produce, and it can run way up to $2,000 and more. Many U. S. managers don't have the capability of having the funds to bring in a consultant, so he's using these OSHA visits as a means of education for the various plants. In his paper and publication that he has in the plant, he sends this information all around the country, so whatever was cited, he explains to the other managers around in the same business, and they take action then as needed in order to bring them up to this thing so that they can be in compliance all over. It is sort of an interesting way of doing it. He is using OSHA to his advantage. Instead of being used by OSHA, he is using OSHA. So that's turning the ball around and using it the other way, which I think is a pretty unique and sensible approach.

During the Congress on Federal Agency Programs, Secretary of Labor Brennan made the announcement that the government itself now is going to establish an internal Safety and Health Program. Now we are going to see the federal agencies bring up their operations throughout the U. S. to be consistent with OSHA. You are going to see some activity on the federal agency side of the house to upgrade programs internally. You would be surprised that the government itself is in the business of manufacturing, ship building, and many things you would never have thought of.

What's ahead of us? There are a couple of things. You are going to see a lot of stress put on health. Public health service has said that there are 100,000 people dying each year because of health related problems that we don't even realize. That makes the 14,000 we used to talk about from the industrial fatality standpoint look sort of meager, doesn't it? We may have seven times more of the problem we don't even recognize. As you well know, the OCAW, the United Auto Workers, and many other unions have been pushing for action in the health standards area. In the last AIHA annual meeting OSHA was out hiring industrial hygienists, about 30 of them. So you should be alert to the fact that we will be driving very hard in this area of health for the next five to ten years. Obviously, this includes asbestos, carcinogens, the pesticide problem, vinyl chloride, and others not identified right at the moment.

You are alerted to the fact that we are pushing in health and are going to be training a lot more health type inspectors to come out into the workplace. I might also add that the states are very active in this area also, hiring industrial hygienists. We at the moment have from Ohio, even though they are on a 7C1 contract, where they actually are going out and doing inspections for us as Federal inspectors. It's nice to see what OSHA is doing in the area of increasing the interest in professional engineering in environmental health. We are seeing a lot of new training courses coming out in

colleges and state universities in all of these areas that lead to advanced degrees.

In addition, we have increased our compliance staff up to about 750 law enforcement officers from the federal standpoint. During the last three months of the reporting time there were 24 states with approved plans, and they did 154,000 inspections. If you couple all of those figures together, we are talking about getting up to a rate of about 40,000 per month; in other words, we are only doing right around 6600 a month, but you couple it with the state activities so the penetration is going to be more in the future.

The training priorities for our Institute are federal CSHO's first, and then state's second, then federal agencies (we do a lot of federal agency training now and are getting involved in helping them to work with the OSHA Standards), and then, finally, private sector. We use the outreach effect in the private sector by trying to teach the trainer-and then they go out and train others. That happens to be the way we are looking at it at the present time, and we need to have the assistance of everyone to push the good word of OSHA around.

In closing, I would like to quote from an address by W. Y. Askew, corporate vice president for Sun Oil Company, given at the 1973 annual meeting of the Mississippi Petroleum Council:

". . . There is no question that, since (OSHA), indu ..ial safety in the United States has become a whole new ball game. For OSHA puts the regulatory power and enforcement capability of the Federal Government squarely behind safety and health. And standards that were formerly only guidelines are now mandatory requirements with the full force of Federal law. . . . In my opinion, the Act has been administered fairly and equitably in terms of both employers and employees.

"The challenge today . . . is to further reduce the 14,000 deaths and many disabling injuries now suffered annually through occupational accidents. Personally, I can think of no more important goal for all American working people and their families, and for all American industry.

"I don't care how many standards you pass, I don't care what kind of law you have in the end. No level of government, be it state or federal, no set of standards in and of itself, no Act by itself produces a safe workplace. That requires the dedication and commitment of the men and women who work in the workplace and those who manage the workplace."

75 1751

MEETING OSHA HALFWAY

By ROBERT S. KINCHELOE
Safety Director, Swift Fresh Meats Co., Chicago

We have had some 51 inspections in the various plants and sales units, 49 per cent of which, or 25, where we have had either no citation or a citation but there have been no fines. Our average fine for the inspections that we have had for the various citations that might be involved was $95, and the highest fine for a combined number of citations at a particular inspection was $915. So we feel we have had some experience in terms of facing citations and what to do with them.

We have also set up a very definite procedure in terms of what happens when the OSHA inspector walks into your plant. We in no uncertain terms have made it clear to our management and our superintendents that they receive the OSHA inspector promptly and also notify us that there is an OSHA inspection going on. They also take notes and immediately forward those notes to us, along with the citation when it comes, so that we can have some advance review of the position description, if you want to call it that. There may be an abatement date that we are certain they cannot comply with and would advise them what to do about that sort of a situation.

But in determining what we are going to do—are we going to contest the citation or not—I'd like to just mention two words: responsible sincerity. Basically, responsible means accountable, doesn't it? Accountable or answerable. And sincerity means basically a freedom from hypocrisy, or truthfulness, or genuineness. Frankly, that's the way we look at it. We have looked at the OSHA inspector as a help to us. For the kind of money that we have spent in terms of fines, we couldn't possibly hire a consultant to pick their brains as to what we can do to make our places safer. So we have to look at this, as far as I am concerned and in our company, from a responsible sincerity position. We have a responsibility not only to ourselves from a corporate standpoint, but to our employees and to the law, a responsibility, an answerableness or an accountability, to protest if we sincerely feel and if we truthfully feel that this should be contested.

Let's take a particular instance that we were cited on. We had an inspection recently at our Guymon, Oklahoma plant. The inspection was July 18th and the citation was dated Aug. 10th. We were cited on seven items. One we decided to contest, one we decided to request an extension as to the abatement date, and five were abated. The citation read: "Open sided platform more than four feet above the adjacent floor level not guarded by standard railing—that is the hide tender work platform located near the east wall of the kill floor."

There were phone calls to the area director to talk out the problem and to clarify issues. There was a letter to the director within 15 days of receipt of the citation contesting the citation. There was a notice contesting the citation, a letter dated 8-31-73; it was acknowledged 9-11 by the area director and by 9-14 receipt was acknowledged by the Occupational Safety Review Commission in Washington. The case was assigned to a commission regional solicitor, and on 12-13 a hearing date was assigned for 1-29-74. We then requested an informal conference before the actual hearing date in January. We had a plant visit, and this was the visit to Guymon, 1-15-74, and on 1-16, we had our informal conference in Tulsa, Okla. On 1-17 there was a motion made to postpone the hearing and filing of evidence statement by us to the Review Commission, and we attached a history review. On 1-22 the postponement was granted. On 2-1 a motion was filed to withdraw the citation and complaint and stipulation of the parties signed by the solicitor of labor, regional solicitor, and the attorney and company attorney, and on 2-26-74 an order for withdrawal of the citation and complaint was signed by the judge.

So that gives you a run down of the sequence, the kind of things that

happened.

Now let's go back and talk about three key areas that are important in terms of a person who perhaps has not been through this.

1. The phone calls to the area director. In the citation it was mentioned that "the hide tender work platform located near the east wall of the kill floor." Well, in looking at a blue print of the dressing floor it was very difficult really to tell exactly what this fellow was talking about, because over here was a hide tending platform, over in this area was the so-called high bench area, and we really weren't clear as to what they meant. So the moral of the story is to make absolutely sure of the area—you know you don't have to prepare your case and everything is going on on the east side of the floor if he's really talking about something on the west side of the floor. You have got to pinpoint the specific area that he's talking about. So actually it took two phone calls to the area director. We feel that there is absolutely nothing wrong, providing you don't abuse it, of course, in picking up the telephone and speaking to these people. These fellows are in the safety business, but for the most part we have found that they have been very helpful in clarifying issues. In every case, the Area Director has been helpful to us in pinpointing this kind of material. As a matter of fact, on the second call, the fellow that made the inspection was with him and we said, "No, Mr. Area Director, it was over there," so we did get it clarified over the phone as to where this particular instance was involved, as to where the work platform was concerned.

2. The second point I want to make is that you dare not go into an informal hearing at this point of the game without being doggone well prepared, and it just so happened that I had never been at this particular plant, and neither had our attorney, and neither had our corporate safety director. We went to that plant —myself, our corporate safety director, our attorney (Swift attorney), and an engineer our Plant Engineering department. We went into the local plant—the four of us from Chicago—and we had the full cooperation of the local manager, the superintendent, the local engineer, the supervisor on the beef dressing floor. Believe it or not, the hourly paid employees who were working on the high bench were very cooperative in terms of trying to appraise and talking with us concerning their safety as it applied to their working on the high bench, and this is about six feet in the air.

We had regular Kodachrome slide cameras, we had documents, we got statements from employees signed by employees working on the high bench, myself taking pictures, our attorney interviewing employees on the high bench, and our engineer checking heights of platforms and the relationship of the carcasses to this platform. When we left we had a pretty thorough knowledge of what this fellow was talking about and the situation we were faced with in going to a contested hearing before the Commission.

3. The third item that I would like to make as a key point is the actual informal conference. At the informal conference there was an attorney representing the Review Commission office in Dallas and the associate assistant regional director from Dallas was also there, as well as the OSHA compliance officer from the area director's office in Tulsa, along with our people from Swift & Co. Mr. Thomas had drawn together a presentation along with the help of Mr. Gott, who is our attorney, Howard Kruse, Engineering section, and myself; he had drawn together a presentation to this informal conference. It was really something to behold because Mr. Thomas was our spokesman, and although we did participate and Mr. Thomas would turn around and say, "Now, Kinch, will you describe this?" or Howard, and so it was a matter of everyone participating. But in this document that we had, of course we had the *Federal Register*, and starting right out with the reference to our phone calls to the area director to make sure that we were in the right area, we enclosed a copy of the blue print outlining the area that we were talking about. Going on down the line, I have pinpointed a couple of things that were in here.

We had, for example, the accident experience summary. The Guymon plant has not had an accident or injury resulting from a fall from the front side of the high bench platform since the opening of the plant in 1967, over six years ago.

Swift & Co. has had only one accident involving falls from platforms—an injury with a one-day lost time, and that was when an employee fainted.

We went on to say how many plants this involved, total number of man-hours that were represented, total number of people that were exposed to this kind of a hazard.

Also, the Meat Industry Safety Consensus Committee had also requested statistical information concerning a breakdown of the number of accidents they had had (from different kinds) from elevated platforms, so that from the standpoint of the industry consensus committee and our own work here, we had pretty well documented the fact that this was not one of the areas that was contributing to the high frequency rate in the meat industry. Not only that, we had a history of the various cases that had been cited and had been heard in terms of a platform unguarded. It is very interesting to note that the regional attorney was very interested in the documentation of this because, as you might well imagine, he is probably really snowed under with a number of legal cases and, frankly, I think we helped him do his home work when he got back home by giving him a list of cases that he could refer to.

We documented with Xerox copies of testimony. We had the Polaroid pictures of the work area showing the men, so that when you are talking with people who had never even been there, to the attorneys from the government—"But here it is, here's where this guy works, here's where the carcass is," and it actually performed a moving wall. We did state the conflict of the USDA regulation. And, as a last bit of dessert, we attached three signed and notarized statements from employees stating that "to put a railing in front of them, they really could not perform their job, they would be in more danger from the railing than not to have it."

We were also faced with this area director suggesting to us that if we would put safety belts and lanyards on our people, hook them up to something, that would suffice for a railing. Very frankly, we could have said yes as our competitors did, but we disagreed with it, and here I go back to my two words that I started out with. We had to take a responsible, sincere look at that recommendation.

