



## CHAPTER 16

# Health, Safety, and Security

### *After you have read this chapter, you should be able to:*

- Define *health*, *safety*, and *security* and explain their importance in organizations.
- Explain how workers' compensation and child labor laws are related to health and safety.
- Identify the basic provisions of the Occupational Safety and Health Act of 1970.
- Describe the Occupational Safety and Health Administration (OSHA) inspection and record-keeping requirements.
- Identify and briefly discuss three different approaches to safety that comprise effective safety management.
- Discuss three different health problems and how employers are responding to them.
- Discuss workplace violence as a security issue and describe some components of an effective security program.

## HR TRANSITIONS

# Companies Develop Best Safety Practices with Voluntary Protection Programs

Companies with Voluntary Protection Programs (VPP) are ones that choose to go beyond regulations with exemplary safety and health practices at work. Most participating companies are award winners, with safety records that are two-thirds better than industry averages. Following are some recent programs these companies have implemented to establish “best practices” benchmarks in safety and health.

### Lee Company

The Lee Company in Springfield, Missouri, operates 24 hours a day, seven days a week. Its 135-member workforce, which is mostly female, had some special problems related to workplace violence. After two employees were assaulted in the parking lot, the company initiated a policy for workplace violence. First, employees attended a free training session on avoiding violence, presented jointly by local police and an association for battered women. Further, the company now screens all telephone calls to employees. Video surveillance cameras also were installed in the parking lot and screens are monitored continuously. The cameras have been helpful in protecting several employees from violence right from the start.

### Titleist and Foot-Joy Worldwide

Golf supplies manufacturer Titleist and Foot-Joy Worldwide classifies jobs based on required strength levels in order to avoid people getting injured

who are not strong enough to do a given job. The job classifications range from level 1 for office workers to level 6, for which employees must routinely lift 80 lbs. Classifying jobs in this manner allows Titleist to hire for each job level based on individuals’ physical abilities to do work at that level without straining themselves. Further, the company had problems with carpal tunnel syndrome for “winders,” who each make 8,500 golf-ball centers daily. Videotaping the motions used and then giving the winders training using the videos helped reduce the incidence of repetitive stress injuries.

proper training in the use of up-to-date equipment.

### Tropicana Dole Beverages

Tropicana Dole Beverages of Bradenton, Florida, has discovered that a poor safety program on the part of their subcontract suppliers can affect Tropicana’s own workers’ compensation costs. To offset the problem, the company requires subcontractors’ employees at Tropicana sites to attend monthly safety meetings, which are also required for Tropicana employees. When subcontractor employees have completed the training, they receive

*Voluntary Protection Program companies meet annually to share ideas and approaches that have improved health, safety, and security in their workplaces.*

### AG Communications Systems

Safety training—in the form of a respiratory training course—saved the lives of two workers at AG Communications Systems in Genoa, Illinois. While the two employees were working underground in a confined space, carbon monoxide gases seeped into the workspace. Fortunately, as part of their training, the workers had learned to use a portable atmospheric testing machine. The industrial hygienist at the company attributed the two employees’ successful rescue to

an electronic card that gives them admittance to Tropicana’s facilities.

Voluntary Protection Program companies meet annually to share ideas and approaches that have improved health, safety, and security in their workplaces. They do so, not because the law requires it, but because they are committed to providing healthy and safe workplaces for employees. It is obvious that VPP companies are the leaders in continuous improvement of employee health, safety, and security.<sup>1</sup>

“If only it weren't for the people always getting tangled up with the machinery . . . Earth would be an engineer's paradise.”

KURT VONNEGUT

Today employers are obligated to give their employees safe, healthy, and secure work environments. But meeting that general goal is not easy; nor can all situations affecting employee health, safety, and security always be anticipated. Nevertheless, both operating managers and HR specialists have responsibilities for the health, safety, and security issues of their organizations. Requiring employees to work with unsafe equipment or in areas where hazards are uncontrolled is a highly questionable practice that has led to the passage of workplace safety and health laws. Managers also must ensure that employees are safety conscious and are not subjected to conditions causing poor health.

Failure to provide a safe place to work can result in major fines and even criminal convictions for managers. For example, two agricultural employers faced fines of over a million dollars each. DeBruce Grain faced fines of \$1.72 million for an explosion that killed seven workers, and Archer-Daniels Midland Company faced fines of \$1.6 million for violating the Occupational Safety and Health Administration (OSHA) “confined space” standard at a rail car repair facility.<sup>2</sup> Further, individual managers can be held personally responsible. Thomas E. Bowley, Chief Executive of Tewksbury Industries Inc., was indicted on manslaughter charges after two company workers were killed in accidents. Mr. Bowley allegedly failed to repair safety hazards that had been identified by OSHA. If convicted, he could face up to 20 years in prison.<sup>3</sup> In another case, the U.S. Supreme Court held that criminal penalties on top of civil fines do *not* constitute double jeopardy. For that case, in which three workers were killed, the employer was charged \$750,000 in criminal fines and later \$680,000 more in civil penalties.<sup>4</sup>

The attitude of society toward an employer's responsibility to provide a safe workplace has changed a great deal over the years. This chapter examines that responsibility in a legal sense and considers what can be done to establish and maintain good health, safety, and security at work.

### Health

A general state of physical, mental, and emotional well-being.

### Safety

Condition in which the physical well-being of people is protected.

### Security

Protection of employer facilities and equipment from unauthorized access and protection of employees while on work premises or work assignments.

## Health, Safety, and Security

The terms *health*, *safety*, and *security* are closely related. The broader and somewhat more nebulous term is **health**, which refers to a general state of physical, mental, and emotional well-being. A healthy person is one who is free of illness, injury, or mental and emotional problems that impair normal human activity. However, the question of exactly what is healthy or normal behavior is open to interpretation. Health management practices in organizations strive to maintain the overall well-being of individuals.

Typically, **safety** refers to protecting the physical well-being of people. The main purpose of effective safety programs in organizations is to prevent work-related injuries and accidents.

The purpose of **security** is to protect employer facilities and equipment from unauthorized access and to protect employees while they are on work premises or work assignments. Certainly, preventing unauthorized persons from having access to organizational premises and internal systems such as computer systems is

part of protecting employees. Also, security may include providing emergency assistance programs to employees who encounter health problems while traveling on business internationally. With the growth of workplace violence, security at work has become an even greater concern for employers and employees alike.

## Health, Safety, and Security Responsibilities

As Figure 16–1 indicates, the primary health, safety, and security responsibilities in an organization usually fall on supervisors and managers. An HR manager or safety specialist can help coordinate health and safety programs, investigate accidents, produce safety program materials, and conduct formal safety training. However, department supervisors and managers play key roles in maintaining safe working conditions and a healthy workforce. For example, a supervisor in a ball-bearing plant has several health and safety responsibilities: reminding employees to wear safety glasses; checking on the cleanliness of the work area; observing employees for any alcohol, drug, or emotional problems that may affect their work behavior; and recommending equipment changes (such as screens, railings, or other safety devices) to specialists in the organization.

Regarding security, HR managers and specialists must coordinate their efforts with those in other operating areas to develop access restrictions and employee identification procedures, contract or manage organizational security services such as guards, and train all managers and supervisors to handle potentially explosive situations. Managers and supervisors must observe work premises to identify potential security problems and communicate with employees exhibiting signs of stress that could lead to workplace violence.

## Legal Requirements for Safety and Health

Complying with a variety of federal and state laws is fundamental for employers developing a healthy, safe, and secure workforce and working environment. A look at some major legal areas follows next.



### LOGGING ON . . .

#### Health, Safety, and Security Buyer's Guide

The SHRM organization provides a directory of companies assisting employers with health, safety, security, ergonomics, and wellness programs.

<http://www.shrm.org/buyers/safety.htm#search>

**FIGURE 16–1 Typical Health, Safety, and Security Responsibilities**

HR Unit	Managers
<ul style="list-style-type: none"> <li>● Coordinates health and safety programs</li> <li>● Develops safety reporting system</li> <li>● Provides accident investigation expertise</li> <li>● Provides technical expertise on accident prevention</li> <li>● Develops restricted-access procedures and employee identification systems</li> <li>● Trains managers to recognize and handle difficult employee situations</li> </ul>	<ul style="list-style-type: none"> <li>● Monitor health and safety of employees daily</li> <li>● Coach employees to be safety conscious</li> <li>● Investigate accidents</li> <li>● Observe health and safety behavior of employees</li> <li>● Monitor workplace for security problems</li> <li>● Communicate with employees to identify potentially difficult employees</li> <li>● Follow security procedures and recommend changes as needed.</li> </ul>

**WORKERS' COMPENSATION** Currently, all states have workers' compensation laws in some form. Under these laws, employers contribute to an insurance fund to compensate employees for injuries received while on the job. Premiums paid reflect the accident rates at each employer. Also, these laws usually provide payments for lost wages, for medical bills, and for retraining if the worker cannot go back to the old job.

Before the passage of workers' compensation laws, an employee might not recover damages for an injury, even if it was caused by hazards of the job or through the negligence of a fellow worker. Workers who died or became disabled as a result of occupational injury or disease received no financial guarantees for their families. Employers (and society) assumed that safety was the employee's responsibility.

Employers once viewed accidents and occupational diseases as unavoidable by-products of work. This idea was replaced with the concept of using prevention and control to minimize or eliminate health and safety risks in the workplace.

Workers' compensation coverage has been expanded in many states to include emotional impairment that may have resulted from physical injury, as well as job-related strain, stress, anxiety, and pressure. Some cases of suicide also have been ruled to be job-related, with payments due under workers' compensation. However, the most common injuries are back problems, broken bones, cuts, and carpal tunnel syndrome. The most common illnesses are stress and allergies. Vehicle accidents are the number one cause of death on the job, with around 22,000 deaths occurring per year.<sup>5</sup> These are examples of injuries and illnesses typically covered by workers' compensation.

