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OSHA Delays Construction Silica Rule Until September 23, 2017

By: Michael Peelish, Esq.

The Occupational Safety and Health Administration's (OSHA) final rule on Occupational Exposure to Crystalline Silica in Construction, published on March 25, 2016, established a new Permissible Exposure Limit (PEL) and contained several other significant requirements pertaining to both construction and to general industry/maritime. The construction rule's provisions were codified at 29 CFR §1926.1153 and enforcement originally was scheduled to commence for most provisions on June 23, 2017. The enforcement deadline has been extended by OSHA for three months, until September 23, 2017. The general industry/maritime provisions are still slated to take effect on June 23, 2018.

OSHA's Deputy Assistant Secretary stated that the construction standard for crystalline silica has several unique features that warrant development of additional guidance materials. The delay in enforcement will allow OSHA to conduct additional outreach to the regulated community, train compliance officers, and develop educational materials for employers and enforcement guidance. OSHA staff will provide guidance to employers on what steps they can take to ensure that they are in compliance with the new provisions, which include a reduction in the respirable crystalline silica PEL from 250 $\mu\text{g}/\text{m}^3$ (for an 8-hour TWA) to 50

$\mu\text{g}/\text{m}^3$ for the same period.

The reductions must be achieved by using effective engineering and work practice controls, supplemented with respiratory protection, as warranted.

Our firm has established Abrams Safety & Health Consulting, as a consulting division, to expand its non-legal services to its clients. The consulting arm personnel hold professional certifications including CSP, CIH, CMSP and MSP, as well as engineering expertise. As part of this expansion, Abrams Consulting is focusing on silica-related services such as assessing exposure, drafting written exposure control plans, and advising employers on engineering controls and work practice controls. The professional staff also conducts safety and health audits of mining, construction, and industrial operations.



For more information about Abrams Safety & Health Consulting, and our unique approach to providing safety and health compliance assistance, proactive program development support, and training services, see our new website: <http://www.abramssafety.com>.

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State Level Reductions in Mine Safety Regulation

By: Sarah Korwan, Esq.

Republicans in control of the West Virginia and Kentucky statehouses are trying to bolster their states' failing coal industries and streamline regulations to accomplish this goal. House Bill 384 seeks to reduce or eliminate the state's oversight of coal mine safety, and reduce costs by relying on the federal government's mine enforcement.

In Kentucky, where more than 10,000 mine jobs have disappeared and mines have been shuttered in recent years, proponents of the legislation note that the changes will have significant fiscal savings, as duplication of state and federal oversight is eliminated. House Bill 384, which was signed by the Governor on March 21, 2017, will replace up to three of the four required annual underground mine inspections with safety analysis visits and reduce the minimum number of annual full electrical inspections from two to one. The safety analysis involves an inspector spending a day with at least one miner.

In West Virginia, Senate Bill 687 initially gutted West Virginia's mine safety enforcement agency. The proposed legislation would have eliminated enforcement of longstanding laws and rules. West Virginia regulators would no longer have had the authority to write safety and health regulations. Instead, they could only "adopt policies ... [for] improving compliance assistance" in the state's mines. Opposition was fierce. The legislation even garnered a critical editorial in *The New York Times* and a *Los Angeles Times* op-ed commentary in which Coalwood, WV, native and "Rocket Boys" author Homer Hickam called the moves to reduce mine safety enforcement in West Virginia "foolish ideas".

The blowback was too much to withstand and, ultimately, the changes to the existing safety regulations were minor. The version that passed the Senate contained only one practical improvement in mine safety: a requirement that all mines include in their first-aid equipment an automated external defibrillator. The bill also consolidates several existing state mine safety boards, and contains

language that rewrites the use of diesel equipment in underground mines. It is expected that the governor will sign off on this version.

Secretary's Deference is Overturned in Defining "Coal or Other Mine"

By: Michael Peelish, Esq.

"Location, location, location". Those are the words contained in the U. S. Court of Appeals Sixth Circuit Court decision in *Maxxim Rebuild Company* ("Maxxim") to support overturning what many believe was an incorrect Commission decision. The Sixth Circuit held that a repair shop (not located on mine property) is not a "coal or other mine" subject to the jurisdiction of the Mine Act even though most its work involves repairing mining equipment. The Federal Mine Safety and Health Review Commission ("Commission") leaned heavily on its long-standing decision in *Jim Walters Resources, Inc.*, 21 FMSHRC 22 (Rev Comm. January 2000) in finding that the facility in question was a mine. As the Sixth Circuit rightfully pointed out, "once the agency tries to extend its jurisdiction to off-site shops and off-site equipment, the language of the statute provides no stopping point, leaving the scope of its jurisdiction to the whims of the Secretary".

Maxxim owned and operated seven facilities at locations in Kentucky and West Virginia. The facility in question was located on abandoned mine property. It repairs, rebuilds and fabricates mining equipment and parts for mining equipment and other heavy equipment not used at mines. Admittedly, most of the work done on equipment is for equipment used at mines. The Occupational Safety and Health Administration ("OSHA") regulated 5 of the other locations and the Mine Safety and Health Administration (MSHA) regulated the remaining location which is a repair shop located adjacent to a coal preparation plant. In fact, before the facility in question was relocated to its present location, it did the same work at its previous location that was regulated by OSHA.