On a responsible basis and on a sincere basis, we could not truthfully say that in that area we could put safety belts on our people, because this was more dangerous, more hazardous than no railings, and we were backed up by our top management, which I find very complimentary to them, and you feel accountable for this kind of a position, we will not only go to the informal hearing, we will go to court to back you up if you sincerely have the safety of your employees at heart.

If you take a responsible, sincere approach to challenging or contesting citations, frankly you can do yourselves, the industry, and your employees a great deal of good and be honorable in the safety field.

"75 1752

OSHA OFFICIAL CONTEST; WHAT IT'S ALL ABOUT

By JOHN TROLLEN
Mgr., Safety & Sanitation, George A. Hormel Co., Austin, MN

By this time, I'm sure that the letters O - S - H - A are so familiar to all of you that you no longer confuse the word "OSHA" with a small city in Japan. I think the words variance, contest, citation, abatement, and so forth, are also getting to be common words to all of you in industry, and most of you know what to do when you are confronted with these situations. However, what you possibly don't know are the problems and the consequences that result from testing these situations in the area director's office, in the district, and/or in a court of law.

I am quite sure that you have lawyers and reference material for researching

the technical points of a citation or a contest, so I'll not spend a lot of time going over these procedures. Instead, I will try to give you my impression of what to do, and possibly more important, what not to do.

The first thing I'm going to say is an all-encompassing statement that might sound like that dishwashing commercial on television where the fellow says, "Officially speaking, my advice to you is . . ." Regarding an official contest of an OSHA citation—"Don't!" At least, don't until you've evaluated the situation thoroughly.

From my experience, I find that the impression of plant managers, supervisors, or the boss, whoever he may be, regarding the insurmountable list of citations that are issued is: Fight it! The inexperienced usually reacts about the same as you would if you received your first traffic violation. I advise you at this time to dispense with that type of thinking. Instead, take your list of citations and sit down with the boss, discuss the contents in a rational manner, call in the mechanical people who would be involved, call in the supervisor or the man who is actually involved with the area or areas in question, and study the citation carefully. It might not be all that bad. The old statement, "You don't see the woods for the trees," might apply.

Remember, the trained inspector who has inspected your plant sees things, possibly, that you have never seen, and when he writes a citation regarding an alleged violation he is usually looking at an infraction of a point of law, and there is not much you can do about the violation. Now, there will be exceptions. For example, the compliance officer who travels many different kinds of plants may not be totally familiar with your particular situation. He may not be fully aware of the consequences of the citation and what it may do to your working environment, and so forth. In some of these situations, the possibility is there that even his boss, the area director, does not fully realize what would happen if you had to comply with his request to change or guard a particular situation. So, study it carefully. After you've gone over it with your associates, usually you'll find that some of the things are rather simple to do, probably not too costly, and probably should have been done anyway. So get with it—do it! You know, we, as safety directors and managers, have a moral obligation also to our employees to protect them from injury. Complying with the OSHA enforced law is part of your job, so get with it—comply!

After you have taken the citation apart piece by piece, and you find that there is a point or two that you feel you absolutely cannot comply with, the next step that I would advise you to take is to contact your area director and ask for an informal conference. At this point, let me remind you that you have 15 working days to get your ducks in a row. You should apply for this informal conference as soon as you have determined a need for one after you have received the citation. This will give you time to have the conference and get everything squared away. Then, if you do run into a stalemate on what you can or cannot do, you will have time to apply for an official contest prior to the end of the time period.

At this time, I'd like to remind you that you have a right to request a discussion with the area director concerning any results of the inspection. Just direct your correspondence or make a telephone call to the area director at the address shown on the citation. Warning—a request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest.

There is another bit of advice that I think is important at this time; that is, when you have your informal conference with the area director, keep in mind that it is not a court of law. It is exactly what the title of the conference states: it is informal and it is just a conference. Go there with your people who are involved —the foreman, possibly, the safety director, and people that are knowledgeable about your complaint and the situation. Go there with the attitude that "If I explain this to the area director as I see it, let him compare it with how he and his compliance officer see it, and have a discussion about the situation; it's possible that I can change their minds." You'll find that these are just people, just like you are, and that they do not have the attitude that they're going to shut you down or cripple you up just because it is the law. I've been there, and I have explained away a citation—and the area director, at this point, has the authority to withdraw a citation if he sees fit.

If you do have to file a contest of the citation, the abatement period specified therein does not begin to run until the date of the commission's final order in the case, *provided* the employer initiated his contest in good faith and not solely for the delay for avoidance of penalties. That statement is a quote directly from the front page of an official citation. I advise you to give this some consideration prior to filing an official contest.

I would like to give you another word of advice at this point, and that has to do with the closing conference with the OSHA inspector at your plant. Don't get excited and do things prematurely, especially do not file a contest until you receive the official citation from the area director.

When the inspecting officer conducts his closing conference with you and your associates after the inspection of your plant, he may have many alleged violations written on his check sheet. I advise you, at that time, to take notes of everything he has proposed as alleged violations and start immediately deciding what you can do and what you are going to do about it. However, it is possible that this entire list may not appear on the citation because the compliance officer presents his list of the alleged violations to the area director. Then the area director and his associates will decide which of the alleged violations should appear on the official citation. The list on the official citation may be a substantially reduced list. But be advised again, that the list you do receive is pretty well documented as to violations. This list, of course, will be well documented according to their interpretation of the law, and you can be pretty well assured that these are going to be complied with unless you do contest and prove that the OSHA people are in error.

Another suggestion is to evaluate the situation completely and keep in mind the dollar sign. An official contest, lawyers, court fees, etc., may well cost you more than to comply with the request of the OSHA area director. To document this statement, in a recent speech John Stender stated that, despite a threefold increase in the number of citations, the contests have dropped from more than seven per cent in mid-1972 to about five per cent at the end of 1973. He emphasized the futility of most contests by the following statement: "We are winning most of the contests, anyway." Enough said?

If, after thorough examination of your citation, you feel that you must contest because of a point of law or because you feel that it's unfair or you can't live with it, be sure to have a lawyer evaluate the entire situation with you. Research it and then have him accompany you to the official hearing. Actually, you should consult your lawyer when you make the contest. Make the contest very brief and to the point, referring to the citation code number and the numbered citation on the form that you wish to contest and just contest it by number. Don't make an attempt, at this time, to explain the reasons and/or go into detail regarding the fine points of the law or the reasons for contesting. Read the instructions on the cover page of your citation very carefully, refer to the compliance operations manual and all of the other information you can get so that you do meet the deadlines and dates. This is another area that the lawyer can help you with specifically. If you miss deadlines or don't get your forms filled out properly or withdraw your contest prematurely, you may miss the boat and lose the whole ball of wax before you even get started.

I don't wish to convey to you that to contest is futile. The inspector is only human, and when a compliance safety and health officer makes an inspection of a workplace, the law requires him to note any conditions which, in his opinion, violate occupational safety and health requirements. He is not able to qualify what he states and he cannot give consultative advice, so his opinion may differ from yours and may be in direct conflict with yours.

Again I reiterate, the compliance officer, and even his boss, may not be familiar enough with your operational problems and may cite an instance that is just not operational. In these cases, it is absolutely necessary that a contest be sent in, not only to protect you and your business, but to protect the entire industry.

There is one misconception that is believed by many people, and that is that the Occupational Safety and Health Review Commission is an arm of the Occupational Safety and Health Administration and, therefore, is naturally prejudiced in the favor of the Department of Labor. This is a myth!

The Review Commission is an independent federal agency made up of three commissioners and their staff. This commission is totally separate and independent of the Department of Labor. This fact is in your favor. However, it is time consuming and very difficult to present all of your views so clearly that this review commission can totally and fully understand all of the operational problems, etc., that you have.

You do receive some help. After the regional director receives the notice of contest, he has seven days in which to mail it to the Review Commission. The executive secretary of the Commission then dockets the case, assigns a number to it, and notifies the parties of his action. The employer then receives a packet of material from the Commission, including a copy of his notice of contest. The packet also includes a copy of the Commission's rules of procedure, a guidebook which explains the rules, forms for notifying affected employees or authorized employee representatives that the employer is contesting, and a return post card addressed to the Commission to be filled out by the employer stating that he has notified his affected employees or the authorized employee representative of the notice of contest.

Next is the complaint. Within 20 days after OSHA receives the employer's notice of contest, OSHA must file a complaint. The complaint is a formal, legal document which states the charges against the employer. OSHA, in this case, is represented by attorneys in contested enforcement actions, and an employer could easily be frightened out of continuing his contest when he receives his copy of the technical appearing complaint. At this point, in spite of what OSHA says, I feel that a lawyer is your best consultant and will help you stay out of trouble.

Next comes the answer. The employer is required to file an answer within 15 days after he receives a copy of the complaint. The answer is a separate document from the notice of contest. Its purpose is to respond to the allegations raised in the complaint. In this answer, the employer denies the allegation or admits it. It's as simple as that.

The answer must be sent to the Commission's address in Washington, D. C. Extra copies of the answer must be kept in a place convenient to access by affected employees or authorized employee representatives for their reading or copying.

Next comes the hearing, and the Review Commission will notify the parties that an administrative law judge has been assigned to hear the case. The judge will notify the parties as to the time, date, and location of the hearing. The hearing itself is conducted much like a civil trial. The employer has a right to cross-examine any witness OSHA might put on the stand, as well as the right to challenge any evidence OSHA wants to produce. After OSHA has rested its case, then it's your turn. The employer can present his evidence.

A court reporter is always present to transcribe, verbatim, all testimony. A transcript of the testimony is made available to the parties shortly after the hearing. This, of course, you have to purchase.

After the conclusion of the hearing, the judge is required to issue a written decision. This decision must contain the findings of fact, conclusions of the law, and an order. Copies of the judge's decision must be sent to all parties.

Next is the post-hearing procedures. The Commission has the right of discretionary review. Any one of the three commissioners may issue a direction for a review within 30 days after the judge's decision is dated. An employer who is dissatisfied with the judge's decision may ask the Commission to review the decision. If the Commission does not exercise its right of discretionary review within 30 days of the date of the judge's decision, then the judge's decision becomes the final order of the Commission.

There is still one recourse left to an employer after a final Commission decision which the employer still does not think is just, and that is the right to court review.

The next step, then, will be withdrawal and settlements. This, however, is not a prerequisite for a court review. A withdrawal of a notice of contest by an employer means, in effect, that he now admits the alleged violations and will pay the proposed penalty. There also may be a settlement; this usually reflects a capitulation by each party on certain issues until a mutual agreement is reached. Again, as with the notice of contest and withdrawals, the Commission requires that the employer give notice to affected employees or authorized employee representatives.

I hope I've given you some insight into what transpires if you choose to exercise your legal right to have your day in court.

In conclusion, let me reiterate: When you're thinking about contest, be sure to consider all the ramifications. Discuss it with your friends in business. Look the situation over very well before you decide to contest.

I'm sure you've been to a ball game and heard a coach vehemently contest a called strike. Sometimes it's worth the effort, but most of the time it's wasted breath. Keep in mind that the compliance officer has called a strike, he has confirmed it with his boss, it has been documented according to law, the citation was issued in good faith, and you're going to have to have some awfully good reasons for changing it. To change this "call," you will have to prove an error in the call or point out a misunderstanding which resulted in a wrongly called strike! It's even possible that a variance is in order by proving that your way is as good as or better than their interpretation of the law. It's possible that more time is needed to evaluate the situation, to consider the impact on the entire industry. This may necessitate contest!

75 1753

TRAINING & INSTRUCTING FOR SAFETY

By ED UNSER
Dir., Sanitation & Safety, George A. Hormel Co., Austin, MN

I'm going to talk about the training-in-relation-to-safety problem as it has affected me, and show the strategies and tactics I have used to meet some of the challenges posed. But, in order to set us on common ground I'll start by defining a couple of points.