A new twist on workers' compensation coverage is the increasing use of telecommuting by employees. It is not widely known that in most situations while working at home for an employer, individuals are covered under workers' compensation laws. Therefore, if an employee is injured while doing employer-related work at home, the employer is liable for the injury. Some employers, including Merrill Lynch, inspect home offices and give telecommuters a two-week training course.<sup>6</sup>

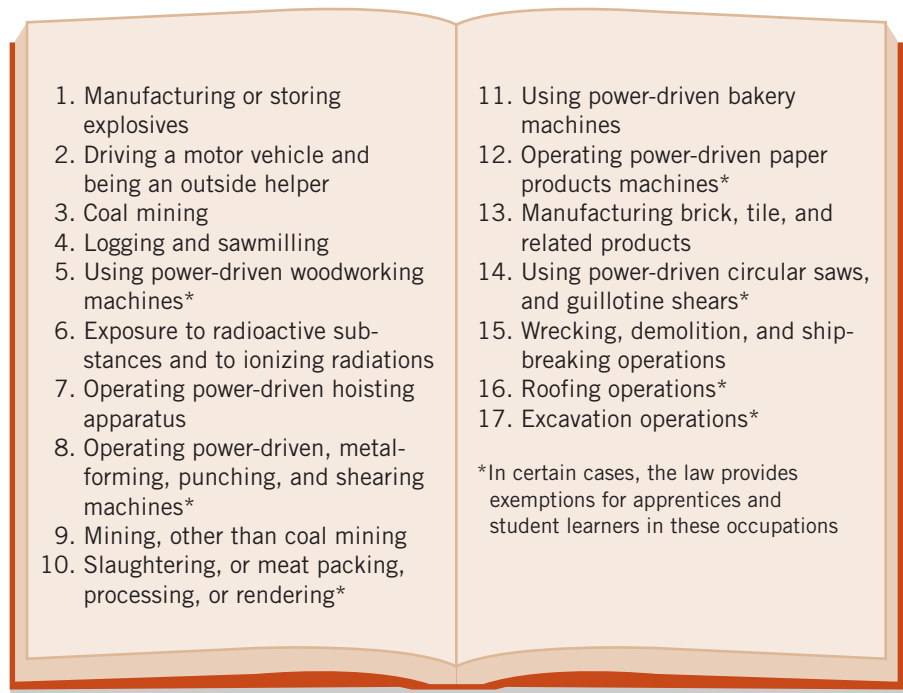
Workers' compensation costs have increased dramatically in the past and have become a major issue in many states. These costs represent from 2% to 10% of payroll for most employers. Only recently has there been a small decline as workplaces have become safer and management has begun to manage workers' compensation programs to hold costs down.<sup>7</sup>

Employers must continually monitor their workers' compensation expenditures. To reduce accidents and workers' compensation costs, an employer should have a well-managed health and safety program. These programs typically result in:

- A reduction of insurance premiums
- Savings on litigation costs
- Less money paid to injured workers for lost work time
- Lowered expenses for training new workers
- Decreased overtime
- Increased productivity

Efforts to reduce workplace injuries and illnesses can reduce workers' compensation premiums and claims costs. Many of the safety and health management suggestions discussed later in this chapter can be part of an effort to reduce workers' compensation costs.

**FIGURE 16–2 *Child Labor and Hazardous Occupations (18 is minimum age in these occupations)***



SOURCE: Employment Standards Administration, Wage and Hour Division, U.S. Department of Labor, *Child Labor Requirements in Nonagricultural Occupations*, WH Publication no. 1330 (Washington, DC: U.S. Government Printing Office).

## Child Labor Laws

Another area of safety concern is reflected in restrictions affecting younger workers, especially those under the age of 18. Child labor laws, found in Section XII of the Fair Labor Standards Act (FLSA), set the minimum age for most employment at 16 years. For “hazardous” occupations, 18 years is the minimum. Figure 16–2 lists 17 occupations that the federal government considers hazardous for children who work while attending school.

Age can be an issue with workers at the other end of the spectrum as well. The HR Perspective on the next page examines ethical issues in dealing with older workers.

In addition to complying with workers’ compensation, ADA, and child labor laws, most employers must comply with the Occupational Health and Safety Act of 1970. This act has had a tremendous impact on the workplace. Therefore, any person interested in HR management must develop a knowledge of the provisions and implications of the act, which is administered by the Occupational Safety and Health Administration (OSHA).

## Americans with Disabilities Act and Safety

The Americans with Disabilities Act (ADA) is an entirely new form of regulation for health and safety. The ADA has created some problems for employers. For



## HR PERSPECTIVE

## Ethical Gray Area?

People 65 and older who are still at work have half as many accidents at work as their younger (perhaps more reckless) colleagues. This is good news, because federal legislation has essentially eliminated mandatory retirement ages except for police, firefighters, and pilots.

But those figures hide a problem. While it is true that older workers have only half as many accidents, they are four times as

likely as younger people to die from those accidents. Further, as a group the older employees take twice as long to mend from injuries due to accidents.

Older workers face many impediments to being hired or staying hired because of their age, and a spokesperson for the American Association of Retired Persons (AARP) warns that pointing out these problems may lead to “rein-

forcing the negative images held by employers.”<sup>8</sup> The ethical dilemma is whether older employees should be treated differently in job assignments, during required training, or regarding other job issues in an attempt to overcome safety issues—and whether this treatment makes it more difficult for older employees to find and keep jobs.

example, employers sometimes try to return injured workers to “light-duty” work in order to reduce workers’ compensation costs. However, under the ADA, in making accommodations for injured employees through light-duty work, employers may be undercutting what really are *essential job functions*. Making such accommodations for injured employees for extended periods of time may require an employer to make accommodations for job applicants with disabilities.

Health and safety record-keeping practices have been affected by the following provision in the ADA:

Information from all medical examinations and inquiries must be kept apart from general personnel files as a separate confidential medical record available only under limited conditions specified in the ADA.

As interpreted by attorneys and HR practitioners, this provision requires that all medical-related information be maintained separately from all other confidential files. Also, specific access restrictions and security procedures must be adopted for medical records of all types, including employee medical benefit claims and treatment records.

## Occupational Safety and Health Act

The Occupational Safety and Health Act of 1970 was passed “to assure so far as possible every working man or woman in the Nation safe and healthful working conditions and to preserve our human resources.” Every employer engaged in commerce who has one or more employees is covered by the act. Farmers having fewer than 10 employees are exempt. Employers in specific industries, such as coal mining, are covered under other health and safety acts. Federal, state, and local government employees also are covered by separate provisions or statutes.

The Occupational Health and Safety Act of 1970 established the Occupational Safety and Health Administration, known as OSHA, to administer its provisions.

The act also established the National Institute of Occupational Safety and Health (NIOSH) as a supporting body to do research and develop standards. In addition, the Occupational Safety and Health Review Commission (OSHRC) has been established to review OSHA enforcement actions and address disputes between OSHA and employers who have been cited by OSHA inspectors.

### Current Mission/Priorities of OSHA

OSHA has fewer than a thousand inspectors for the entire country. With over six million workplaces to visit, some kind of priority system must be established. Inspection is aimed most frequently at sites that have higher-than-industry average injury and illness records.<sup>9</sup> OSHA recently proposed a controversial CCP (Cooperative Compliance Program) through which employers could avoid an OSHA inspection in exchange for agreeing to establish a comprehensive safety and health program that would exceed the legal requirements of existing OSHA standards. However, the CCP idea has met with some resistance by employers.

Two recent legislative actions have been taken that affect OSHA. One law codifies the existing “consultation” programs, in which employers may voluntarily—and without penalty—request OSHA consultations to identify hazards and violations so that the problems can be corrected. The other law prohibits OSHA from basing evaluations for inspectors on the number of citations they issue.<sup>10</sup> Figure 16-3 on the next page shows some areas commonly considered during a safety inspection.



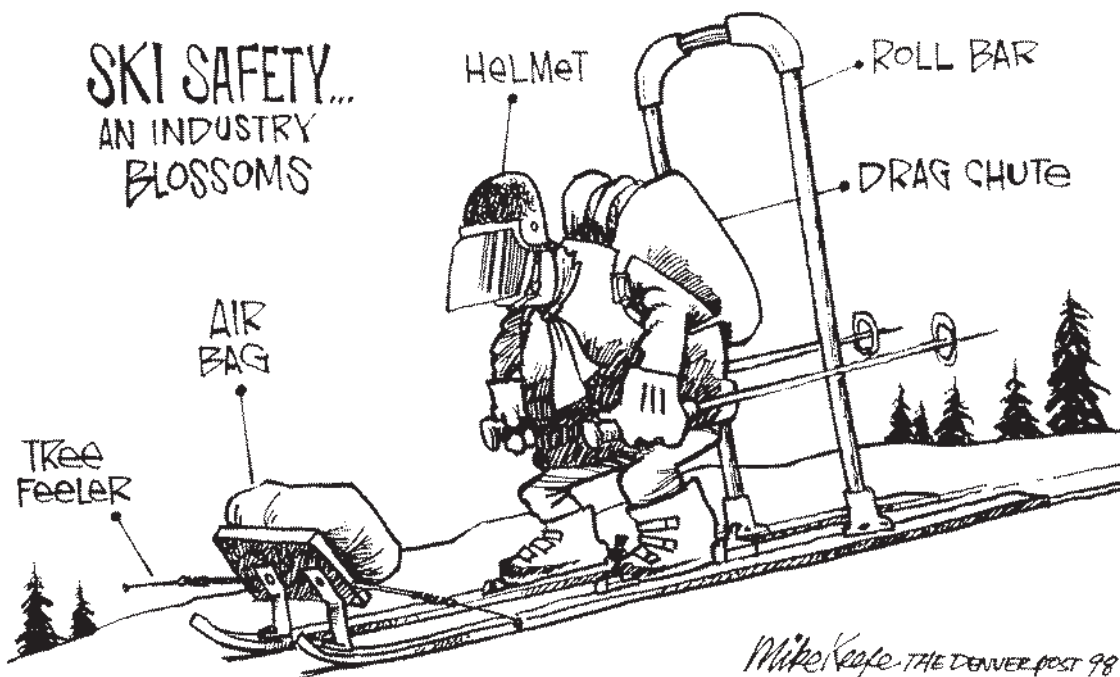
#### LOGGING ON . . .

#### Occupational Safety and Health Administration

This website is the OSHA home page. Access to the OSHA library, regulations for compliance, newsroom, and much more can be found here.

<http://www.osha.gov/>

#### The OSHA-Safe Skier





**FIGURE 16-3** *Some Areas to Audit for OSHA Safety/Health Compliance*

- Is there a written safety/health program?
- Can safety and health training be documented?
- Is a hazards communication program in place?
- Are employees knowledgeable about hazardous materials?
- Are employees trained in first aid/CPR?
- Are employees trained in using personal protective equipment?
- Have accident investigators been trained?
- Can the firm show OSHA a good-faith effort to provide a safe and healthy workplace?

SOURCE: U.S. Department of Labor, Occupational Safety and Health Administration.

## Major OSHA Provisions Affecting Employers

The Occupational Health and Safety Act requires that in areas in which no standards have been adopted, the employer has a *general duty* to provide safe and healthy working conditions. Employers who know of, or who should reasonably know of, unsafe or unhealthy conditions can be cited for violating the general duty clause. Also, employers are responsible for knowing about and informing their employees of safety and health standards established by OSHA, and for displaying OSHA posters in prominent places. In addition, employers are required to enforce the use of personal protective equipment and to provide communications to make employees aware of safety considerations. The act also states that employees who report safety violations to OSHA cannot be punished or discharged by their employers.

**REFUSING UNSAFE WORK** Union as well as nonunion workers have refused to work when they considered the work unsafe. Although such actions may appear to be insubordination, in many cases they are not. The following are current legal conditions for refusing work because of safety concerns:

- The employee's fear is objectively reasonable.
- The employee has tried to have the dangerous condition corrected.
- Using normal procedures to solve the problem has not worked.

**WORK ASSIGNMENTS AND REPRODUCTIVE HEALTH** Related to unsafe work is the issue of assigning employees to work in areas where their ability to have chil-

dren may be affected by exposure to chemical hazards. Women who are able to bear children or who are pregnant have presented the primary concerns, but in some situations, the possibility that men might become sterile also has been a concern.