First, "Training". I look at training as influencing others toward a desired type of behavior in a skill, theory, or knowledge.

Then, "Motivation" (and I'll stick to positive motivation): creating an environment in which the desired response is reached as a free choice as opposed to bull-whip theories or herd responses. Motivation, then, involves a series of communicative devices and interactions, all people-oriented.

I want to start and remain people-oriented because most on-the-job injuries happen because of something a person did or didn't do. This does not necessarily mean the man who was injured did something wrong, although it well could have been. (Examples: One man leaves guard off of machinery, another man gets caught; one person spills coffee and doesn't clean it up, another person slips on the wet area; someone purposely uses a damaged ladder "just for a quick job" which someone else purposely left around rather than get rid of; and then there's horseplay, etc.) So I believe that a "people" approach provides the avenue (and possibility) to reduce or eliminate nearly all injuries.

On the other hand the "hardware" approach, although it must not be ignored, has a very limited effectiveness in injury frequency reduction.

This people-oriented communication and transfer of ideas is affected by personal attitudes (because your attitude is continually showing) and the choice of words we use. Let's take this "choice of words" thing as an example. In the dictionary, "aroma" and "smell" are defined

very similarly. But I would caution any man from using these words interchangeably in the kitchen, when his wife is cooking.

You call a girl "slender," not "skinny" (then you've got it made). Tune your vocabulary to your communications needs.

It follows that when you discuss training, the whole thing boils down to communications. This involves three simple areas:

1. *Understanding:* first, of yourself, because if you do not understand yourself and your capabilities, your communications will surely fail. Secondly, you must understand others, that each person is unique. To communicate with someone you must recognize variations in education, culture, environment, and background.

2. *Technical competence:* first, in the subject (you can't teach what you don't understand); and second, in the ability to teach/communicate. No matter how well you may know the subject, the training job is to transmit your knowledge in a way that it will be readily received. (This may be via lecture, demonstration, illustration, or many other methods or combinations of communicative devices.)

3. *Positiveness:* of attitudes, where you must impart an "I like you" feeling and create an environment of trust; and statements, distinguished by brevity, clarity, and prickly good sense. Wishy-washy, tattle-tale gray, overused generalities, shotgun approaches, wandering from point to pointless, assure you of a totally disinterested audience.

These three primary steps in communications apply whether you are teaching a skill (via J.I.T., the four-point method, the six-point method, etc.,) or giving a safety talk on plant practices, new procedures, rules, etc.

To be continually effective you must add three items:

1. *Practice:* Practice and practice. Remember, Olympic records set through such pain and training quite frequently are broken every four years. What you did with great ease yesterday can easily be a losing effort today. A failure in communication may simply indicate a lack of practice and that perhaps you have slipped in one of the technical areas.

2. *Feedback:* Develop a "feedback loop", a method of measuring your effectiveness. This can be done through observation, testing, or being nothing more than a good "listening post." A program without a feedback is out of control, like the airliner whose pilot says he's lost, "but making good time."

3. *Brevity:* Samson killed 10,000 with the jaw-bone of an ass—don't do the same!

75 1754

Trades & Services Sessions

PROBLEM SOLVING SWAP SHOP

Presiding: T. J. REILLY, Manager, Casualty Department, Schirmer Engineering Corp., Niles, IL

Presentors: LORIN P. CHAPMAN, Staff Safety Engineer, The Firestone Tire & Rubber Co., Akron, OH; THOMAS F. HENRY, Safety Director, Equitable Life Assurance Society of the United States, New York, NY; A. GEORGE GROVES, Safety Director, Food Fair Stores, Philadelphia, PA; VERNON E. CORDELL, Director of Public Health and Safety, National Restaurant Association.

REILLY: At the preliminary session of the Industrial Conference each section was given the Industrial Conference objectives for the coming year. Before calling upon our panel members to tell about the activities and needs of their specific divisions, I want to briefly touch on these various objectives, because they indeed affect the work we have been trying to do within Trades and Services.

First of all, and of extreme meaning to those members of Trades and Services involved in retailing, the Executive Conference has formed an ad hoc committee to study the entire product safety aspect. When we think in terms of the Industrial Conference, we have represented here the producers of the products sold in the market place. Under the terms of the Consumer Product Safety Act, both the producers and the vendors have the responsibility in product safety.

The second charge emphasizes communications between the various sections and committees. For example, standing committees are encouraged to hold seminars for section representatives. In this way, Trades and Services may well request the Product Safety Committee or the Training Committee to develop something for our individual needs. Standing committees of the Industrial Conference which we can appeal to for help for seminars and for information include Audio-Visual Aids, Contests and Awards, Occupational Training, Off-the-Job, Standards, Technical Publications, Research Projects, Engineering, and Occupational Health Hazards. We may also request assistance for the Associations Committee. This is a two-way street, and the sections are also encouraged to keep in contact with these various standing committees and cooperate in their activities.

Third, and important to each of our panel members, is to explore accident sources. Identify the injury sources within Trades and Services so that we can appeal, for example, to the audio-visual aids and the training committees for specific zero-in programs which can solve the injury problem.

Fourth is an objective to increase the scope of safety training efforts within the sections. Each section will be evaluated for the extent of the training activities being conducted. We in Trades and Services would like to hold some training seminars for unit management by division. We can request help from the Training Committee, but we are charged with responsibility to determine the needs for in-plant training programs and materials.

The fifth objective is to continue the work of the conference appraisal committee to make sure the industrial conference serves the needs of the various sections.

The sixth charge is to promote the exchange of information between various sections and various section chairmen.

The work of the Industrial Conference and the members of the Trades and Services Section Executive Committee who serve on this conference is all important and far reaching. Now we are charged with the responsibility of communicating what we are doing, so that our members can reap the largest return on their membership investment.

CHAPMAN: The auto service division was formed during the 1973 National Safety Congress. It was formed because interested individuals, such as Firestone with all our tire and battery stores and locations, were not truly represented by the manufacturing group, to which the parent organization belongs. We were joined in this formation committee by such employers as Uni-Royal, General Tire, the auto service station people, the automotive industry, whose dealerships also did not fit within the auto manufacturing group, and many of the major retailers such as Sears and J. C. Penney who operate an auto service facility having unique needs. In searching around for a home, we were invited to join with Trades and Services—for many reasons. We welcome the invitation to join Trades and Services Section because we, like they, have an all important common problem of dealing with the public and public liability. We must take care of the patron, the patron's car while it is in our possession, and we are selling a product—we are a vendor of a product. The common factor we have with other sections and divisions within Trades and Services seems to be that we attract the same class of personnel—the young, unskilled or semi-skilled male whom we have to train. We have many part-timers.

After being invited to join Trades and Services Section, we held an organizational meeting to map out objectives and assign certain responsibilities. In a subsequent meeting, and after accumulating copies of many publications already published by various interests, we felt the approach we needed was to develop as a base a manual of operations which could be utilized either in whole or in part in the various types of work environment we represent. Included in these would be four major areas. One is the actual physical environment—the everyday things, including employee selection and training, which everyone must live with. The second major area of consideration is the handling of flammable liquids. The third involved the mechanical work involved in the power train itself: the engine, transmission, and differential. The fourth involved the various maintenance and replacement tasks, including tire work, battery replacement and servicing, shock absorber and spring and muffler repair and replacement. I was most fortunate in recruiting four capable chairmen, one for each of the committees.

We are drafting for the National Safety Council a manual covering these four major areas. This manual can be the basis for future development of visual aids to be distributed to the membership. We will specifically develop in-plant training programs involved with auto repair and maintenance. We are going to target in on accident sources. We know, for example, the severity in replacing of split rim tires. We know back injuries are high on the list of injuries occurring. We know our employees have acid burns, split knuckles, foreign objects in the eye, and many cuts and abrasions. We fully believe that with the aid of a massive educational program, beginning with this manual, we can aid the people who will purchase it in providing a safe and healthful workplace for our employees, which is our objective.

We anticipate the need for much help from the National Safety Council staff, the various standing committees, from industry groups, and from our members.

REILLY: Having personal knowledge of what you are doing in the auto services division, I can only say that this, the newest division of Trades and Services, is off to a flying start. It is a pleasure to work with you on this project.

HENRY: The Building and Offices Committee has met in New York on two occasions during the past year. Its activities will, in the future, be expanded to other geographical areas. To this date, it has principally been a New York committee, although we did receive a lot of help from the Midwest in the past in the formation and the critique the National Safety Council Data Sheet on Evacuation, which is now in the process of review.

As I review the activities of Building and Offices Committee and try to identify what our accident sources are, I can only say that the management, operators and owners of buildings and offices are acutely aware of several needs. One I think this committee has solved, and that is on evacuation. We have some very critical problems to work with. The problems vary, whether the building owner has one major tenant occupying the entire structure or whether it is a multi-tenanted building.

When we think in terms of a large building, like the Equitable building, Prudential, John Hancock, Sears Tower, you have to realize you have masses of people exposed to injury and catastrophe under one roof. We need realistic standards to be developed and exerted. We need realistic laws which place some control over the facility in our hands. We must control the contents of the structure.

As for complying with the objectives, I think we are concentrating on exploring accident sources where they originate, and also on catastrophe evaluation, but the Buildings and Offices Section needs specific materials. Some of these are:

1. We too need training manuals for the people who would typically be involved in janitorial work within a large structure; window washing, building maintenance.

2. We need standards which are realistic and can be applied to us. Included here would be standards on fire protection, communications, glazing, floor surfaces, elevators, kitchen ducts, control over combustibles.

3. Because the injuries that occur within a building are typically public liability injuries, many owners and operators of buildings do not like to discuss their loss ratios. We need a share of information in accident statistics.

4. The fourth thing that we need is membership and participation. As more large cities within cities, called high-rise office structures, are built, the losses are going up, and we need the input of safety professionals.

REILLY: You mentioned a key item there when you mentioned control over contents. I remember just recently being called into a building where the employees of our client were getting dizzy from some type of fume. We were called to the office, just the executive offices of one of our clients and noticed a strong vapor odor; it had a distinctive odor of toluene. Upon investigation we found that a nearby tenant had moved a silk screening operation into what was previously purely an office occupancy, and the vapors from this small operation were being fed by the HVAC system into our client's space. With toluene you have a health hazard as well as a fire hazard, so I guess there has to be control over contents and what is going on in a tenant's space.

GROVES: The food retailers have been working in the East. We have had seminars and trained unit management. We have been active with the New Jersey Retail Merchants Association. I think we attract pretty well with the objectives of the Industrial Conference as set forth in the coming year, but as I have listened to Lorin Chapman and Tom Henry talk, we have many of the same problems. Our problems are people; the young, unskilled, and also the government. Our problems are in OSHA, in standards and how they are being applied.

Being a major food retailer there are also units involved in discount department stores operations, meat cutting, target industries, warehousing. I liken my problems to the seven E's. These involve:

1. Electrical problems. Quality of maintenance in the typical food retailing establishment apparently does not include a mechanic who will replace a missing junction box cover.

2. Explosion. We have boilers and pressure vessels. We have merchants who do not realize that engine rooms are not repositories for charcoal or lighter fuel and other volatile pieces of equipment.

3. We have elevations. The elevations include the simple little ramp that we provide for the shopping cart, the curbs, the changes in elevation in the stock room, or in the conveyors taking a load off a semi-truck. We do not have people who will use ladders or walk safely, and we have the public to contend with.

4. We have equipment. Meat tenderizers on which we install a microswitch to guard the employee as he takes the guard off. Meat grinding equipment which is defeated when the man removes a guard and does not replace it.

5. We have egress problems; because the supermarket is a target for vandalism and thievery, we have managers who like to lock rear doors.

6. We have emergency first aid problems in that we cannot always be sure that every establishment has a qualified first aid man on duty and we don't always have the right equipment present.

7. We have employees and we have a drastic need for training. The employee problem is severe within the food retail-

ers because we have, in certain areas of the country, a drug problem. The pre-employment screening for drugs is a drastic step, but it must be taken in certain areas.

If I were to list what the National Safety Council and the Industrial Conference could do for food retailers, I would have to stress a need for realistic standards, the need for training materials, the need for visual aids, the need for training programs, the need for assistance in setting up seminars where I can train my people.

We also need some research, because, as you heard, there is such a thing as butcher's asthma, given when the hot wire cuts off the sheet of PVC material. We have experimented ourselves, and found if we cut the temperature we lower the vapor level.

Most of all, we need health. If I were to talk about our accident sources, I would have to zero in on the ever-present slip and fall and the back injury as being our most severe potentials. That's where the training comes in, that's where the visual aids come in, that's where control over accidents begins.

CORDELL: The comments that have come in through all of the foregoing, have been the people problem, types of people involved. To that I would like to add the language difficulty in the typical restaurants. We are talking about communications and training. I would like to offer this to the National Safety Council Industrial Conference: The time has come to provide bi-lingual instructions within audio-visual materials going to members of this section as well as all industry.

The second item I would like to stress is the lack of visual aids we can use. Everything is tailored toward the industrial plant.

The third phase is what we would like to see material coming from the National Safety Council relating to sanitation and products liability, particularly foreign objects.

The fourth item that I believe the food service and kitchen operators need are realistic standards and guidelines on foot wear, protective equipment, hot environments, machine guarding and protection.

We have been working on various materials and data sheets that all might use. I will agree with Tom Henry that we need something specific on hoods and ducts.

In short, we need something tailored to our individual needs. And when you think of the average restaurant operation, you can run the gamut from a full cafeteria to a quick foods service operation to a luxurious dining room. I think what we have to do is do what Lorin Chapman is doing in auto service and sit down with a good group of people and put together programs tailored to the restaurant interests. This is the challenge for section and division chairmen: to coordinate the activities of knowledgeable volunteers who have been so helpful in the past.

REILLY: You heard a report of one committee that is only one year old and what they are doing. You have heard reports from other committees that have been in existence for awhile that have borne a lot of good information and material. Vernon is very modest about what he has produced for the Trades and Services section in the way of visual aids and programs and materials. Many of the people here and many who are not here have given unselfishly of themselves to help their cohort. I think Lorin Chapman's approach of a manual for the various divisions is a practical approach. It is one whereby Trades and Services could really get the job done for our membership.

Note: The various division chairmen agreed in general with Mr. Reilly's premise. There followed a very lively question-and-answer and how-to-do-it session. In all 42 questions were received from the floor.

75 1755

FLAMMABLE LIQUID PROBLEMS IN THE AUTOMOTIVE SERVICES

By MILES E. WOODWORTH
Flammable Liquids Specialist, National Fire Protection Association, Boston, MA

The National Fire Protection Association is a non-profit organization dedicated to reducing the loss of life and property from fire. We have over 33,000 members in approximately 90 countries, many of which have adopted our technical standards covering the fire protection field. In the United States, most city, county, and federal fire protection regulations are based upon NFPA standards, including OSHA. Another major area of activity of our association is the education of the public and employees on ways to prevent fires and possibly to save their lives from fire. It is this field of education that I would like to discuss, with some mention of laws and regulations which would affect your industry and your employees.

As you may know, we have, for many years, urged the public to conduct home fire drills, and we know that this public education program has saved many lives. Such home fire drills have been encouraged through films, flyers, or spot announcements, all backing up the actual teaching done in schools by members of fire departments throughout the country.

However, have you ever given any thought to what *you* would do in case of an incident at one of your stations. Let us raise the question of "What would you do" if one of the following situations occurred while you were dispensing gasoline. These examples, I might add, are based on real case history reports.

What would you do: If you had inserted the dispensing nozzle in the fill pipe of an automobile, latched it open, and gone to the front of the car to wash the windshield and check the oil. While performing these jobs, you noticed gasoline flowing from the overfilled tank caused by a failure of the nozzle to shut off the flow. Would you tell the driver to drive away, call the fire department, tell anyone in the service area to get out, run for the nozzle to shut it off, or would you simply go to the dispenser and throw the disconnect switch to stop any further dispensing. Obviously, the latter is the preferred method if it can be done without going through the spilled gasoline. However, you may also need to tell the driver to get out of the car and tell anyone in the service area to get out so that in case the gasoline vapors are ignited no one would be burned. There have been several cases where from such spills the gasoline vapors drifted into a service station building and ignited, causing those in the building to be burned to death or severely burned.

In another example, a maintenance man had disconnected a dispenser on an island, when a customer pulled in to another island for gasoline. The operator started the dispenser, which actuated the remote pump at the tank causing a geyser of gasoline to shoot out of the disconnected dispenser's piping. What would you have done? I hope you would not have done what was done in such a case in New Mexico. The operator froze, apparently, or did not realize that if he had thrown the disconnect switch on the dispenser it would have stopped the pump. The maintenance man, seeing the geyser of gasoline coming out of the pipe attempted to stop it by pitting his hand over the end of the pipe. Obviously, he couldn't stop it, but he did soak his clothing with gasoline. He then ran into the lube bay to throw the main electrical switch to stop the pump. The gasoline vapors were ignited, probably by a heater in the office. Four Boy Scouts had stopped at the service station and were caught in the flames; all of them subsequently died from burns. The maintenance man was lucky, since his gasoline soaked clothes did not ignite.

How would you react under fire conditions? In one case, the dispensing nozzle continued to discharge gasoline which had been ignited. The car and dispensing

island were involved in fire, but fortunately someone thought to call the fire department. When the fire department arrived the captain asked the service station operator where the emergency switch for the dispenser was located. The answer was, what switch? The firemen then went into the service station building and threw the main switch which shut-off all the power and stopped the flow of burning gasoline. The fire was quickly extinguished. The question is, do you and your employees know the location of your required emergency power cutoff? This clearly identified and easily accessible switch or circuit breaker is required to be at a location remote from dispensing devices, including remote pumping systems, to shut off the power to all dispensing devices in the event of an emergency. It should be mentioned in this regard, that a common fire inspector's complaint is that these switches are frequently blocked by stacks of tires, cases of lubricating oil, or other material so that access to the switch is not readily accessible under emergency conditions.

In evaluating the hazards of handling gasoline by you or your employees, one important factor should be emphasized. Most people know that gasoline will burn, but technically and very importantly in understanding the hazards of gasoline, it should be understood that the liquid gasoline does not burn but rather it is the *vapors* from gasoline that burn. This understanding of gasoline vapors is vitally important for your safety. Gasoline vapors can't be seen and yet can flow considerable distances to find a source of ignition; the fire will then flash back to the source of the spill, causing a severe fire or possible explosion.

Unfortunately, there have been numerous fires and explosions in service stations caused by the employee or operator cleaning the floor with gasoline. Although gasoline makes a good cleaning solvent, the vapors can be easily ignited by an electrical motor, switch, or open flame, and in a few cases the source of ignition has been in another room. Remember, gasoline is a motor fuel, not a cleaning solvent, and should never be used to clean parts or to clean floors.

In case of an accidental spill of gasoline inside a service building, remember the vapor hazard. In such cases, ventilate the area immediately by opening doors and windows, but remember the potential hazard of possible ignition. In this regard, there have been several fires or explosions with resultant fatalities or injuries caused from making repairs on the automotive fuel system or tanks. In these cases, the automobile is put on the hoist and the gasoline tank is drained into an open pan set on the floor. Remember, it is the gasoline vapors that can cause the problem.

Now let us look at some of the problems confronting you and your employees at the dispensing island.

For example, a customer pulls into your facility, asks for his tank to be filled, and then hands you a gallon glass jug and asks you to fill it. Would you do it? If you did, you would be violating the laws, both local as well as federal. These laws, derived from the Flammable and Combustible Liquids Code, NFPA No. 30 read: "No delivery of any Class I or Class II liquid shall be made into portable containers unless the container is constructed of metal or is approved by the authority having jurisdiction, has a tight closure, and is fitted with a spout or so designed that the contents can be poured without spilling."

The following also appears in the next paragraph of this Code: "No sale or purchase of any Class I, Class II, or Class III liquids shall be made in containers unless such containers are clearly marked with the name of the product contained therein."

The purpose of these two paragraphs is to protect your customers from possible exposure to fire. The metal containers are self-explanatory; however, there is some increasing concern about the construction of some very thin-walled metal containers. Plastic containers, which the phrase "or is approved by the authority having jurisdiction" is designed to cover, are a more complex problem. Some regulatory officials have approved a high density polyethylene type container for gasoline. Only this year, after approximately 10 years of study, the U.S. Department of Commerce has published a standard of construction for these types of containers. In the future such containers will be identified as complying with this standard,

which will make it easier for you to comply with the law. The hazard of low density polyethylene containers, which can be recognized as the so-called bleach bottles, is that gasoline vapors can permeate through the walls of the container and possibly create a hazard. In fact, the Society of Plastic Industries was the first to warn of this hazard. During the recent gasoline shortage there were reports coming to the NFPA from all over the country as to the wide variety of any type of container being used by people to hoard gasoline or to carry in their car. Even open top drums were being filled at service stations.

What does all this mean to you? In the first place, if you fill an unapproved container with gasoline, you can be subject to arrest, which has happened on several occasions. Secondly, if there was a fire and someone was injured, caused by your filling an unapproved container, you could be subject to a civil liability suit. This also has happened.

The purpose of having the name of the product on the container is designed to prevent people, for example, from using gasoline from a container when they thought they were using kerosene for an oil-fired stove, or using what they thought was a cleaning solvent.

Therefore, your following these requirements can help reduce fires and injuries from the misuse of gasoline as well as to protect yourselves.

Conspicuous and legible signs prohibiting smoking are required to be posted within sight of the customer being served. Yet, how many times have you pulled into a station to have your tank filled with gasoline, and have the attendant dispense the gasoline with a cigarette in his hand or dangling from his mouth. Not only is this a violation of the law, but also is poor public relations, and may be a hazard to the occupants of the car and to the attendant.

Another code requirement, which is extremely important and involves you, is the requirement that "accurate inventory records shall be maintained and reconciled on all gasoline liquid storage tanks for indication of possible leakage from tanks or piping." It has been stated by an authoritative oil industry spokesman that leaking underground tanks is the number one problem facing the oil industry. The reason for requiring accurate inventory records is that any leaks can be discovered before the gasoline can travel underground and enter another building. We have reports of gasoline from leaking tanks traveling as far as three miles underground before showing up in the basement of a building. Also, we have several reports of incidents where over 10,000 gallons of gasoline has been lost due to leaks without the operators even knowing a leak existed. However, they did know their profits were down; therefore, I strongly urge that you make certain that all of your facilities keep accurate inventory records and that the employees understand the reasons for this. After all, this is only good business practice.

One other point worth mentioning is the requirement that all vents from underground gasoline tanks discharge vertically. Unfortunately, many people still feel that a weather cap or a return bend should be placed on the end of a vent line in order to prevent rain from entering this tank. By so doing, the vapors discharge downward, and when the tank is being filled the gasoline vapors enter rest rooms or are ignited by someone standing under the vent and lighting a cigarette. There have been numerous fires and explosions resulting in fatalities or injuries from such improperly designed vents. Although I recognize that you normally do not have control over construction features of your gasoline dispensing systems, these caps or return bends which discharge vapors downward can easily be removed. Of course, many of these problems may be eliminated or reduced by the air pollution controls required by the U.S. Environmental Protection Agency by next year. However, our concern is that many of the answers to air pollution may create fire hazards or be in violation of fire protection regulations.