In a court case involving reproductive health, the Supreme Court held that Johnson Controls' policy of keeping women of childbearing capacity out of jobs that might involve lead exposure violated the Civil Rights Act and the Pregnancy Discrimination Act. To protect unborn children from the toxic effects of lead, Johnson Controls (which made lead batteries) barred women from jobs working around the lead. The Court said, "Decisions about the welfare of future children must be left to the parents who conceive, bear, support, and raise them rather than to the employers who hire those parents."<sup>11</sup>

There is very little research on reproductive health hazards. Yet employers need to protect themselves from liability for the effects of workers' exposure to threats to reproductive health. To do so, the following actions are suggested:

- Maintain a safe workplace for all by seeking the safest methods.
- Comply with all state and federal safety laws.
- Inform employees of any known risks.
- Document employee acceptance of any risks.

However, it should be noted that there is no *absolute* protection from liability for employers.<sup>12</sup>

**ENFORCEMENT STANDARDS** To implement OSHA, specific standards were established regulating equipment and working environments. National standards developed by engineering and quality control groups are often used. Figure 16–4 on the next page shows the OSHA standard for personal protective equipment (PPE) as an illustration. OSHA rules and standards often are very complicated and technical. Small-business owners and managers who do not have specialists on their staffs may find the standards difficult to read and understand. In addition, the presence of many minor standards has hurt OSHA's credibility.

**HAZARD COMMUNICATION** OSHA also has enforcement responsibilities for the federal Hazard Communication Standard, which requires manufacturers, importers, distributors, and users of hazardous chemicals to evaluate, classify, and label these substances. Employers also must make available—to employees, their representatives, and health professionals—information about hazardous substances. This information is contained in *material safety data sheets* (MSDSs), which must be kept readily accessible to those who work with chemicals and other substances. The MSDSs also indicate antidotes or actions to be taken should someone come in contact with the substances.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)** One goal of OSHA has been to develop standards for personal protective equipment (refer again to Figure 16–4). These standards require that employers conduct analyses of job hazards, provide adequate PPE to employees in those jobs, and train employees in the use of PPE.

**BLOODBORNE PATHOGENS** OSHA issued a standard "to eliminate or minimize occupational exposure to hepatitis B virus (HBV), human immunodeficiency virus (HIV), and other bloodborne pathogens." This regulation was developed to



**BNA: 3405.10**  
**Chemical Safety and**  
**Hazard Communication**

The details of complying with the OSHA hazard communication standards are explained here. After reading, check with your current employer for the availability of the material safety data sheets (MSDS).

**FIGURE 16-4 OSHA Personal Protective Equipment (PPE) Standard****OSHA standard 1910.132, General Requirements for Personal Protective Equipment for General Industry, requires employers to**

- Perform a hazard assessment and equipment selection.
- Inform all affected employees of the hazards and the type of equipment that will be used to protect them.
- Ensure that each employee is properly fitted.
- Verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace and the person certifying that the evaluation has been performed.
- Mandate that defective or damaged PPE shall not be used and determine the extent of applicable “defect or damage.”
- Train each employee to know, at a minimum, the following: when PPE is necessary; what PPE is necessary; how to properly don, doff, adjust, and wear PPE; PPE's limitations; and proper care, maintenance, life, and disposal of PPE.
- Test employees or otherwise ensure that employees can demonstrate understanding of the training covered and the ability to use the PPE properly before being allowed to perform work requiring the use of PPE. The employer must first define the learning objectives of the training required.
- Retrain an employee when there is reason to believe that an affected employee who has undergone training does not have the understanding and skill required.
- Verify that each affected employee has received and understands the required training through a written certification bearing the name of each employee trained and the subjects of certification.

SOURCE: General Industry Standards. USDOL Pamphlet OSHA No. 2206, OSHA Safety & Health STDS (29 CFR1910).

protect employees from AIDS who regularly are exposed to blood and other such substances. Obviously, health-care laboratory workers, nurses, and medical technicians are at greatest risk. However, all employers covered by OSHA regulations must be prepared in workplaces where cuts and abrasions are common. Employers with the most pronounced risks are required to have written control and response plans and to train workers in following the proper procedures.

## OSHA Inspections

The Occupational Safety and Health Act provides for on-the-spot inspections by OSHA representatives, called *compliance officers* or *inspectors*. Under the original act, an employer could not refuse entry to an OSHA inspector. Further, the original act prohibited a compliance officer from notifying an organization before an inspection. Instead of allowing an employer to “tidy up,” this *no-knock provision* permits inspection of normal operations. The provision was challenged in numerous court suits. Finally, in 1978, the U.S. Supreme Court ruled on the issue in the case of *Marshall v. Barlow's, Inc.* In that case, an Idaho plumbing and air conditioning firm, Barlow's, refused entry to an OSHA inspector. The government

argued that the no-knock provision was necessary for enforcement of the act, and that the Fourth Amendment did not apply to a business situation in which employees and customers have access to the firm.

The Supreme Court rejected the government's arguments, holding that safety inspectors must produce a search warrant if an employer refuses to allow an inspector into the plant voluntarily. However, the Court ruled that an inspector does not have to show probable cause to obtain a search warrant. A warrant can easily be obtained if a search is part of a general enforcement plan.<sup>13</sup>

**DEALING WITH AN INSPECTION** When an OSHA compliance officer arrives, managers should ask to see the inspector's credentials. Next, the HR representative for the employer should insist on an opening conference with the compliance officer. The compliance officer may request that a union representative, an employee, and a company representative be present while the inspection is conducted. In the inspection, the officer checks organizational records to see if they are being maintained and to determine the number of accidents that have occurred. Following this review of the safety records, the officer conducts an on-the-spot inspection and may use a wide variety of equipment to test compliance with standards. After the inspection, the compliance officer can issue citations for any violations of standards and provisions of the act.

**CITATIONS AND VIOLATIONS** While OSHA inspectors can issue citations for violations of the provisions of the act, whether a citation is issued depends on the severity and extent of the problems, and on the employer's knowledge of them. In addition, depending on the nature and number of violations, penalties can be assessed against employers. The nature and extent of the penalties depend on the type and severity of the violations as determined by OSHA officials. Figure 16-5 shows sample OSHA proposed penalties and violations for a recent year.

There are five types of violations, ranging from severe to minimal, including a special category for repeated violations:

- *Imminent danger:* When there is reasonable certainty that the condition will cause death or serious physical harm if it is not corrected immediately, an imminent-danger citation is issued and a notice posted by an inspector. Imminent-danger situations are handled on the highest-priority basis. They are reviewed by a regional OSHA director and must be corrected immedi-

**FIGURE 16-5** *Examples of OSHA-Proposed Penalties for a Recent Year*

Company	Proposed Penalty	Alleged Violations
Wyman-Gordon Forgings	\$1.8 million	Lockout/tagout
Cagle's Inc.	\$1.3 million	Lockout/tagout
CF & I Steel	\$1.3 million	Fall Protection
AgriGeneral Co.	\$1 million	Fire Electrical, Sanitation
American Rockwood Inc.	\$824,600	Confined Space
Landis Plastics Inc.	\$720,700	Record keeping, Machine Guards, Ergonomics

SOURCE: The U.S. Department of Labor, Occupational Safety and Health Administration

ately. If the condition is serious enough and the employer does not cooperate, a representative of OSHA may go to a federal judge and obtain an injunction to close the company until the condition is corrected. The absence of guard railings to prevent employees from falling into heavy machinery is one example.

- *Serious:* When a condition could probably cause death or serious physical harm, and the employer should know of the condition, a serious-violation citation is issued. Examples are the absence of a protective screen on a lathe or the lack of a blade guard on an electric saw.
- *Other than serious:* Other-than-serious violations could have an impact on employees' health or safety but probably would not cause death or serious harm. Having loose ropes in a work area might be classified as an other-than-serious violation.
- *De minimis:* A *de minimis* condition is one that is not directly and immediately related to employees' safety or health. No citation is issued, but the condition is mentioned to the employer. Lack of doors on toilet stalls is a common example of a *de minimis* violation.
- *Willful and repeated:* Citations for willful and repeated violations are issued to employers who have been previously cited for violations. If an employer knows about a safety violation or has been warned of a violation and does not correct the problem, a second citation is issued. The penalty for a willful and repeated violation can be very high. If death results from an accident that involves such a safety violation, a jail term of six months can be imposed on responsible executives or managers.



### **BNA: 3405.40** **OSHA Record Keeping and Reporting**

The various records and reports required by OSHA are detailed here. Check with your current employer about the posting requirements and the most recent OSHA 200 form.

## **Record-Keeping Requirements**

OSHA has established a standard national system for recording occupational injuries, accidents, and fatalities. Employers are generally required to maintain a detailed annual record of the various types of accidents for inspection by OSHA representatives and for submission to the agency. Employers that have had good safety records in previous years and that have fewer than 10 employees are not required to keep detailed records. However, many organizations must complete OSHA form 200, a portion of which is shown in Figure 16–6. Those organizations required to complete OSHA 200 reports are:

- Firms having frequent hospitalizations, injuries, or illnesses
- Firms having work-related deaths
- Firms included in OSHA's annual labor statistics survey

No one knows how many industrial accidents go unreported. It may be many more than anyone suspects, despite the fact that OSHA has increased its surveillance of accident-reporting records. OSHA guidelines state that facilities whose accident record is below the national average rarely need inspecting.

**ACCIDENT FREQUENCY RATE** Accident frequency and severity rates must be calculated. Regulations from OSHA require organizations to calculate injury frequency rates per 100 full-time employees on an annual basis. Employers compute accident severity rates by figuring the number of lost-time cases, the number of lost workdays, and the number of deaths. These figures are then related to total work hours per 100 full-time employees and compared with industry-wide rates and other employers' rates.

FIGURE 16-6 OSHA Form 200

U.S. Department of Labor																			
For Calendar Year 19__											Page__ of __								
Company Name											Form Approved O.MB No. 1220-0029								
Establishment Name																			
Establishment Address																			
Extent of and Outcome of INJURY						Type, Extent of, and Outcome of ILLNESS													
Fatalities		Nonfatal Injuries				Type of illness						Fatalities		Nonfatal illnesses					
Injury Related	Injuries With Lost Workdays					Injuries Without Lost Workdays	CHECK Only one Column for Each Illness (See other side of form for terminations or permanent transfers.)							Injury Related	Injuries With Lost Workdays				Illness Without Lost Workdays
	Enter DATE of death	Enter a CHECK if injury involves days away from work, or days of restricted work activity, or both.	Enter a CHECK if injury involves days away from work.	Enter number of DAYS away from work.	Enter number of DAYS of restricted work activity.		Enter a CHECK if no entry was made in columns 1 or 2 but the injury is recordable as defined above.	Occupational skin diseases or disorders	Dust/diseases of the lungs	Respiratory conditions due to toxic agents	Poisoning (systemic effects of toxic materials)	Disorders due to physical agents	Disorders associated with repeated trauma		All other occupational illnesses	Enter DATE of death	Enter a CHECK if illness involves days away from work, or days of restricted work activity, or both.	Enter a CHECK if illness involves days away from work.	
(1)	(2)	(3)	(4)	(5)	(6)	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(8)	(9)	(10)	(11)	(12)	(13)	

**REPORTING INJURIES AND ILLNESSES** Four types of injuries or illnesses have been defined by the Occupational Safety and Health Act of 1970:

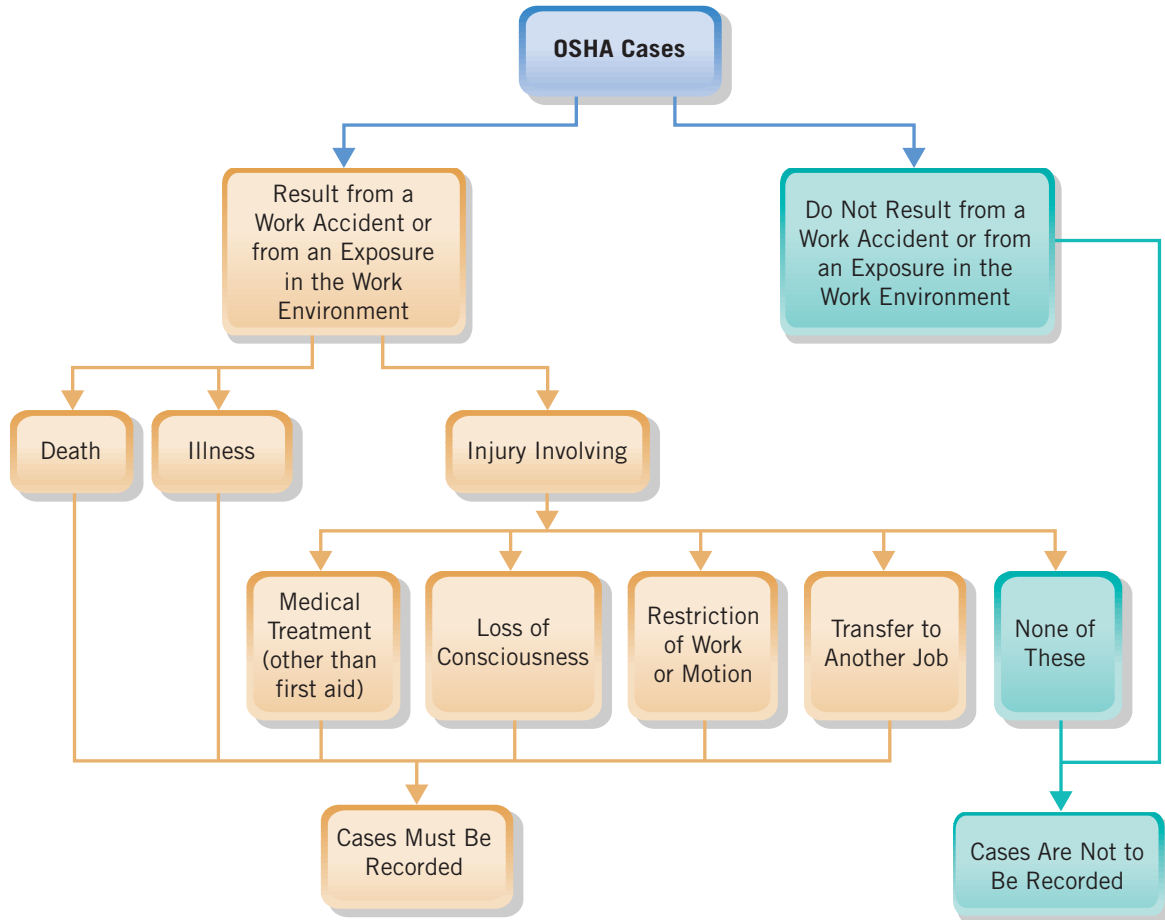
- *Injury- or illness-related deaths*
- *Lost-time or disability injuries:* These include job-related injuries or disabling occurrences that cause an employee to miss his or her regularly scheduled work on the day following the accident.
- *Medical care injuries:* These injuries require treatment by a physician but do not cause an employee to miss a regularly scheduled work turn.
- *Minor injuries:* These injuries require first-aid treatment and do not cause an employee to miss the next regularly scheduled work turn.

The record-keeping requirements for these injuries and illnesses are summarized in Figure 16-7 on the next page. Notice that only minor injuries do not have to be recorded for OSHA. Managers may attempt to avoid reporting lost-time or medical care injuries. For example, if several managers are trained in first aid, some minor injuries can be treated at the worksite.

### Evaluating Effects of OSHA

By making employers and employees more aware of safety and health considerations, OSHA has had a significant impact on organizations. But how effective the act has been is not clear. It does appear that OSHA regulations have been able to reduce the number of accidents and injuries in some cases. But while some studies have shown that OSHA has had a positive impact, others have shown that OSHA has had no impact.



**FIGURE 16-7** *Guide to Recordability of Cases Under the Occupational Safety and Health Act*

SOURCE: U.S. Department of Labor Statistics, *What Every Employee Needs to Know About OSHA Record Keeping* (Washington, DC: U.S. Government Printing Office).

OSHA has been criticized on several fronts. Because the agency has so many worksites to inspect, many employers have only a relatively small chance of being inspected. Some suggest that many employers pay little attention to OSHA enforcement efforts for this reason. Labor unions and others have criticized OSHA and Congress for not providing enough inspectors. For instance, it is common to find that many of the worksites at which workers suffered severe injuries or deaths had not been inspected in the previous five years.

Employers, especially smaller ones, continue to complain about the complexity of complying with OSHA standards and the costs associated with penalties and with making changes required to remedy problem areas. Small employers point out that according to statistics from OSHA, their businesses already have significantly lower work-related injury and illness rates than larger ones. For larger firms, the costs of penalties and required changes may be larger, but incurring such costs does not appear to significantly affect the way outsiders—such as investors—view the firms.

## Safety Management

Effective safety management requires an organizational commitment to safe working conditions. But more importantly, well designed and managed safety programs can pay dividends in reduced accidents and the associated costs, such as workers' compensation and possible fines. Further, accidents and other safety concerns do respond to management efforts emphasizing safety. The difference between firms with good safety performance and those OSHA has targeted as being well below the industry average often is an effective safety management program.

### An Effective Safety Management Program

An effective safety management program usually entails the following:

- Organizational commitment and responsibility
- Safety policies and discipline
- Safety training and communications
- Safety committees
- Inspection, accident investigation, and research
- Evaluation of safety efforts

**ORGANIZATIONAL COMMITMENT AND RESPONSIBILITY** At the heart of safety management is an organizational commitment to a comprehensive safety effort. This effort should be coordinated from the top level of management to include all members of the organization. It also should be reflected in managerial actions. If the president of a small electrical manufacturing firm does not wear a hard hat in the manufacturing shop, he can hardly expect to enforce a requirement that all employees wear hard hats in the shop. Unfortunately, sincere support by top management often is missing from safety programs. However, the importance of a real commitment to safety is strongly demonstrated by some public and private organizations, which choose to reject contract bids from firms with poor safety records.

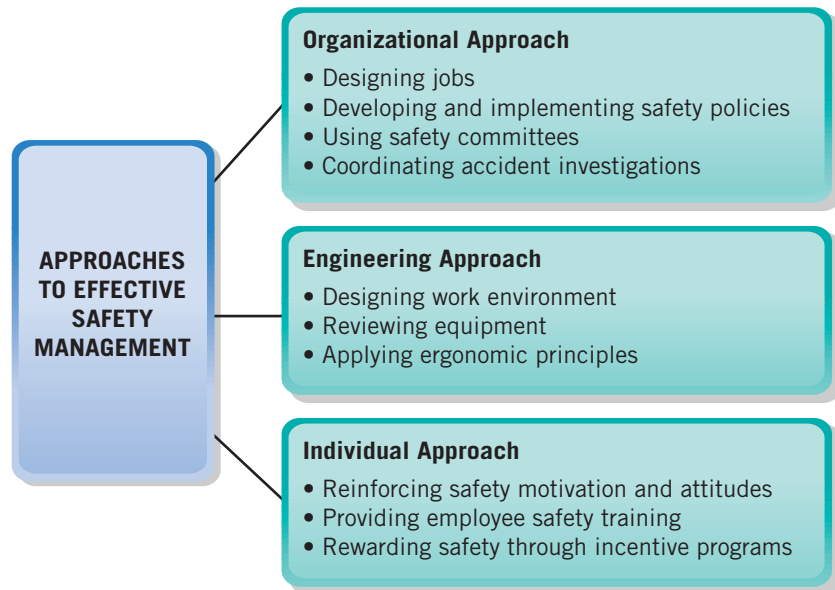
Once a commitment is made to safety, planning efforts must be coordinated with duties assigned to supervisors, managers, safety specialists, and HR specialists.<sup>14</sup> Naturally, duties vary according to the size of the organization and the industry.

There are three different approaches that an employer might choose in managing safety. Successful programs may use *all three* in dealing with safety issues. Figure 16-8 on the next page shows the organizational, engineering, and individual approaches and their components.

The focus of any systematic approach to safety is the continued diligence of workers, managers, and others. Employees who are not reminded of safety violations, who are not encouraged to be safety conscious, or who violate company safety rules and policies are not likely to be safe.

**SAFETY POLICIES AND DISCIPLINE** Designing safety policies and rules and disciplining violators, are important components of safety efforts. Frequently reinforcing the need for safe behavior and supplying feedback on positive safety practices also are extremely effective in improving worker safety.

Consistent enforcement has been used by employers as a defense against OSHA citations. In one situation, a utility foreman was electrocuted while

**FIGURE 16-8** *Approaches to Effective Safety Management*

operating an overhead crane. However, the company was exonerated because it had consistently enforced safety rules and penalized violators. The employee who was killed had violated a safety rule for grounding equipment even though the company had given him regular safety training, had posted signs prominently, and had warned all employees about grounding equipment. The OSHA district director ruled that the employee's action was an isolated incident and management was not to blame.

**SAFETY TRAINING AND COMMUNICATIONS** One way to encourage employee safety is to involve all employees at various times in safety training sessions and committee meetings and to have these meetings frequently. In addition to safety training, continuous communication to develop safety consciousness is necessary. Merely sending safety memos is not enough. Posting safety policies and rules is part of this effort. Contests, incentives, and posters are all ways to heighten safety awareness. Changing safety posters, continually updating bulletin boards, and posting safety information in visible areas also are recommended. Safety films and videotapes are additional ways to communicate safety ideas.

**SAFETY COMMITTEES** Workers frequently are involved in safety planning through safety committees, often composed of workers from a variety of levels and departments. A safety committee generally has regularly scheduled meetings, has specific responsibilities for conducting safety reviews, and makes recommendations for changes necessary to avoid future accidents.<sup>15</sup> Usually, at least one member of the committee is from the HR unit.

Care must be taken that managers do not compose a majority on a safety committee. Otherwise, the employer may be in violation of some provisions of the National Labor Relations Act. That act, as explained in detail in Chapter 18,

prohibits employers from dominating a *labor organization*. Some safety committees have been ruled to be labor organizations because they deal with working conditions.

In approximately 32 states, all but the smallest employers may be required to establish safety committees. From time to time, legislation has been introduced at the federal level to require joint management/employee safety committees. But as yet, no federal provisions have been enacted. Figure 16–9 shows a job description for a safety committee.

**INSPECTION, ACCIDENT INVESTIGATION, AND RESEARCH** It is not necessary to wait for an OSHA inspector to inspect the work area for safety hazards. Inspections may be done by a safety committee or by a safety coordinator. They should be done on a regular basis, because OSHA may inspect organizations with above-average lost workday rates more frequently.