One final question: Do you and your employees know the location of fire extinguishers on the premises and do you know how they are operated? Of course, they should be readily accessible.

Any of you who might be interested in the details of code requirements for your gasoline dispensing systems, I would refer to the Flammable and Combustible

Liquids Code, NFPA No. 30, which has an entire chapter on service stations as well as requirements in another chapter for the installation of underground tanks.

Also, there is an NFPA folder entitled "Fire Safety for Service Station Employees." This folder has been designed to graphically illustrate the many fire safety factors which have caused fires. Additionally, it is designed to be posted on the bulletin board as an employee safety reminder.

We can only hope that through your efforts and interest in fire safety, your places of employment will be a safer place from fire.

75 1756

HOW TO REDUCE LIABILITY CLAIMS

By CHARLES H. DELOACH
Commercial Casualty Claim Monitor, Allstate Insurance, Northbrook, IL

In this presentation I will discuss some appropriate actions which you may take to help reduce liability claims and their resultant costs. The actions which I shall prescribe are two-fold, namely:

1. Actions that should be initiated prior to any accident to prevent an unfortunate circumstance from occurring.
2. Actions that should be taken following an accident to expedite handling by reducing or minimizing unjust claims and by paying promptly those claims that are due.

First, let us consider those actions you may take to prevent accidents from occurring. Of prime importance is a regular inspection of premises for defects or hazards that contribute to an accident potential. The frequency of regular inspections is dependent upon the particular circumstances. For example, inspecting a parking lot for holes or defects in pave- may differ in frequency from inspecting the floor for debris in a busy produce department of a grocery store. The latter would certainly involve a more continuous type of scrutiny. Specifically, such inspections should include, but not be limited to:

1. Door mats, to determine that they are not worn, are not tearing apart, are not curling on corners, or the like. Also, it is important to ascertain that the mat is securely in place, or grips the floor.

2. Operation of automatic door openers. Are they in good working order? Opening and closing smoothly? Are the entrance and exit lanes plainly marked? It is astounding the number of accidents that occur because of someone being hit by an automatic door while exiting through the entrance lane. I cannot emphasize too strongly the necessity for safety precautions around doors.

3. What are the conditions of the carpet or other floor covering, particularly in heavily travelled areas, such as: at door thresholds; where joined with other floor composition areas (in such instances it is important to check the metal stripping to ascertain if fastened down securely); at areas where carpeting may be sewed together; on stairways or at entrances to elevators or escalators.

4. Check for the cleanliness of the floor. Are passages free of boxes, carts, tools, or objects that may cause someone to trip and fall? Are passages free of substances such as water, oil, produce, and the like? Are passages free of excess wax? Check area, particularly after waxing operations, to detect any slippery areas or excess wax.

5. Check lighting. Are lights in proper operation? Is lighting adequate for the inside hallways and/or landings? Is lighting adequate at entrances and exits? Is there a timing device to turn on lights? If so, is it operating properly? How frequently do we investigate accidents which occur because timing devices have not been adjusted for early darkness or cloudy conditions, or because no one checked the timing device to determine that it is working properly?

6. Check outside stairways, walkways and parking lots to determine: that they are free of garden hoses, rakes, and other maintenance equipment; that they are free of defects in paving; that they are adequately lighted, and that the lights are in proper working order.

7. Do you have a swimming pool which you maintain for your guests? We could spend hours on swimming pool inspections. A checklist should consider: Are areas around pool free of maintenance equipment? Are ladders securely fastened to the sides of pool, or sides of diving decks? Is the diving board worn or broken? Is the diving board properly secured at the base? Are mats, or non-skid material properly installed and secured? Is a check made for debris such as glass in the pool? Is lifeguard on duty? What inspections are made by him, or her, and at what intervals? If open for night swim-

ming, is the area well lighted? Is the pool enclosed with fence where required by law? We recently paid a substantial settlement on a case where a young boy and his younger sister wandered onto a motel premise during an off season period and drowned in the motel pool. Contrary to ordinance, the pool was not enclosed on all sides by fencing.

8. As with swimming pools, it is important that all areas housing dangerous machinery be properly protected by fencing to prevent injuries, particularly to children. When such areas are fenced, regular inspections are needed to determine that the fence is intact and in good repair. Are warning signs in place?

I am reminded of a claim and judgment rendered in the case of a drowning of a 12-year-old lad in a rock quarry on the premises of a mining operation. The vast area had been fenced and posted with signs clearly warning the dangers of trespassing and swimming. Unfortunately, no one with the mining operation had inspected the fencing and condition of the signs for months. Presumably teenagers had broken the fence in one area and removed the signs. Neighbors and frequent passersby attested to the fact that no signs were present and that the fence was partially down for months. The victim was new in the area and was enticed by the cool, inviting waters of the rock quarry. The jury awarded his parents a handsome sum due to the negligence of the mining operation in failing to inspect the fencing and failing to keep it in safe repair.

9. Signs are important. They are posted to give warnings of danger, to provide directions, and the like. It is, therefore, important that they be seen. Periodic inspections are a must to determine that the signs are legible, well lighted, properly secured at their location, providing adequate clearance for overhead signs, and are not located at or too near walkways or areas where pedestrians will likely trip and fall.

10. As we approach the winter season, a number of vital areas need inspection. Principal of these is the heating system and ventilating ducts. Vents should be checked to determine that they are free of debris. In the spring and summer, birds delight in building nests in these secluded places. How frequently we encounter claims for deaths of guests by carbon monoxide poisoning due to clogged ventilating systems!

Although not an inspection area initially, arrangements are needed for snow removal service with clear instructions as to when it will be done. Will the removal service plow only the driving lanes, or will the snow be removed from areas between parked cars? What areas will be sanded and salted? Who will sand and salt the outside stairways, steps, and landings? After the snow falls, inspections will be needed to determine the adequacy of the snow removal and the effectiveness of the salting and sanding operations.

We could expound at length on many other areas of inspections, but I have endeavored to include examples of areas about which I feel you will be most concerned. Now it is important to go one step further after the inspection: Make a written record of your inspection as to your findings and any actions taken. The inspection is just part of the job. As imperative as it is to inspect the premises for defects and hazards that may cause injury, it is of tantamount importance to record exactly when and by whom such inspections were made. This provides a permanent record as evidence that the inspection was initiated, the findings authenticated, and corrective action taken.

Next, let's look at actions you should take following an accident. You have tried hard to prevent accidents. You know that accidents cost money. More important, you know the cost to the injured person in terms of pain, disablement, loss of income and, possibly, life itself. It costs you time and money. But in spite of everything you have done, an accident has occurred. What then? Immediately following an accident, your first concern should be for the injured customer. The following action should be taken: offer help to the injured party and make him or her as comfortable as possible; show concern for the injured party, but do not admit liability or agree to accept responsibility; if the injury appears serious, call a doctor and, if necessary, an ambulance—do not attempt to move a seriously injured person; offer to call a member of the family.

Your insurance carrier wants to pay promptly and fairly, but your carrier is also desirous of helping you hold costs at

a reasonable level. Your carrier does not want to place the burden of unfair or unlawful claim costs on you. You can help by remembering and applying six simple words when an accident happens, or when you are informed that a claim is being filed. They are summed up in the works of Rudyard Kipling, and we often refer to them as the adjuster's creed:

I keep six honest serving men.
They taught me all I know.
Their names are WHAT and WHERE
and WHEN
and HOW and WHY and WHO.

Let us look at each of these briefly.

1. Who is involved? Who was hurt? Secure particulars as to name, address, and telephone number and the nature and extent of the injury.

Who saw it happen? Secure names and addresses and telephone numbers of all witnesses who were present and saw the accident.

Who first heard about it and went to the scene? Identify and secure names and addresses of all "after-arriving" persons including employees who have knowledge of the area or the object in question.

If the accident occurred in the produce department of a grocery store, was the produce manager responsible for the inspection? Did he make regular inspections, or did he delegate responsibility to another? If delegated to another, who was that person? If the accident occurred in or around a swimming pool, was the life guard on duty? When did he last survey the area for foreign objects, hazards, etc.?

2. What happened? Exactly what? Be specific. Don't guess. Get the facts. What was the injured person doing when injured? If possible, have the injured party indicate what may have been the cause.

3. When did it happen? Determine the exact time of day.

4. Where did accident happen? Determine precisely the particular part of the premises.

5. How and why did it happen? There is always a cause-and-effect factor. What specifically caused it? Inspect the area in which the accident occurred. Determine the conditions of the accident area, with explicit reference to presence of foreign matter, obstacles, torn carpets, unsecured metal stripping around doors, water or oil on floor, or the like.

Was the accident caused by the injured person's carelessness? Did he or she have an arm-load of packages? Wear glasses? Did the type or condition of the person's shoes contribute to or cause the accident? Detetmine if there were high heels, platform soles, sandals, shoes badly worn, or any other identifying information. Check to determine the presence of any substances on sole of shoes. If so, does it have appearance of something brought in from an outside area?

Was the accident caused by another's carelessness? If so, determine who and how caused.

These items may appear to involve you too extensively, and you feel such investigation is the responsibility of your insurance adjuster. Right you are! However, these are facts you should know, and you are entitled to know, while they are fresh. There may not be another opportunity to get this information, and witnesses may have long passed into oblivion. These facts are necessary while they are clearly perceived and while they are accurate.

You can readily guess the next area, which I cannot stress too strongly. That is, report the accident promptly to your liability insurance carrier! Preferably, you should report immediately by telephone to your insurance carrier even if you subsequently follow up with a written report. With prompt notice of the accident, your adjuster can better serve you and the company, and he will probably be able to save you and the company money (1) by being able to develop the facts while they are clear in the customer's and witness'es minds; (2) by making early contacts with the injured customer to allay any apprehension he or she may have; (3) by preserving the evidence with photographs, diagrams, and proper labeling and storing of product, when involved; (4) by early disposition of claim by settlement, when indicated, or by selling denial of claim early in the game, when that course is indicated.

Remember that once the customer is represented by counsel, or a lawsuit is filed, the avenues of securing that customer's version are closed in most instances, or are obtainable only by costly

legal procedures. Often it is then too late to develop defenses for the claim because witnesses are not identifiable or they have vanished from the scene. How often the carrier's first knowledge of a claim is the receipt of lawsuit papers—sometimes months, or even years, after the accident occurred! Either the manager, supervisor, stockboy or others considered the accident of no consequence and neglected to make prompt report of it. Or sometimes in the manager's zeal to protect a good record of no accidents and thus protect for himself a forthcoming bonus, he makes no report of the accident in hopes that a claim will not be pressed. Then, months later a lawsuit is filed. The defense cost alone may far exceed the amount for which the claim may have been settled had prompt report and early contact been made.

I again repeat: report all accidents promptly, even though they may appear trivial at the time, and even though you may have strong feelings about the lack of any responsibility or negligence on your part. The adjuster most likely has the expertise for assessing the liability and moving in to protect your interests early in the case. Give him a chance!

After you have reported the accident, it is important to preserve the evidence. This is particularly important in claims involving products. Physical objects which have any relevance to issues in trial have long been held competent evidence. A relevant case is one against a city in which the municipality was sued on account of injuries caused by iron standards embedded in the ground next to, and extending over, the sidewalk. The plaintiff caused these iron standards to be removed and presented in court where they were identified and testified to by several witnesses.

Any physical object which will enable the jury to form a more accurate conclusion in respect to the question in issue is admissible for that purpose. Items of physical evidence must be identified, carefully labeled, and stored. Anyone involved in a products case, where injury is alleged due to defective product, knows the value of preserving the product.

Photographs are another way of preserving evidence. Often it is not possible to bring the object, or the matter at issue, into court, and it is not feasible for the jury to be taken to the site of an accident. The photograph steps in and brings a true image for inspection by the jury. Now, I am not suggesting that you, the businessman or businesswoman, take photographs of every accident scene. This is an area that the adjuster on the case will handle. However, there may be circumstances when alertness in snapping a picture of a situation at the proper time may record events that cannot be subsequently captured.

To summarize, you should:

1. Inspect for defects and hazards.
2. Record results of your inspection.
3. Conduct preliminary investigation immediately following an accident.
4. Report the accident promptly to your liability insurance carrier.
5. Preserve any evidence.

These basic steps should save you money, time, and worry. You will likely preserve good customer relationships. Your carrier's adjuster will be able to give attention to a prompt and fair disposition of the claim or explain the reason for denial of the claim to the customer, when that course is indicated.

75 1757

HOW TO REDUCE ALCOHOLISM ON THE JOB

By RAYMOND KELLY
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What if a terrible disease came to our land, and 9,000,000 of us got very sick? And what if the disease killed 86,000 of us every year and still kept growing—like a plague?

What would we do? Would we close our eyes, not see the disease, and never talk about it? Would we lock up some of the sick ones where we couldn't see or hear them? Would we tell them to stop being sick because their disease was disgusting and immoral?

We would call the disease "alcoholism." The fact is, there are 9,000,000 alcoholic people in the United States, and these 9,000,000 touch the lives of nearly 45,000,000 family members and friends.

Work in business, industry, professions, and government is seriously affected by alcoholism. Each year, employers lose billions of dollars through absenteeism, poor job performance, medical expenses, and on-the-job accidents.

Alcoholism so alters a person's judgment that he is unable to see that he has become ill at all. Often, he is the last person to recognize and accept his illness. Alcoholism is a progressive illness that normally develops over a period of years and usually shows up in the prime years of an employee's productivity. One well-accepted definition of alcoholism is drinking that causes, for the drinker, serious problems in any major part of his life, such as his job, his health, or his family.

Let's concentrate on the facts as we know them and as they apply to the employment community.

Alcoholism or problem drinking accounts for over 50 per cent of all behavioral/medical problems. The uncontrollable compulsion to drink daily or periodically to the point of serious physiological, psychological, social, and spiritual harm to the individual and his family seems to depend upon the operation of a number of factors which we think may be environmental, physical, social, cultural, or emotional. In other words, the disease, alcoholism, is a complex illness of many varying causes. We do know, however, that a person can recover if sufficient help is given. The victims cannot drink alcohol in a normal way and will never be able to do so, but they can learn to live a normal, productive, and satisfying life without alcohol.

Mythology, folklore, and other common misconceptions have caused a social stigma that has led to more suffering, hardship, insanity, remorse, and death among our alcoholic population and those affected by this disease than anything else we know of. Because of this inaccurate information, we often cover up the people-problems until the victims become problem people. We fail to hear, see, or speak. The perpetration of this mythology and folklore is based upon the common misconceptions that alcoholism is a moral problem, therefore a public and private disgrace. That an alcoholic is usually an unemployable derelict.

The statement that since employers get rid of such employees, there cannot be many alcoholics on the payrolls caused the National Council on Alcoholism and other interested groups to conduct intensive surveys of the alcoholic population. Some of the facts they uncovered are quite interesting. For instance: they discovered that not more than five per cent of the alcoholic population ends up on skid-row.

Alcoholism does not respect age, race, creed, color, sex, national origin, or economic, social, or educational background. And it is so deadly that, at a minimum, it occurs in approximately one out of every 10-12 adult persons who drinks any alcohol at all. Contrary to popular public opinion, 95 per cent of the alcoholic population are employed or are family members of employed individuals.

Most of us deceive ourselves by ignoring the fact that there is a cost to this problem. For example, there is alcoholism's social cost to the nation: fifty per

cent of all traffic fatalities involve alcohol consumption; over 3,000,000 national arrests annually involve alcohol; over 12,000 homicides and suicides in 1970 were attributed to alcohol.

Heavy drinking shortens a normal life span by 12 to 15 years. Loss in human suffering is beyond calculation. A total of 45,000,000 persons are cruelly affected when family members are added to the picture. The cost to employers is equally staggering. You can see why, with a $10 billion drain on the economy in lost work time, a $2 billion cost for health and welfare services and $3 billion in property damage, medical expenses, workmen's compensation claims and insurance, alcoholism is known as industry's $15 billion annual hangover.

Now, let's bring these facts into closer focus. In round numbers, the National Institute on Alcohol Abuse and Alcoholism estimates that ten per cent of the average work force is suffering some stage of progressive alcoholism, and 25 per cent of each alcoholic's annual salary is the average cost to his employer. A conservative estimate of what alcoholism is costing you annually at your company is $2,000 per problem drinking employee. For example, if your company employs 5,000 people, you could anticipate having approximately 500 problem drinking employees (that's five per cent alcohol abusers, five per cent alcoholics). Your annual cost in this case would be approximately $1,000,000.

In some companies, surveys revealed that 25 per cent of the employees referred for treatment were white-collar workers, 30 per cent were blue-collar workers, 45 per cent were professional and/or managerial personnel. These statistics are not presented to imply that the more skilled an individual is the more prone he or she is to alcoholism. They merely point out that alcoholics are not unemployable derelicts. Surveys also revealed 13 per cent of those referred for treatment had completed grammar school, 37 per cent had completed high school, 50 per cent had attended or graduated from college.

Realistic statistics on female victims of alcoholism are difficult to tabulate. Information indicates that from 25 per cent to 33 per cent of those referred for treatment were women. It is suspected that the actual percentage of those suffering from alcoholism is 50 per cent men and 50 per cent women because women are often overly protected hidden drinkers or "closet" drinkers.

And how about the husband who has left the drinking wife at home with the children? He brings those problems to work with him. Alcoholism is known as a family disease. An alcoholic is like the visible part of an iceberg, supported and kept above the waterline by a far greater mass composed of: (1) the alcoholic's family, who doesn't want it known there is one of "those" people in their family, or who because of their outright love for them continue to cover up the condition, thinking it is the right thing to do; (2) the union, who says, "He pays us union dues, we have to protect his job"; (3) the employer, who says, "He's been a loyal employee for 15 years and does the work of a man and a half—when he's here"; (4) fellow workers who say, "She doesn't drink any more than I do: she can't be an alcoholic." Approaches such as these are well intended but destructive.

We say, "How would she support her children if we took her job?"

We say, "He's a good man when sober."

We say, "Maybe (s)he'll shape up."

Many people fail to recognize that alcoholism is a progressive, deadly, often terminal condition. The disease is treatable and can be arrested, but as long as we shelter the alcoholics from the consequences of their drinking, we are literally handing them a time bomb. We are killing them with our kindness. In fact, in many instances, our inaction will result in insanity or an early death.

Using job performance as a measurement, during the first several years of the addictive process the alcoholic's job performance is going to compare with the social drinker's job performance. At this point, our alcoholic is drinking to a degree that no one suspects progressive alcoholism. However, over a period of time, things are happening to this individual that can be observed if we pay attention. A crisis might be an accident on the job. The employee straightens out and his family and his immediate boss always have a tendency to see this in the best sort of light. That is why management's evaluation is above that of actual job performance.

The area of greatest cover-up occurs from the seventh to the eleventh year of the addiction process. During this period, the alcoholic is becoming more and more ill, but nobody is taking any action because of the stigma associated with alcoholism. We find that the average alcoholic will be employed by the same organization for approximately 14 years before termination. Every alcoholic on a payroll will have to be released sooner or later unless there is some intervention.

Too often, in the past, an alcoholic employee has been handled as a disciplinary problem, discipline based on a supervisor's determination as to whether or not the employee was capable of working safely and efficiently. The discipline procedure is usually limited in application to the late-stage of the progressive alcoholism scale. Recovery at this stage of progression is difficult at best. Damage has been done to the employee in impaired physical, emotional, and social health; to the employer through the results of poor attendance and deteriorated job performance; and to the union in deteriorated member morale.

The discipline program makes no distinction to separate the social drinker, the heavy drinker, the alcohol dependent, or the addictive alcoholic. It treats them all the same. We appear to be getting into the act too late because procedures have seemingly been based upon an unwritten policy that if reduced to writing would read approximately as follows: "We will continue to pay for the successful concealment of your alcoholism. When you can no longer hide your problem from us, we will discipline or terminate you."

No one wanted to face up to the problem. They didn't understand, and therefore they avoided it. No particular person or employer is responsible for this unwritten policy of concealment. It came about because of social stigma that surrounds alcoholism. Every employee from top management to line worker reflects these attitudes of rejection. Supervisors at all levels of the chain of command feel awkward and unsure of themselves when faced with the problem.

Since there has been an unwritten policy concerning alcoholism, the victims of this unique disease have been motivated to conceal the problem, and he or she has become extremely skilled at concealment. Let's suppose that a person suffering from alcoholism is sent to the hospital. If he returns to work with a report from the doctor listing the reason for hospitalization as gastritis, stomach ache, flu, or some other hidden diagnosis, nobody gives him any trouble. The company takes care of his group hospitalization claim and pays him sick-leave and other benefits. But if the employee returned to work and said, "I was off on a drunk and ended up in the hospital," what would happen? Various types of penalties and disapproval would probably follow, such as social condemnation from management and fellow workers, and, finally, possible loss of the employee's job.

These old systems reward an employee if he keeps his problem hidden, but punish him if he admits its existence. This is one reason why the individual will not seek treatment until the alternative to treatment becomes more intolerable than the treatment itself. Application of the unwritten policy led the suffering individual to deny his problem, management and supervision to underestimate the problem.

The new program approach we're proposing has no intention of eliminating discipline. Under the old program, discipline was the only step taken. But we leave discipline as the last step, and we recommend an employee assistance program that is corrective in nature, that deals with the alcoholic early, and not in the crucial late stages of this progressive disease. It is functional and preventive and is based on early identification.

The program specifies methods to motivate the sufferer to accept help. The motivation to accept treatment is as important as the treatment itself. Ingredients of any successful control program are: knowledge of the problem; top management and union commitment; workable supervisory procedures; an effective referral process; and follow-through.

In order to identify alcoholism, to supersede the old unwritten or punitive policy, to intercept the individual progressing into this disease at an earlier stage when treatment is much more effective, a policy should be developed which covers the following specific points:

1. Concerns the "what" of your policy. Alcoholism is recognized as a preventable and treatable disease. The company's legitimate concern with alcoholism is limited to its effects on absenteeism and work performance, not social drinking. Improved work performance to an acceptable standard is the basis for continued employment. The decision to undergo treatment is the responsibility of the employee. The decision to seek treatment will not be detrimental to job security.

2. Concerns the "how" of your policy. Training sessions should be provided for all management and supervisory personnel. Information and education on alcoholism will be provided to all employees.

3. Concerns the "results." The objective of the program is to retain, help, and aid employees, and restore them to full productivity.

Nothing in the statement of policy is to be interpreted as constituting any waiver of management's responsibility to maintain discipline or the right to invoke disciplinary measures in the case of misconduct which may result from or be associated with the use, misuse, or abuse of alcohol.

The company's concern should be limited to alcoholism, not with employee's social drinking or the social drinker.

Under this new policy, concentration is on early identification of progressive alcoholism, and you should confront the individual on safe ground: absenteeism and/or deterioration of job performance. By so doing, you will eliminate the old approach of concealing this problem by sweeping it under the rug, by procrastinating on decisions, by refusing to face facts.

The program we are presenting to you has two basic phases: (1) early identification and (2) treatment. Early identification is preventive in that a primary objective is to prevent further progression of alcoholism. The major focus of a program, in terms of the work to be performed by the company, is directed to early identification functions which must be primarily accomplished through the coordinated efforts of all concerned.