When accidents occur, they should be investigated by the employer's safety committee or safety coordinator. In investigating the *scene* of an accident, it is important to determine the physical and environmental conditions that contributed to the accident. Poor lighting, poor ventilation, and wet floors are some possible contributors.<sup>16</sup> Investigation at the scene should be done as soon as possible after an accident to ensure that the conditions under which the accident occurred have not changed significantly. One way to obtain an accurate view of the accident scene is with photographs or videotapes.

The second phase of the investigation is the *interview* of the injured employee, his or her supervisor, and witnesses to the accident. The interviewer attempts to

**FIGURE 16–9** *Job Description for a Safety Committee*

**SAFETY COMMITTEE**

**Commitment:** *To eliminate workplace hazards that are capable of causing significant injury or illness.*

**Mission:** *To foster a spirit of open communication and cooperation in resolving all issues that pertain to employee safety and health.*

**Responsibilities:** The safety committee shall:

1. Review the results of workplace safety inspections to identify and analyze hazards.
2. Review accident and injury reports (including close calls) to identify and analyze hazards.
3. Review and act upon safety and health concerns, suggestions, and needs communicated by employees and supervisors.
4. Review workplace hazard assessments.
5. Conduct semiannual walk-through safety inspections.
6. Identify and communicate specific safety and health related needs and improvements to the employer, supervisors, and employees.
7. Perform an annual audit of the safety and health program.

SOURCE: Dennis Zimet, "A Comprehensive Safety and Health Program for the Small Employer," *Occupational Health & Safety*, October 1997, 129. Used with permission.

determine what happened and how the accident was caused. These interviews may also generate some suggestions on how to prevent similar accidents in the future. In the third phase, based on observations of the scene and interviews, investigators complete an *accident investigation report*. This report form provides the data required by OSHA.

Finally, *recommendations* should be made on how the accident could have been prevented, and on what changes are needed to avoid similar accidents. Identifying why an accident occurred is useful, but taking steps to prevent similar accidents from occurring also is important.

Closely related to accident investigation is *research* to determine ways of preventing accidents. Employing safety engineers or having outside experts evaluate the safety of working conditions is useful. If many similar accidents seem to occur in an organizational unit, a safety education training program may be necessary to emphasize safe working practices. As an example, a publishing company reported a greater-than-average number of back injuries among employees who lifted heavy boxes. Safety training on the proper way to lift heavy objects was initiated to reduce the number of back injuries.

**EVALUATION OF SAFETY EFFORTS** Organizations should monitor and evaluate their safety efforts. Just as organizational accounting records are audited, a firm's safety efforts should be audited periodically as well. Accident and injury statistics should be compared with previous accident patterns to identify any significant changes. This analysis should be designed to measure progress in safety management. A manager at a hospital might measure its safety efforts by comparing the hospital's accident rate with hospital industry figures and with rates at other hospitals of the same size in the area.

## Engineering Issues in Safety and Health

Logic and reason suggest that both work design and human work behaviors contribute to safety. Yet some approaches to reducing accidents focus on one or the other exclusively. Both approaches as part of a well-organized safety effort are valuable, so they tend to be most effective when considered jointly.

**PHYSICAL SETTING OF WORK** Designing jobs properly requires consideration of the physical setting of a job. The way the work space surrounding a job is utilized can influence the worker's performance of the job itself. Several job-setting factors have been identified, including: size of work area, kinds of materials used, sensory conditions, distance between work areas, and interference from noise and traffic flow. Temperature, noise, and light levels are sensory conditions that affect job performance. For example, noise decreases performance on complex mental tasks, tasks requiring speed, and tasks requiring high levels of perceptual capacity. "Personal space" is another factor to be considered. Some people need more space than others, and space needs vary from culture to culture. Violation of space requirements makes people feel either isolated or crowded. Both reactions may cause stress and related safety and health problems.

**SICK BUILDING SYNDROME** The Environmental Protection Agency (EPA) defines *sick building syndrome* as a situation in which occupants experience acute health problems and discomfort that appear to be linked to time spent in a building. As an example, judges, lawyers, jurors, and employees who stayed in the Suffolk

County Courthouse in Boston for any length of time complained of headaches, dizziness, sore throats, and other illnesses. After extensive study, the problems were traced to a waterproof coating used when the building was renovated. The problems were so severe that approximately 200 workers had to be relocated for several years while various solutions were tried. Unfortunately, this building is not the only example of such problems.

One cause of sick buildings is poor air quality, which arises in “sealed” buildings where windows cannot be opened. Inadequate ventilation, as well as airborne contamination from carpets, molds, copy machines, adhesives, and fungi, can cause sick buildings. Also, problems may result when the air flow and circulation controls are too sophisticated for the people who maintain them, or when operators try to cut corners to save energy.

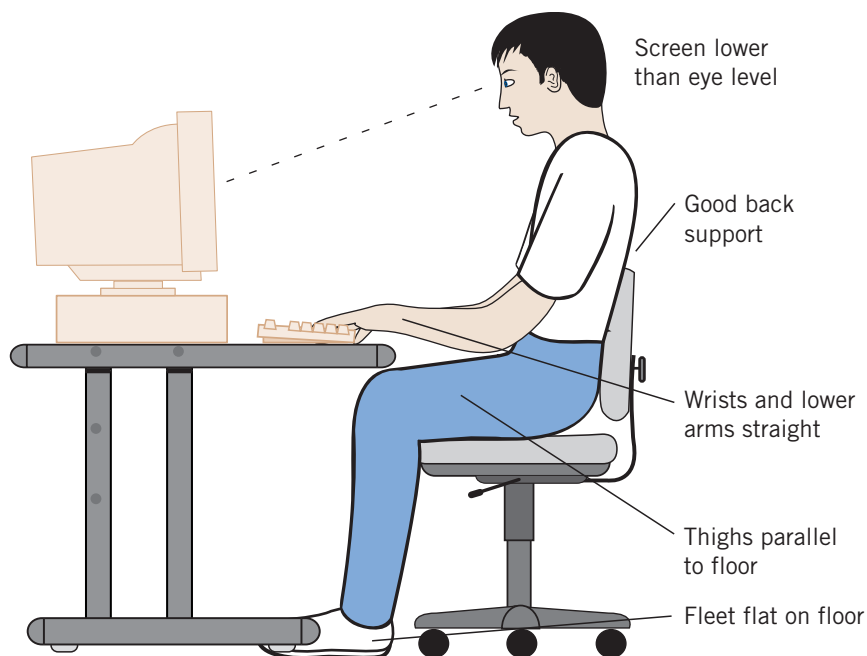
**ERGONOMICS AND SAFETY** **Ergonomics** is the proper design of the work environment to address the physical demands experienced by people. The term comes from the Greek *ergon*, meaning “work,” and the suffix *-omics*, meaning “management of.” An ergonomist studies physiological, psychological, and engineering design aspects of a job, including such factors as fatigue, lighting, tools, equipment layout, and placement of controls. Human factors engineering is a related field.

Most recently, attention has focused on the application of ergonomic principles to the design of workstations where computer operators work with personal computers (PCs) and video display terminals (VDTs) for periods of time. Figure 16–10 shows an ergonomically correct PC/VDT workstation. Notice that the level of the table, vision line of the screen, and chair height are all designed ergonomically. Workstations, tools, and jobs must “fit” a person just as a pair of shoes

### Ergonomics

The proper design of the work environment to address the physical demands experienced by people.

**FIGURE 16–10** *An Ergonomically Correct Workstation*







### LOGGING ON . . .

#### NexGen Ergonomics

This website provides recommended links to organizations and associations that offer information on ergonomic development and trends.

<http://www.nexergo.com/sites.htm>

#### Cumulative trauma disorders (CTDs)

Muscle and skeletal injuries that occur when workers repetitively use the same muscles to perform tasks.

must fit, or injuries can occur. Many eyestrain problems are related to glare and poor lighting or poor screen resolution. Ergonomically correct workstations focus on chair adjustments and support, VDT area and quality, station height, lighting, glare, noise levels, document placement, and screen flicker; rest breaks and employee training are also emphasized.<sup>17</sup>

**ENGINEERING OF WORK EQUIPMENT AND MATERIALS** Employers can prevent some accidents by designing machines, equipment, and work areas so that workers who daydream periodically or who perform potentially dangerous jobs cannot injure themselves and others. Providing safety equipment and guards on machinery and installing emergency switches often forestall accidents. To prevent a punch-press operator from mashing her finger, a safety guard is attached to a machine so her hand cannot accidentally slip into the machine. Actions such as installing safety rails, keeping aisles clear, and installing adequate ventilation, lighting, heating, and air conditioning can all help make work environments safer.

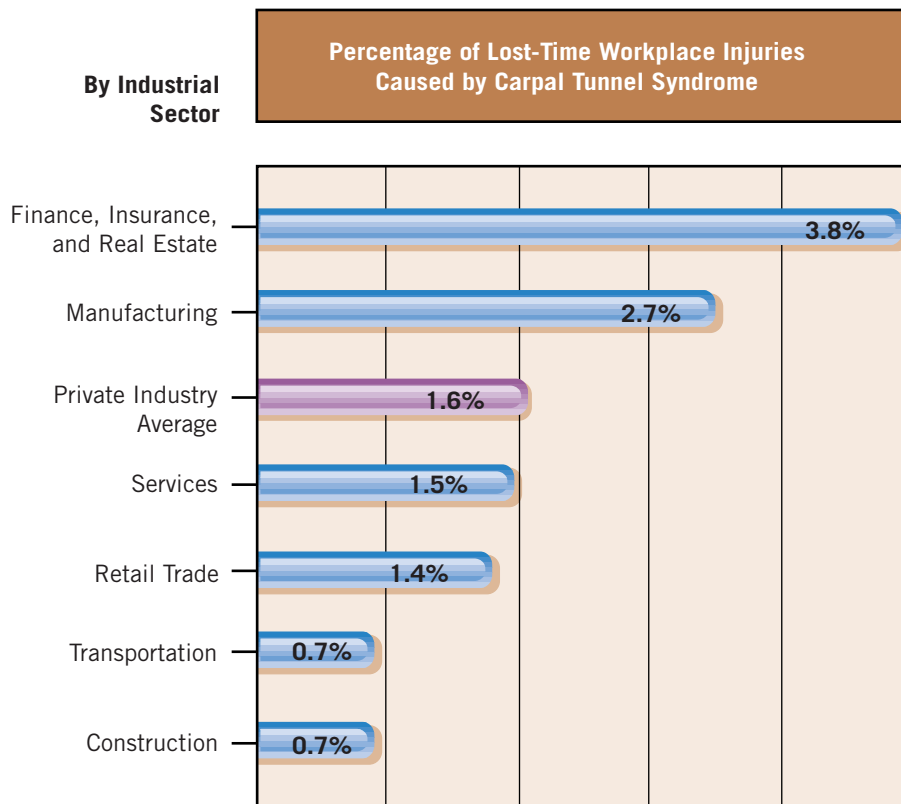
**CUMULATIVE TRAUMA AND REPETITIVE STRESS** Repetitive stress injuries, repetitive motion injuries, cumulative trauma disorders, carpal tunnel syndrome, ergonomic hazards—this listing of serious-sounding problems applies to many workplaces. **Cumulative trauma disorders (CTDs)** occur when workers repetitively use the same muscles to perform tasks, resulting in muscle and skeletal injuries. These problems are occurring in a variety of work settings. The meat-packing industry has the highest level of CTDs. But office workers increasingly are experiencing CTDs, primarily from extensive typing and data entry on computers and computer-related equipment. Grocery cashiers also have experienced CTDs from repetitively twisting their wrists when they scan bar codes on canned goods.

Carpal tunnel syndrome, one of the most common cumulative trauma disorders, has existed for years. Figure 16–11 shows lost-time injuries caused by carpal tunnel syndrome. It is an injury common to people who put their hands through repetitive motions such as typing, playing certain musical instruments, cutting, or sewing. The motion irritates the tendons in the “carpal tunnel” area of the wrist. As the tendons swell, they squeeze the median nerve. The result is pain and numbness in the thumb, index finger, and middle finger. The hands of victims become clumsy and weak. Pain at night increases, and at advanced stages not even surgery can cure the problem. Victims eventually lose feeling in their hands if they do not receive timely treatment.

### Individual Approach to Safety

Engineers approach safety from the perspective of redesigning the machinery or the work area. Industrial psychologists see safety differently. They are concerned with the proper match of individuals to jobs and emphasize employee training in safety methods, fatigue reduction, and health awareness.

Industrial psychologists have conducted numerous field studies with thousands of employees, looking at the “human factors” in accidents. The results show a definite relationship between emotional factors, such as stress, and accidents. Other studies point to the importance of individual differences, motivation, attitudes, and learning as key factors in controlling the human element in safety.

**FIGURE 16–11** *Lost Time to Carpal Tunnel Syndrome, by Industry*

SOURCE: U.S. Department of Labor, Bureau of Labor Statistics

Individual-based safety attempts to identify and modify behaviors that can lead to accidents.<sup>18</sup> It may use “coaches” or “observers” to identify dangerous behavior.

**ACCIDENT RATES AND INDIVIDUALS** Attitudinal variables are among the individual factors that affect accident rates. Attitudes toward working conditions, accidents, and safe work practices can be important, because more problems are caused by careless employees than by machines or employer negligence. At one time, workers who were dissatisfied with their jobs were thought to have higher accident rates. However, this assumption has been questioned in recent years. Although employees’ personalities, attitudes, and individual characteristics apparently have some influence on accidents, exact cause-and-effect relationships are difficult to establish.

**ACCIDENT RATES AND WORK SCHEDULES** Work schedules can be another cause for accidents. The relationship between work schedules and accidents can be explained as follows: Fatigue based on physical exertion rarely exists in today’s industrial workplace. But fatigue defined as boredom, which occurs when a person is required to do the same tasks for a long period of time, is rather common. As

## HR PERSPECTIVE

## Working on the Railroad

For more than 130 years, napping on the job would get you fired at the Union Pacific Railroad. The huge carrier is the nation's largest railroad, serving the western two-thirds of the country with its 36,000 miles of track. But following a year in which 11 Union Pacific employees died on the job, it was clear that some changes were needed. The accidents led to an investigation by the Federal Railroad Administration, which concluded that Union Pacific had suffered a "fundamental breakdown" in safety. Employee fatigue was identified as one of the main problems.

Traditionally, railroads have

called engineers and conductors to work whenever they are needed to move trains. That practice made for unpredictable lifestyles for train crews and their families. Even though federal law requires that crew members take 8 to 10 hours off between trips, it has been difficult for many crew members to get rest on such a schedule.

Union Pacific hired Alertness Solutions, a California firm that studies worker fatigue. The company helped Union Pacific develop test programs that give workers at least 2 days off in a row on a set schedule. Schedules might include 5 days on and 2 off, or 8 on and 3 off. Fur-

ther, "napping programs" allow one of two members of a typical train crew to nap while the other is awake, but only when the train is stopped. Based on research by the California firm and others, napping has been found to make workers 34% more effective at their jobs and 100% more alert.

Union Pacific will monitor results on the test programs developed with Alertness Solutions before deciding whether to use them throughout the company. But already the changes have caused culture shock as a result of worker rescheduling for the sake of safety.<sup>19</sup>

fatigue of this kind increases, motivation is reduced; along with decreased motivation, workers' attention wanders, and the likelihood of accidents increases.

A particular area of concern in work scheduling is overtime. Overtime work has been consistently related to accident incidence. Further, the more overtime worked, the more severe accidents appeared to be.

Another area of concern is the relationship of accident rates to different shifts, particularly late-night shifts. Many employees who work late-night shifts experience sleeplessness during the day, so that they arrive back at work tired and not as alert. Also, because there tend to be fewer supervisors and managers working the "graveyard" shifts, workers tend to receive less training and supervision. Both of these factors lead to higher accident rates; see the HR Perspective for an example.

**EMPLOYEE SAFETY MOTIVATION AND INCENTIVES** Convincing employees to keep safety standards continuously in mind while performing their jobs is difficult. Often, employees think that safety measures are bothersome and unnecessary until an injury occurs. For example, it may be necessary for employees to wear safety glasses in a laboratory most of the time. But if the glasses are awkward, employees may resist using them, even when they know they should have protection. Also some employees, who may have worked for years without wearing the glasses, may think this requirement is a nuisance. Because of such problems, safety training and communication efforts must address safety issues, so that employees view safety as important and are motivated to follow safe work practices.

To encourage employees to work safely, many organizations have used safety contests and have given employees incentives for safe work behavior.

Jewelry, clocks, watches, and even vacation trips have been given as rewards for good safety records. For example, safe driving awards for drivers in trucking firms have been quite successful in generating safety consciousness. Belt buckles and lapel pins are especially popular with the drivers. Unfortunately, there is some evidence that incentives tend to reinforce underreporting and “creative” classifying of accidents. In the last few days of a big safety contest, most people will think long and hard before they cost their team the prize by reporting an accident.<sup>20</sup>

## Health

Employee health problems are varied—and somewhat inevitable. They can range from minor illnesses such as colds to serious illnesses related to the jobs performed. Some employees have emotional health problems; others have alcohol or drug problems. Some problems are chronic; others are transitory. But all may affect organizational operations and individual employee productivity. A look at some common health problems at work follows next.

### AIDS and Other Life-Threatening Illnesses

Employers are increasingly confronted by problems associated with employees who have AIDS or other life-threatening illnesses such as cancer. First, there is eventual decline in productivity and attendance brought on by progressive deterioration. Then, with AIDS specifically, there are the problems associated with coworker anxiety in the workplace. However, with new treatments for HIV and AIDS, more HIV-positive employees are able to participate in the workforce longer. The Centers for Disease Control estimates that there are between 650,000 and 900,000 people with HIV or AIDS in the United States, with 40,000 added each year.<sup>21</sup> Of those, 85% are male, 35% are African American, 18% are Hispanic American, and 46% are white.<sup>22</sup>

Some firms have policies to deal with AIDS and other life-threatening illnesses. Firms that have lost an employee to one of these diseases are more likely to have



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a policy than those that have not. But estimates are that only 25% of the larger employers in the United States have a policy on life-threatening illness.

It appears that many companies deem it unnecessary to adopt specific policies that deal solely with AIDS and other life-threatening illnesses because they do not want to draw attention to them and unnecessarily alarm employees. No matter what information the experts might offer to assuage the fear of other employees, a co-worker with AIDS, whether on the shop floor or in the executive offices, creates feelings of anxiety and unease among other employees, suppliers, and customers. To meet this problem, and yet address the needs of afflicted employees, some companies are electing to continue to pay the employees full salary, medical, and retirement benefits on the stipulation that they not return to work. In a different approach, other employers have instituted education and training programs to educate employees about AIDS and other life-threatening illnesses.

### Smoking at Work

Arguments and rebuttals characterize the smoking-at-work controversy, and statistics are rampant. A multitude of state and local laws have been passed that deal with smoking in the workplace and public places. Passage of these laws has been viewed by many employers positively, because they relieve employers of the responsibility for making decisions on smoking issues. But many courts, unlike state legislatures, have been hesitant to address the smoking-at-work issue. They clearly prefer to let employers and employees resolve their differences rather than prohibiting or supporting the right to smoke.

As a result of health studies, complaints by nonsmokers, and state laws, many employers have established no-smoking policies throughout their workplaces. Although employees who smoke tend to complain initially when a smoking ban is instituted, they seem to have little difficulty adjusting within a few weeks, and many quit smoking or reduce the number of cigarettes they use each workday. Employers have also offered smoking cessation workshops and even cash incentives to employees who quit smoking, and these measures do seem to reduce smoking by employees.

### Substance Abuse

#### Substance abuse

The use of illicit substances or the misuse of controlled substances, alcohol, or other drugs.

**Substance abuse** is defined as the use of illicit substances or the misuse of controlled substances, alcohol, or other drugs. There are millions of substance abusers in the workforce, and they cost the United States billions of dollars annually. The incidence of substance abuse is greatest among white men aged 19 to 23. At work it is higher among men than women and higher among whites than other groups. Also, blue-collar workers are more likely than white-collar workers to abuse substances.

Drug tests are used by many employers, and the number of positive test results are dropping. These results may mean that fewer employees are using drugs, or that drug users have learned to avoid analysis, or both. If an employee tests positive, 22% of employers terminate that worker immediately, 21% take disciplinary actions, and 63% refer the worker to counseling and treatment.<sup>23</sup> More information on drug testing is contained in Chapter 17.

Alcohol testing is on the rise as well; about a third of businesses test for alcohol use.<sup>24</sup> Most such testing follows an accident or is done for reasonable cause, such as failing a fitness-for-duty test.<sup>25</sup>

**FITNESS-FOR-DUTY TESTS** Everyone experiences day-to-day variations in their ability to perform their work-related duties. These variations are usually small and of little consequence. However, alcohol or drugs can cause significant changes. Fitness-for-duty tests are an attempt to detect such impairment *before* putting a person behind dangerous equipment. As an example, when a crew of delivery-truck drivers comes to work, they are asked to “play” a video game—with serious consequences. Unless the machine presents a receipt saying they passed the test, they are not allowed to drive their trucks that day. These video games measure whether employees have the hand-eye coordination to perform their jobs on a given day. The computer has already established a baseline for each employee. Subsequent testing measures the employees against these baselines. Interestingly, most test failures are *not* drug- or alcohol-related. Initial results suggest that fatigue, illness, and personal problems more frequently render a person unfit to perform a sensitive job.

Not everyone likes fitness-for-duty testing. One federal drug official questions the reliability of such tests in detecting impairment. And a union official opposes the tests on the principle that management could come in and establish a company baseline designed to eliminate older employees. But another union president notes that fitness-for-duty tests are less invasive than drug tests overall and the results from them are often available sooner. Indeed, as a common saying goes in some dangerous jobs, urinalysis results arrive just in time for the funeral.<sup>26</sup>

**SUBSTANCE ABUSE AND THE ADA** The Americans with Disabilities Act (ADA) determines how management can handle substance-abuse cases. The practicing illegal drug abuser is specifically excluded from the definition of *disabled* under the act. However, those addicted to legal substances (alcohol, for example) are *not* excluded. Previous legislation and various government agencies have defined *disabled* differently, but members of the medical community seem to agree that both alcohol and drug abuse are mental disorders. Therefore, addiction is generally regarded as a disease, similar to mental disorders. Further, regulations developed to administer the ADA define as disabilities both alcoholism and drug addiction that have been treated. Therefore, the prudent employer considers recovering substance abusers as disabled under the ADA and proceeds accordingly in considering them for employment and making accommodations for them to receive treatment.