Early identification is the tough part. Treatment presents less and less of a problem as more and more community resources are developed. If, through our combined efforts, we can't make the early identification aspects of our program work, the treatment aspects, utilizing existing community resources, won't have a chance.

Again, it must be emphasized that in the early identification aspects of the total program we focus on the employee's performance and not on his problem, and we apply objective appraisals, not moral judgment. We pay attention to such things as attendance, quality of work, appearance, attitude, initiative, and dependability.

A key person in the program is the supervisor, acting as a supervisor and not as a diagnostician or counselor. We are speaking about management and supervision at all levels. A supervisor, or manager of people, is paid to observe and monitor behavior affecting job performance. If we observe and monitor work, we will notice when an employee's performance becomes erratic or sloppy and begins to deteriorate.

Most employee assistance programs have a common problem—an inability to implement a well formulated policy into action between the problem employee and his or her immediate supervisor. Often, a supervisor becomes indecisive when faced with this problem. As one manager said: "No one wants to turn the guy in—it's like calling him a communist." This gap between formulating a program and putting it into action can be traced to three popular but inaccurate notions or excuses.

The first excuse is cover-up. Cover-up suggests a deliberate and consistent effort to keep the alcoholic employee from getting proper help. A more realistic picture would portray the supervisor as being torn between using a policy and its program or not using it. This indecision causes a reluctance to act which might well be traced to the supervisor's conception of his own responsibility. The supervisor may still have the feeling it is his responsibility to handle an alcoholism problem. As a manager of people, he is expected to handle and correct problems involving employees; therefore, referring an alcoholic employee to some outside agency (including the medical department) may be, in his mind, an admission of his inability to handle the situation.

Second, the excuse, "often a good worker," suffers equally from lack of realism. This means the boss doesn't use the program because he wants to think the worker will straighten himself out, and all he needs is a little more time to work out his problems. At one time, the developing alcoholic probably *was* a good worker. However, as the alcoholism progresses, he becomes a first-class headache for his manager. The supervisor is often forced to re-arrange work, supervise more intensely, and add to his work load in other ways as the result of an employee's drinking problem. The second excuse is often supported by the feeling of his work group; that is, "The drinking problem should be kept among the boys." The supervisor may think that deviating from this may damage his relationship with the work group, making it harder to get his job done. The fact that the employee was once a good worker should not excuse a supervisor's reluctance to use the company-provided program.

The third excuse: "Hidden nature of alcoholism on the job." If the boss is unaware of a drinking problem, how can he do anything? Contrary to popular thought, developing alcoholism is anything but hidden. Usually, there are many persistent on-the-job signs such as poor quality of work, tardiness, absenteeism, and a changed attitude. But unfortunately, sometimes a manager who sees an employee developing a drinking problem and who bears the brunt of his poor work may still resist the company-sponsored program. Disappearances from the employee's work post also increase. Unlikely and ridiculous excuses are often used to explain these absences as well as his poor quality and quantity of work. Physical symptoms such as red or bleary eyes, and hangovers on the job are also a part of these warning signs. When there are sharp mood changes after lunch, or unusual personality changes such as a sudden increase in loud talking, the boss has good reason to believe that something is amiss, that perhaps a drinking problem exists.

The image of the alcoholic as a skid-row bum, a court repeater, a park bench sleeper is totally misleading. So, let's not create or let a gap exist between a company's policy on alcoholism and its implementation because of these three negative factors:

1. The manager's misconception of his own responsibilities.
2. The feelings of the employee's work group.
3. The stereotype image of the alcoholic.

It is very important that the dividing line between discipline for violation of rules and the referral process be kept entirely separate except in terms of motivation. We do not discipline an employee for suffering from a disease! But we may have to apply discipline if he refuses to seek treatment or if his work performance continues to suffer as a result of the illness.

The assistance program can never be allowed to become an umbrella under which an employee can shelter himself from the consequences of poor performance on the job, or a discriminatory weapon against certain individuals when they are found to have a chronic condition.

Firm and consistent application of corrective discipline will force an early decision of accepting treatment or discharge for excessive absenteeism or poor job performance.

A rehabilitation program is a "pro-people" program, not a "pro-management" or "pro-labor" program. A company may have a beautiful plan on paper, but if the supervisors and shop stewards are opposed to it, the company will not get very far in accomplishing its objectives. Therefore, very early in implementation of a program, the cooperation of labor groups should be enlisted. It has been found that labor will give wholehearted support when you make it clear what you hope to accomplish. A company's program is not a "witch hunt." It is an attempt to save valuable employees before they become unemployable.

Actual experience has taught us the most important aspect of a successful recovery from alcoholism is the motivation to accept treatment. Employers have the most effective motivational tool known to date, that is, the desire of the employee to hold his job. The key to successful motivation of an employee with an alcoholism problem to accept help and seek treatment lies in the supervisor's use of his authority in a fair and constructive man-

ner. The supervisor must be armed with workable disciplinary procedures.

Job performance is affected by increased absenteeism, decreased job efficiency, more accidents, gripes, grievances, and injuries. All these factors are money down the drain at all levels of employment. As alcoholism advances toward the chronic stage, compared to the norm, the individual employee will have 2½ times as many absences of eight days or more; receive sickness benefits three times greater, have an accident rate 3.6 times higher, file five times more compensation claims, be the subject of garnishment proceedings seven times more often, be absent from the job 16 times more often, function at 67 per cent of his work potential, and be repeatedly involved in grievances procedures.

To be effective, every supervisor must:

1. Be trained to observe work behavior.
2. Know how to apply corrective discipline.
3. Avoid any references to drinking. This point must be emphasized time and again. The alcoholic is the professional when it comes to drinking. The supervisor is the expert when it comes to job performance.
4. He must know the policies and procedures for referral to treatment.

The procedure to be followed should be kept as basic as possible: Working with acceptable performance standards be alert to changes in the work and behavioral patterns of all personnel under your supervision. Monitor and document performance, attendance and behavior when they fail to meet minimum acceptable standards. Discuss the facts with the employee. Do not attempt to distinguish or diagnose the cause. Refer the employee to the employee assistance program. Contact the employee assistance program and give complete details of the employee's job performance or behavioral problem. Check the employee's progress as it affects his attendance or job performance. Repeat the process if necessary.

An employee's morale is greatly boosted when he realizes his employer will take an interest in his problems and offers help rather than a mandatory stipulation of compliance. The result is that most employees will be restored to full productivity. The employer reduces financial loss. The supervisor welcomes the help and becomes more effective in his job.

No employee or class of employees enjoys special immunity from alcoholism. It is as prevalent in the executive suite as it is in all other job categories, including middle management, supervision, clerical, and production workers. Job performance deteriorates with the progression of the problem regardless of skill level.

Early identification of the alcoholic employee is crucial. By applying company policies and procedures, management, line supervision, medical, safety, and labor relations will accomplish this early identification by monitoring absenteeism and deteriorating job efficiency. Union stewards, family members, and fellow employees will refer cases when they become convinced that the objective of the program is to retain, help, and aid your employees and return them to full productivity. There also will be self-referrals for assistance as credibility grows.

Cases identified as job-oriented behavioral/medical problems are referred to the program coordinator. At this point a determination is made as to what type of problem exists. Then the employee will be exposed to treatment, utilizing the alternatives provided by community resources for actual assistance.

As you can see, there is no limit to the scope of the program, except those you put upon it. You can expect to use private physicians, hospitals, clinics, Alcoholics Anonymous, Al-Anon, clergy, psychiatrists, psychologists, social service agencies—whatever it takes to help an employee.

For those referred for help by a family member, friend, or fellow employee, the program guarantees anonymity for the caller and the person referred. If a person referred in this manner accepts your offer of help, provide help; if not, politely back away. For all persons involved with your program, confidentiality is assured. Whenever possible, guidance and counseling should be made available to families, because a family member's alcoholism affects the employee's performance and general well being.

It will be necessary to maintain a working relationship with community social service agencies and all other facilities that are available to your employees and

their dependents. A program should have a follow-up procedure that indicates, through the participating persons, just how adequately they are being helped. This enables us to give valuable feed-back information to social service and private agencies to whom we are referring your employees. Of course, to make maximum penetration possible, information regarding the program and its potentials must be effectively communicated to all employees. The company policy and the procedures developed to implement that policy should be distributed to employees and their families. Explanation of program mechanics through letters, bulletins, memorandums, and other means will lower anxiety and speculation regarding involvement.

The State of Illinois is vitally interested in intercepting the progression of alcohol problems in the 95 per cent of the cases where the victims are still employed and employable.

 75 1758

HOW TO REDUCE PANIC AND CONTROL CROWDS IN EMERGENCIES

By JAMES B. NEVILLE
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Members of fire departments know the best way to control a large fire is to keep it from starting in the first place or to keep it small once it does start. Members of police departments know the best way to control a riot or civil disorder is to keep it from starting in the first place or to keep it small once it does start.

Firefighters and police officers know that once a fire becomes a conflagration or once a civil disturbance becomes a riot, they then have on their hands a situation which is pretty well beyond their immediate control and which requires heroic measures and mobilization of additional outside assistance on a large scale. The same parameters apply to panic. The best way to control a large-scale panic is to keep it small once it does start. Once fear becomes panic, we have on our hands a situation which is pretty well beyond our immediate control and which requires heroic measures and mobilization of additional outside assistance on a large scale.

To understand the problems that exist in the controlled emergency movement of large numbers of people, recall pictures you have seen of civilian refugees fleeing from invading armies. Then try to envision all these people desperately trying to get out of a large building through a limited number of openings while in a state of near-panic.

It is sad that when an informed fire official recommends the installation of safety precautions such as automatic sprinklers in a heavily occupied building, he is ignored or out-voted and the city permits the construction of impressive large structures which have the potential of being fire death traps for the occupants, or of at least having a tremendous loss in fire damage. The Our Lady of Angels School had to burn and kill 95 persons before sprinklers became mandatory in Chicago schools. McCormick Place had to be destroyed by fire with an estimated loss of business, buildings, and contents of $400 million so that builders would rebuild with automatic sprinklers protecting the new McCormick Place.

We all know that it took a fire in the Iroquois Theatre in Chicago in 1903 with the loss of 572 lives to bring about the law requiring sufficient exits, doors that swing outward, and panic-proof hardware.

Even though warnings had been issued for years about the dangers of open stairways in high buildings and serious fires had developed causing loss of lives, it was not until 61 persons perished in a fire at the La Salle Hotel in Chicago in June 1946 that a law was passed requiring fire resistive stairway enclosures.

Those of you who have been involved in or witnessed a panic situation will have to agree with me that trying to reduce a large scale panic is about as effective as King Canute ordering back the ocean tide. The more education the public receives as to what their procedures should be under emergency conditions, the easier it will be for those in positions of responsibility when an emergency occurs.

There seems to be a great and quite understandable reluctance on the part of commercial organizations such air lines, building managers, department store administrators, and others who cater to large crowds of people, to spell out clearly the hazardous potential inherent in their particular occupancy when large crowds are present. I believe that if the average person was as aware of the dangers involved in becoming a part of a large crowd as I have become after almost 38 years on the Chicago Fire Department, there would be a falling-off of attendance at sporting events, political rallies, amusements, and occupancy of commercial and residential high rise buildings. Even now, in the instances in which I cannot avoid being in large crowds, I become especially alert and subconsciously pre-plan an escape route.

I know why the industries that cater to

and invite large crowds do not advertise the potential dangers involved. It is because, what they refer to as "scare tactics," which are in reality prudent warnings, would hurt their business. But until the public is completely educated, made aware of all potential hazards, and learns to pre-plan for orderly escape, we will continue to have disasters in which panic takes control and human beings become mindless animals with the urge for survival taking the upper hand.