**SUBSTANCE ABUSE AND MANAGERIAL RESPONSIBILITY** Employers are concerned about substance abuse because it alters work behaviors. The effects may be subtle, such as tardiness, increased absenteeism, slower work pace, higher rate of mistakes, and less time spent at the workstation. Substance abuse also can cause altered behaviors at work, so that more withdrawal (physical and psychological) and antagonistic behaviors occur. Also, the organization may be held liable for injuries to others if its managers should have been aware that an employee’s drug use was a problem. Figure 16–12 on the next page shows common signs of substance abuse. However, not all signs are present in any one case. A pattern that includes some of these behaviors should be a reason to play closer attention.

To encourage employees to seek help for their substance-abuse problems, a *firm-choice* option is usually recommended and has been endorsed legally. In this procedure, the employee is privately confronted by a supervisor or manager about unsatisfactory work-related behaviors. Then, in keeping with the disciplinary system, he or she is offered a choice between help, possibly through an



**FIGURE 16–12** *Common Signs of Substance Abuse*

- |  |                            |
|--|----------------------------|
| ● Fatigue  | ● Misses deadlines         |
| ● Slurred speech   | ● Depression               |
| ● Flushed cheeks   | ● Irritability             |
| ● Difficulties walking   | ● Emotional                |
| ● Many unscheduled absences, especially on Mondays and Fridays | ● Overreacts               |
| ● Inconsistency  | ● Exhibits violence        |
| ● Difficulty remembering details                               | ● Borrows money frequently |
|  | ● Argues                   |

employee assistance program (discussed later in this chapter), and discipline. Treatment options and consequences of further unsatisfactory performance are *clearly* discussed, including what the employer will do. Confidentiality and follow-up are critical when employers use the firm-choice option.

## Stress

The pressures of modern life, coupled with the demands of a job, can lead to emotional imbalances that are collectively labeled *stress*. Not all stress is unpleasant. To be alive means to respond to the stress of achievement and the excitement of a challenge. In fact, there is evidence that people *need* a certain amount of stimulation, and that monotony can bring on some of the same problems as overwork. The term *stress* usually refers to excessive stress.

Evidence of stress can be seen everywhere, from the 35-year-old executive who suddenly dies of a heart attack to the dependable worker who unexpectedly commits suicide. Several studies indicate that some people who abuse alcohol and/or drugs do so to help reduce stress.<sup>27</sup>

When an emotional problem (stress-related or otherwise) becomes so severe that it disrupts an employee's ability to function normally, the employee should be directed to appropriate professionals for help. Because emotional problems are difficult to diagnose, supervisors and managers should not become involved in the diagnosis. For example, if a worker is emotionally upset because of marital difficulties, a supervisor should not give advice. Instead, the employee should be referred to a program staffed by professionals.

Stress, long considered an American phenomenon, is showing up in other places as well. For example, in France, a survey found that 57% of respondents said they work in stressful conditions. The main causes were time pressure, fear of losing a job, deadlines, and fragmented work.<sup>28</sup>

## Managing Health Issues at Work

Employers who are concerned about maintaining a healthy workforce must move beyond simply providing healthy working conditions and begin to address employee health and wellness in other ways. Some major ways employers are attempting to deal with employee health issues are described next.

## Wellness Programs

Employers' desires to improve productivity, decrease absenteeism, and control health-care costs have come together in the "wellness" movement. **Wellness programs** are designed to maintain or improve employee health before problems arise. Wellness programs encourage self-directed lifestyle changes. Early wellness programs were aimed primarily at reducing the cost and risk of disease. Newer programs emphasize healthy lifestyles and environment. Typical programs may include the following:

- Screenings (risk factors, blood pressures, cardiovascular disease, etc.)
- Exercise programs (endurance, aerobics, strength, etc.)
- Education and awareness programs (stress reduction, weight control, prevention of back pain, etc.)
- Skills programs (CPR, first aid, etc.)

Organizations have entered the "wellness business," not just because they have suddenly developed a higher social conscience, but because each year, employers spend billions of dollars on group life and health insurance premiums. Much of that money goes to finance care after emergencies (such as heart attacks) that are, at least to some degree, preventable.<sup>29</sup>

There are a number of ways to assess the effectiveness of wellness programs. Participation rates by employees is one way. The participation rates vary by type of activity, but generally 20% to 40% of employees participate in the different activities in a wellness program. Although more participation would be beneficial, the programs have resulted in healthier lifestyles for more employees. Cost/benefit analyses tend to support the continuation of wellness programs as well.<sup>30</sup>

## Employee Assistance Programs (EAPs)

One method that organizations are using as a broad-based response to health issues is the **employee assistance program (EAP)**, which provides counseling and other help to employees having emotional, physical, or other personal problems. In such a program, an employer establishes a liaison with a social service counseling agency. Employees who have problems may then contact the agency, either voluntarily or by employer referral, for assistance with a broad range of problems. Counseling costs are paid for by the employer, either in total or up to a preestablished limit.

EAPs are attempts to help employees with a variety of problems. Some HR managers feel that EAPs make their other HR programs more effective.<sup>31</sup> For example, in one large company, the Vice President of Human Resources found that much of his department's time was being consumed by such problems as employee anxiety reactions, suicide attempts, alcohol- and drug-related absences, and family disturbances. Further, the medical department was not able to provide accurate information on whether affected employees could successfully return to work. The vice president decided an EAP might save a great deal of time and money and was able to convince the president of the firm to fund the costs of the EAP.

It is especially important to have such programs available when dealing with a potentially violent employee or one involved with substance abuse. Also, those with life-threatening illnesses or suffering from extreme stress can be referred to EAPs. Figure 16–13 shows the areas addressed by a typical EAP.

### Wellness programs

Programs designed to maintain or improve employee health before problems arise.

### Employee assistance program (EAP)

Program that provides counseling and other help to employees having emotional, physical, or other personal problems.



### LOGGING ON . . . Assistance Services

This website describes employee assistance services, such as counseling, crisis debriefing, and others.

<http://www.neas.com/htsqml.cgi/sections>

**FIGURE 16–13** *Typical Areas Addressed by Employee Assistance Programs (EAPs)*

Unfortunately, it is hard to find an objective assessment of how effective EAPs have been. On the one hand, the Employee Assistance Professionals Association contends that for every dollar employers invest in EAPs, they recover an estimated three to five dollars in reduction of other costs or increased productivity. On the other side of the issue are those who contend that EAPs cause health-care costs to go up, not down, because of difficulty in measuring effectiveness. Further, there are many areas of potential liability arising out of EAPs for employers that must be considered before establishing them.<sup>32</sup>

## Security

Traditionally, when employers have addressed worker health, safety, and security, they have been concerned about reducing workplace accidents, improving workers' safety practices, and reducing health hazards at work. However, a shocking statistic is that *homicide* (meaning murder) is the second leading cause of workplace fatalities in the United States, following only transportation-related deaths.

During the last few years, workplace homicide has been the number one cause of job deaths in several states. Nationally, in one year, approximately one thousand individuals were killed at work, and an additional two million people were attacked at work. About 70% of the workplace fatalities involved armed robberies. (See Figure 16–14.)

Workers such as police officers, taxi drivers, and convenience store clerks are more likely to be murdered on the job than employees in many other occupations. Often, these deaths occur during armed robbery attempts. But what has shocked many employers in a variety of industries has been the number of disgruntled employees or former employees who have resorted to homicide in the workplace to deal with their anger and grievances.

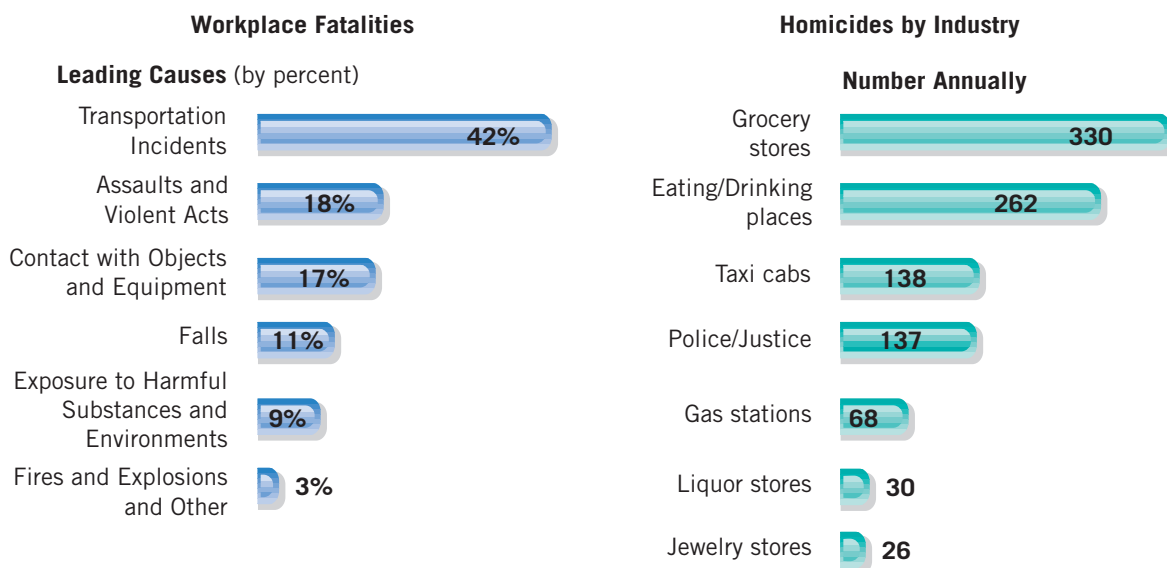
Security in workplaces is increasing in importance as an HR issue. Vandalism of organization property, theft of company equipment and employees' personal property, and unauthorized "hacking" of organization computers are all examples of major security concerns today.

## Workplace Violence

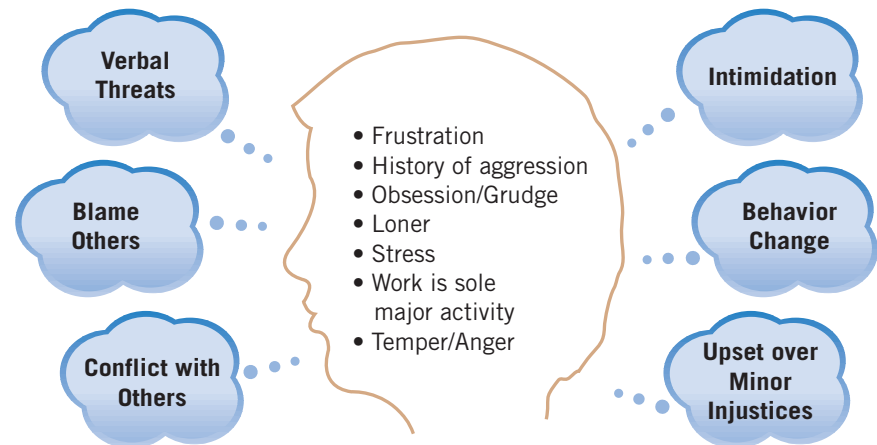
The violence committed at work against employees by coworkers and former coworkers is a growing concern for employers.<sup>33</sup> Also, employers have faced legal action by employees or their survivors for failing to protect workers from violence at work by disgruntled spouses, boyfriends, or girlfriends.