Types of occupancies which could contain large numbers of people include schools, department stores, theatres, churches, stadiums, hospitals, prisons, industrial complexes, banquet halls, restaurants (including carousel restaurants), and residential.

Each of the aforementioned occupancies has slight differences in the hazards involved, and it behooves the person responsible in each one to set up a plan and apprise the occupants of how to put this plan into operation when the need arises to initiate exodus from all or any part of the structure.

When we talk about the necessity for people to be moved in a hurry from the area they happen to be occupying at the moment of a dangerous incident, I believe that most of us are conditioned to just think of fire, but there are many emergencies which might occur to cause flight, such as structural failure or impending collapse brought about by earthquake, overcrowding, aircraft crash, structural defects, and many others. An identified bomb or a bomb threat might be a reason for partial or total emptying of a building. The permeation of a building with toxic gas could create an unthinkable situation. The spillage of a large amount of flammable liquid could create an imminent threat. A shooting or police action of any sort in a crowded structure could generate a panic situation. And then, as has happened frequently, the explosion of an insidious penetration of flammable gas can cause a horrendous problem of death, injury, and damage which might include all of the preceding reasons for flight.

In most cases, when the fire department arrives on the scene of a serious incident involving large numbers of people, the senior officer is faced with a tremendous responsibility in which his primary concern must be the welfare of the human beings involved, which consists of getting the people to safety, getting the required firefighters and necessary equipment against the frightened torrent of fleeing occupants to the location of the emergency and then coping with and eliminating the hazard.

In a large structure in a state of emergency requiring immediate exodus to safety, there are always occupants who become confused and wind up in dead-end rooms or corridors, closets, or other culde-sacs. In addition to his other problems, the senior fire officer must also direct the rescue of these terrified and confused victims. How much easier it would be in an emergency if everyone, upon entering an unfamiliar structure, would check the quickest way out via the nearest exit.

I have very assiduously read and reread accounts of fires that have occurred in the last few years in high rise buildings around the world, and I was particularly shocked to read that the Joelma Building fire in which 179 people died in February 1974 in Sao Paulo, Brazil was a rather new building of fire resistive construction but with practically no safety features such as enclosed stairways, ventilation system, or sprinkler system. In other words, this modern looking 25-story building was a travesty against all decent and humane requirements for the normal safety of human occupants of any building.

I pulled duty with my engine company at the Our Lady of Angels School fire. I worked at the fire at McCormick Place in 1967, and I served on the mayor's commission to investigate the McCormick Place fire. I am also frequently asked to speak before classes of graduating architects, and on every occasion I implore the new architects to give serious thought to the safety of the people who will occupy the structures they design. I ask them to keep foremost in their minds the thought that they and their loved ones might be in that structure when a serious emergency occurs, and to design accordingly and not cut corners on provisions for maximum safety.

It is difficult to concentrate on evacuation of large numbers of people without tying in our greatest concern in the fire

service today, and I find myself gravitating again toward high rise situations. One realization which must be kept uppermost in your minds is that emergency movement of many hundreds of people must depend almost exclusively on the personal locomotion of the evacuees themselves, because for rescuers to have to carry or otherwise transport large numbers of people becomes a cumbersome one-for-one process involving large numbers of rescuers. This is why it is so important that every individual keep available near the surface of his mind a constant awareness of where he is in any structure and the direction he must travel to get out in a hurry should an emergency occur.

One of the reasons I find it so difficult to talk about evacuation of large numbers without referring to high rise buildings is because of the obvious additional problem of height. In a crowded one- or two-story or even a low three-story structure, panic exodus might reasonably employ any building openings, including windows, with small chance of fatalities without requiring the occupants to pass through the emergency area to reach safety. This is not the case however, in tall buildings where an occupant may be in a clear sunlit corner of the building, but in order to reach an exit stairway he must abandon the comparative comfort of his clear area and make his way through heat and smoke, or whatever the emergency hazard is, to the core of the building to escape, where in a similar situation in a low building he could with reasonable safety open or break out a window and jump out.

The answer to emergency movement of large numbers of people to safety within or out of a structure is education. Education, like learning to walk or learning to balance a bicycle, must become instinctive. If you don't think this is possible, heed my story of an F.D.I.C. conference in Memphis some years ago in which I had been late in requesting reservations and wound up at a third rate hotel on an upper floor. After checking in, I left my wife in the room with our luggage and walked down the hall to acquaint myself with the exits. Upon my arrival at the door leading to the fire escape, I found the door open and over a dozen of my fellow attendees out on the fire escape discussing safe means of escape. This was all taken as matter of course, and none of us expressed any surprise at this procedure.

It does point up, however, the fact that people who are aware of the hazards of great numbers of people in a large building and who have been educated to preplan an escape route will do so instinctively every time they enter a structure for the first time.

Again, the point I am trying to emphasize is that personal safety requires that the person involved attempt to provide his own measures of safety and not blithely depend on the authorities to rescue him from any hazard he may be involved in. If the authorities don't happen to get to you in time, the results can be very final.

Certain occupancies which cater to large crowds have special problems unique to their clientele. Take schools, for example. Every school is required to have an evacuation alarm which, when sounded, requires everyone in the school to vacate the premises. The problem is that with the inside pull boxes readily accessible, pranksters think it very funny to trip the alarms many times each day. So frequently are these alarms sounded that, like the boy who cried "Wolf," the bells are ignored by all except those who resent the noise and the annoyance.

Department stores, which fortunately in Chicago are all protected by automatic sprinklers, do not present too great a hazard as far as fire is concerned, but if an emergency of any other type should occur, people who have been wandering aimlessly throughout one of these vast emporiums might not have the foggiest idea how to get out in a hurry.

Theatres, churches, and auditoriums don't normally present much of a serious fire hazard, but other emergencies sometimes require fast flight. A bomb might be found or evidence of imminent collapse be present, but usually plenty of exits are provided and do not create too much of a problem in getting people out in a hurry.

Exhibition halls, on the other hand, with their customary heavy fire loading, would produce a very serious situation, as did McCormick Place on January 16, 1967. Had that fire developed while the exhibit was at its height instead of at two o'clock in the morning, I am afraid

we would have been confronted with one of the major life losses in history instead of only one watchman who became lost and perished. Of course, the new McCormick Place is completely sprinklered.

We have even had emergencies creating panic in stadiums and sports arenas around the world. There have been instances where competitive feeling among spectators has generated riots and many people were killed and injured in attempting to escape.

Consider the problem of emergency discharge of inmates of prisons or psychiatric hospitals where they are surrounded by barred windows and locked doors. It is the practice in these institutions that the attendants or guards will unlock the cells of the inmates and conduct them to safety when an emergency occurs. In all instances, the emphasis is on doing this while still maintaining security and preventing escape, which obviously can delay the procedure and could cause loss of life.

Hospitals and nursing homes also have their particular problems under emergency conditions with helpless, bed-ridden patients who might have to be removed from the building under emergency conditions. The operating rooms of a hospital pose a precarious condition since they are usually on the top floor of the building and should a long-duration operation be in progress such as open heart or transplantation of a vital organ, the situation can be very grave in case of fire of any size.

I worked at a three-alarm fire at old Mercy Hospital in 1963 in which, fortunately, the fire started on the top or sixth floor down the corridor from an operating room in which doctors were performing open heart surgery. Valiant efforts by the firefighters managed to prevent the fire from reaching the operating room where the doctors, with apprehensive glances over their shoulders, successfully completed the operation in a smoke haze atmosphere.

In industrial plants the possibilities of emergencies are almost endless, especially with the many hazardous operations being performed in today's modern technology in the use of atomic reactors, chemical reaction chambers, as well as toxic, flammable, and explosive chemicals. You are probably quite aware of the many disasters which have occurred around the world as well as locally in industrial plants. The real wonder and a tribute to the many organizations concerned with safety is that there are not many more.

Most high-class restaurants strive to introduce an intimate atmosphere, which really means turning out most of the lights so that you can just make out the items on the menu but not quite the prices. These restaurants are located in a great variety of places, such as in a basement, on the roofs of high buildings, deep in the inner recesses of large buildings and, of course, in separate ground level buildings with plenty of exits, which is the type in which I always feel most comfortable. The sources of fire are very numerous, with candles on the tables, sparklers on birthday cakes, burning brandy on desserts, flames from broiling steaks and chops, with grease-coated vents or ducts, plus the normal heat of cooking, not to mention the ever-present smokers. Emergency exits, while visible, are usually camouflaged so as not to spoil the decor of the joint. If you do not make a conscious effort to locate the emergency exits when you enter, you would have difficulty finding them in case of fire or other incident.

It seems that fine restaurants make it difficult to get out as well as providing many sources of fire. This is borne out by the many disastrous fires which have occurred in roof-top and below-ground dining places around the world in the past few years.

Another fact which contributes to the confusion in the vacating of a restaurant is that most people, upon sitting at their table, proceed to imbibe various amounts of alcoholic beverages which may be on top of what they took in at the bar while waiting for a table. The wits cannot help but become slightly dimmed.

Compounding the preceding difficulties in restaurants, we now have the revolving roof-top or carousel restaurant which, besides having dim light, all of the sources for fire, camouflaging the exits, being up high, and intoxicating the customers, has set up a form of Russian roulette in which you are on the roulette wheel and must try to guess where the exit is at any given time in your revolutions. Try to

imagine the panic that could and has ensued under these circumstances in a flash fire or explosion.

How to reduce panic? One way is to try to make your screams heard over the screams of the crowd as you frantically keep yelling, "Keep calm," or, "Don't get excited." They won't hear you nor would they pay any attention if they did hear.

Another way to attempt to control panic is to use a gun, preferably loaded, as when a high rise elevator reaches an involved fire floor where 100 panicky occupants wait in a rapidly deteriorating atmosphere for an elevator car which will accommodate 20. There is an excellent chance that the elevator car will never leave the floor until the mound of bodies partly in and partly out of the elevator car are separated and removed, or the cables burn or melt away, allowing the car to fall. Control of this crowd might be gained by a strong-willed leader using a gun—but I doubt it. When people will leap dozens of stories to escape heat and smoke, a little thing like an ounce of lead flying through the air does not provide much of a deterrent to panic. There is a story told that when the Titanic was found to be sinking, all the crew members were called to the bridge. Someone remarked that they had gone to get their orders, whereupon a nearby cynic remarked, "Orders hell! They're gone to get their guns to enforce the women and children first rule!"

Panic can be a good thing only if you are the first one to panic and happen to be headed in the right direction.

As I have stated, the best way to control panic is to keep it from developing. There are three ways to keep panic from generating. One way is for people to discontinue joining in large crowds or to stay out of heavily occupied buildings, which would play hell with our economy because no one would live or work in a high rise building. No one would attend a show or a sporting event. No one would go to meetings or political affairs. No one would work or live in any building with heavy occupancy.

The second way to keep panic from developing is to include in the basic educational curriculum of all schools, from kindergarten on through college, education in personal safety of all kinds, with particular emphasis on fire safety.

For some reason, which is quite obvious, all education seems to be aimed at providing economic position or security without teaching the student how to stay alive and well in this fire-oriented world. I feel that one hour a week is not too much to devote to all school curriculums in fire prevention and what to do in case of fire and other related emergencies.

The third way to reduce panic is to reduce the hazards which threaten crowds of people. I do not know if this will ever be done. I doubt it. Many agencies are constantly striving to eliminate dangerous conditions in areas where large numbers of people assemble, but encounter still opposition to anything that costs more money. One crusade I have adhered to for most of my career has been the passing of laws requiring automatic sprinklers in high rise buildings. I feel that while this is not yet accomplished, it will be soon. As a result, I am confident that my efforts have been fruitful.

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March 21, 2001

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Robert J. Marecek

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