These concerns have led many employers to conduct training for supervisors and managers on how to recognize the signs of a potentially violent employee and what to do when violence occurs. During training at many firms, supervisors learn the typical profile of potentially violent employees. They are trained to notify the HR department and to refer employees to outside counseling

**FIGURE 16–14 Workplace Violence**



SOURCE: U.S. Department of Labor, Occupational Safety and Health Administration

**FIGURE 16–15 Profile of a Potentially Violent Employee**

professionals, whose services are covered by employee assistance programs that are offered by employers.

Figure 16–15 shows the warning signs and characteristics of a potentially violent person at work. Research on individuals who have committed the most violent acts shows the relatively common profile depicted in Figure 16–15. A person with some of these problems may cope for years until a trauma pushes him or her over the edge. A profound humiliation or rejection, the end of a marriage, or the loss of a lawsuit or job may make a difficult employee take a distinct turn for the worse.

Some experts recommend that supervisors talk with employees who make threats in order to allow the employees to vent some of their hostility and anger. Also, supervisors should try to get HR professionals involved. Often, an HR staff member can arrange for an upset employee to talk with the trained professionals available through employee assistance programs.<sup>34</sup> Another approach is to establish a violence response team, composed of employees trained to handle violent individuals. Members of this team can discuss and/or deal with potentially violent employees and customers.<sup>35</sup>

However, employers must be careful, because they may face legal action for discrimination if they discharge employees for behaviors that often precede violent acts. For example, in several cases, employees who were terminated or suspended for making threats or even engaging in physical actions against coworkers have sued their employers, claiming they had mental disabilities under the Americans with Disabilities Act (ADA).



### LOGGING ON . . .

#### OSHA—Workplace Violence Initiative

This OSHA site provides guidelines for preventing workplace violence, along with additional recommendations and information.

<http://www.osha-slc.gov/NewInit/WorkplaceViolence/index.html>

## Domestic Causes of Workplace Violence

Violence that begins at home with family or “friends” can spill over to the workplace. Women are much more likely than men to experience violence committed as a result of a personal relationship. The same is true in the workplace. On the other hand, men are more likely to be attacked by a stranger. Close to 1 in 5 homicides for women at work are current or former husbands or boyfriends.

About 75% of battered women report frequently being harassed by abusing partners at work, by telephone, or in person.<sup>36</sup>

Many employers are unaware of domestic violence and its effects on employees. As the problem gets more recognition, employers are taking some of the following actions to combat the problems:

- Classes in prevention
- Recommending counseling services for victims
- Domestic violence training
- Inclusion of victims in EAPs

## Security Audit

Conducting a comprehensive analysis of the vulnerability of organizational security is the purpose of a **security audit**. Often, such an audit uses managers inside the organization—such as the HR manager and facilities manager—and outsiders, such as security consultants, police officers, fire officials, and computer security experts.<sup>37</sup>

Typically, a security audit begins with a survey of the area around the facility. Such factors as lighting in parking lots, traffic flow, location of emergency response services, crime in the surrounding neighborhood, and the layout of the buildings and grounds are evaluated. Also included is an audit of the security available within the firm, including the capabilities of guards and others involved with security.

Another part of the security audit is a review of *disaster plans*, which address how to deal with natural disasters such as floods, fires, and civil disturbances. The most commonly used preventative measures for enhancing workplace security are:

- Workshops/training
- Security cameras/doors, etc.
- Security guards
- ID badges
- Discipline/termination of offenders
- Threat assessment

## Controlled Access

A key part of security is controlling access to the physical facilities of the organization. As mentioned earlier, many workplace homicides occur during robberies. Therefore, those employees most vulnerable, such as taxi drivers and convenience store clerks, must be provided secure areas to which access is limited. For instance, providing plexiglass partitions and requiring use of cash trays have reduced deaths in some convenience store/gasoline station locations.

Many organizations limit access to facilities and work areas by using electronic access or keycard systems. While not foolproof, these systems can make it more difficult for an unauthorized person, such as an estranged husband or a disgruntled ex-employee, to enter the premises. Access controls also can be used in elevators and stairwells to prevent unauthorized persons from entering certain areas within a facility.

Yet another part of security is controlling access to computer systems. With so many transactions and records being handled by computers, it is crucial that

### Security audit

A review of the security vulnerability in an organization.



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3455.60**

### Workplace Violence

Following an overview on workplace violence, review the pointers on violence prevention policies and compare them to policies at an employer.



adequate security provisions be in place to prevent unauthorized access to computer systems, including human resource information systems (HRIS).

## Employee Screening and Selection

A key facet of providing security is to screen job applicants. As discussed in Chapter 9, there are legal limits on what can be done, particularly regarding the use of psychological tests and checking of references. However, firms that do not screen employees adequately may be subject to liability if an employee commits crimes later. For instance, an individual with a criminal record for assault was hired by a firm to perform interior maintenance of sound equipment. The employee used a passkey to enter a home and assault the owner, and the employer was ruled liable. Of course, employers must be careful when selecting employees to use only valid, job-related screening means and to avoid violating federal EEO laws and the Americans with Disabilities Act.

## Security Personnel

Having sufficient security personnel who are adequately trained is a critical part of security management. Many employers contract for this service with firms specializing in security. If employees are to be used, they must be selected and trained to handle a variety of workplace security problems, ranging from dealing with violent behavior by an employee to taking charge in natural disasters.

## Summary

- Health is a general state of physical, mental, and emotional well-being.
- Safety involves protecting the physical well-being of people.
- Security involves protection of employer facilities and equipment from unauthorized access and protection of employees while on work premises or work assignments.
- Workers' compensation coverage is provided by employers to protect employees who suffer job-related injuries and illnesses. The costs are paid by employers, who must make efforts to control them.
- The Fair Labor Standards Act (FLSA) limits the types of work that employees under the age of 18 can perform.
- The Occupational Safety and Health Act states that employers have a general duty to provide safe and healthy working conditions, and enforcement standards have been established to aid in that process.
- The Occupational Safety and Health Administration (OSHA) conducts inspections of workplaces and can issue citations for several different levels of violations. Also, OSHA requires employers to keep records on occupational illnesses and injuries.
- Effective safety management requires integrating three different approaches: organizational, engineering, and individual.
- Among the organizational approaches to safety management, key elements include organizational commitment, safety policies and discipline, safety training and communications, safety committees, safety inspections and accident investigations, accident research, and evaluation of safety efforts.
- Accident prevention should be approached from both engineering and individual perspectives.
- Some work environments pose health problems, such as sick building syndrome. Fetal protection concerns may also arise in some environments.
- The engineering approach to safety and health considers the physical setting of work, work equipment and materials, and ergonomics to address problems such as cumulative trauma disorder (CTD).

- Accidents and industrial health concerns are major problems, both from cost and personal standpoints. Worker attitudes play a major role in accidents and accident prevention.
- Various health issues have grown in importance for organizations and employees. AIDS, smoking at work, substance abuse, and job stress are among the most prevalent.
- Employers have responded to health problems by establishing and supporting wellness programs and employee assistance programs (EAPs).
- Security of workplaces has grown in importance, particularly in light of the increasing frequency in which workplace violence occurs.
- Employers can enhance security by conducting a security audit, controlling access to workplaces and computer systems, screening employees adequately, and providing security personnel.

## Review and Discussion Questions

1. Identify the purpose of health, safety, and security as HR activities and discuss how they are interrelated.
2. Discuss how controlling workers' compensation costs is related to effective health, safety, and security practices.
3. Describe the Occupational Safety and Health Act and some of its key provisions, including current issues and standards.
4. What should an employer do when faced with an OSHA inspection, and what records should be available?
5. Why must safety management address organizational, engineering, and individual perspectives to be effective?
6. Discuss the following statement by a supervisor: "I feel it is my duty to get involved with my employees and their personal problems to show that I truly care about them."
7. Consider an organization where you have worked and describe some of the security issues discussed in the chapter as they might be identified during a security audit.

## Terms to Know

cumulative trauma disorders (CTDs) 548  
employee assistance program (EAP) 555

ergonomics 547  
health 530  
safety 530  
security 530

security audit 559  
substance abuse 552  
wellness programs 555

## Using the Internet



### Conducting a Job Safety Analysis

As the HR manager of your organization, safety is one of your responsibilities. You have decided to conduct a safety analysis of some jobs. Before the analysis can be completed, it must be approved by the CEO. She has asked you to explain what a job safety analysis is,

tell her why she should approve it, and describe the basic steps involved in the process. Use the following website to assist you.

**<http://www.ncci.com/html/ncfom5.htm>**

## C A S E

## Improving Safety and Health at Oneida Silversmiths

Oneida Silversmiths is a manufacturer of silver flatware and utensils located in Oneida, New York. In the early 1990s, Oneida was experiencing 137 lost-time incidents per year; these were cases in which a work-related injury or illness caused an Oneida worker to miss at least one scheduled workday. Also, Oneida was experiencing 7.3 lost-time accidents per 100 full-time workers. While both of these statistics were below national averages, they were still too high for Oneida. The firm's management knew that occupational injuries and illnesses affected productivity and insurance costs. But being concerned about their employees, Oneida's management also recognized that having workers miss work disrupted work-team activities and results and caused problems for employees and their families.

Oneida's management decided a multifaceted effort was needed to reduce occupational illnesses and injuries. A key manager in this effort was Dr. Scott Treatman, Oneida's medical director. Oneida's approach used both reactive and proactive efforts.

Reactive efforts included actions taken after injuries and illnesses had occurred to (1) prevent them from occurring again and (2) reduce the associated costs. A more thorough injury investigation process was instituted, with the manager of the department where the injured employee worked playing a key role. Part of this process involved identifying how and understanding why the accident occurred and what changes were needed to prevent future accidents. Because back injuries were common at Oneida (and throughout the flatware industry), particular attention was given to reducing the number and severity of back injuries. Now, in addition to having medical assessments of their back disabilities, employees who lose work time due to a back injury

must attend "back school training" before returning to their jobs. The focus of this training is to teach workers how to lift objects and move correctly in order to prevent back injuries. Additionally, the firm began monitoring its workers' compensation costs and claims more closely.

Proactively, Oneida began an ergonomics review of jobs in the firm, particularly those in which the greatest number of occupational illnesses and injuries occurred. Under the direction of a coordinator, departmental ergonomics teams now assess ergonomic hazards, identify potential solutions, and monitor changes after they are made. Regular team meetings are held, and the coordinator reviews the team's activities with senior managers every six months.

An on-site exercise program was started as well. Employees are shown stretching exercises and other movements that will help reduce fatigue and muscle tension. A wellness program builds on this program and focuses on employee health more broadly.

As a result of all of these efforts, over a four-year period, the number of lost-time incidents decreased to fewer than 50, and the number of accidents per 100 full-time workers declined from 7.3 to 1.0. In summary, safety management clearly paid off for Oneida and its workers.<sup>38</sup>

### Questions

1. Discuss how the organizational approach to safety management contributed to the changes at Oneida.
2. Oneida integrated the engineering and individual approaches to safety management. Identify some examples, and discuss why you believe they were successful.

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