Regardless of the broad application of the definition of "coal or other mine" by the MSHA inspector, the Administrative Law Judge upheld MSHA's assertion of jurisdiction and the issuance of multiple citations,

Secretary's Deference Overturned, cont.

some of which were not related to mining equipment.

Maxxim appealed, and the Commission unanimously affirmed MSHA's jurisdiction. The Commission opined that MSHA had jurisdiction over the Maxxim facility based on the language of Section 3(h)(1)(C) of the Mine Act, because the repair shop was a "facility used in the process of extracting and preparing coal". Since the facility maintains, repairs, and fabricates equipment used in the mining process and was located on an abandoned mine property, the Commission felt it fit the definition. The Commission further found that, because approximately 75% of the shop's work was performed on equipment used in coal extraction and preparation activities, jurisdiction was proper.

On appeal, the Sixth Circuit reversed the Commission. In its decision, the Sixth Circuit pulled "back the lens" and found that MSHA's jurisdiction extends only to "facilities and equipment if they are in or adjacent to—in essence part of—a working mine". The Sixth Circuit found the terms "coal or other mine" to be "locational". The Sixth Circuit continued to pull "back the lens" of definitional context and was not persuaded by the Secretary's interpretation of the definition of a "coal or other mine". The Sixth Circuit applied logic, reason, and the law to reverse the Commission. Otherwise any manufacturer of mine equipment could be subject to MSHA's jurisdiction. The original Commission's decision led many to ask, is a Caterpillar manufacturing facility in Peoria subject to the Mine Act since it sells equipment to mines? Clearly, this was not Congress' intent.

OIG Faults MSHA's Mine Emergency Response Oversight

By: Sarah Korwan, Esq.

Last month, the U.S. Department of Labor's Office of Inspector General (OIG) issued a fifty page [report](#) which found federal regulators are still not fully implementing congressionally-mandated reforms of the nation's program for responding to coal mine emergencies.

Subsequent to mine disasters which claimed the lives of 19 workers at the Sago and Aracoma mines in West Virginia and the Darby Mine in Kentucky, more than ten years ago, Congress passed legislation in 2006, the MINER Act, which established new requirements for mine emergency response efforts. After 29 miners were killed at Massey Energy's Upper Big Branch Mine in West Virginia seven years ago, it became all too apparent more changes were needed.

The OIG's audit sampled 51 Emergency Response Plans (ERP) and found the Mine Safety and Health Administration (MSHA) had not standardized its ERP guidance processes, nor offered sufficient training or management oversight. Other findings showed that 177 listed emergency contact phone numbers were either disconnected or belonged to another organization, and no one answered repeated calls to an additional 83 numbers. At 11 mines, MSHA was unable to show it had completed required ERP reviews. Other guidance contained gaps related to when new mines were required to submit ERPs and whether certain information could be omitted.

The OIG issued nine recommendations for MSHA, including:

- Maintain an ERP review checklist on MSHA's website that is updated when requirements change.
- Standardize the ERP review and approval processes and tools across MSHA districts.
- Complete periodic internal reviews to verify the accuracy and use of the tracking system.
- Complete periodic internal reviews to verify the accuracy and completeness of inspection reports and first-line supervisor certifications, and ensure MSHA is meeting the requirement in the MINER Act to review ERPs every six months.

MSHA Deputy Assistant Secretary Patricia Silvey issued a response to the OIG's report, agreeing with some – but not all – of the recommendations made. Specifically, MSHA said the inspector general should not have considered 40 of the 177 incorrect phone numbers as incorrect because the caller received the following message: "At no additional charge, AT&T can help you find a similar business in the

OIG Faults MSHA Mine ERP, cont.

same area, since the number you have called is not in service. Please stay on the line for alternate businesses or, for an additional charge, call directory assistance.”

However, the OIG investigators replied to this response, and found MSHA’s proposed alternative unacceptable. The OIG said, “(t)ime is of the essence in emergency situations and MSHA’s assertion that it would be acceptable to connect to a random ‘similar business in the same area’ underestimates the potential gravity of mine emergencies.”

Also, the OIG strongly disagreed with MSHA’s plan to direct mine operators centers to local 911 in case of an emergency, noting that that local emergency providers contacted by 911 are unlikely to be familiar with the mine and issues associated with mine accident.

PHMSA Raises HazMat Penalties

By: Adele L. Abrams, Esq. CMSP

The US Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) has revised the maximum and minimum civil penalties for a knowing violation of the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law. The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 required agencies to update their civil monetary penalties in August 2016 through an interim final rulemaking. PHMSA has elected to execute the 2017 update in a final rulemaking.

The increased penalties took effect April 19, 2017. The specific changes that were implemented by PHMSA's final rule are:

- Revising the maximum civil penalty from \$77,114 to \$78,376 for a person who knowingly violates the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law.
- Revising the maximum civil penalty from \$179,933 to \$182,877 for a person who knowingly violates the Federal hazardous material transportation law or a

regulation, order, special permit, or approval issued under that law that results

- in death, serious illness, or severe injury to any person or substantial destruction of property.
- Revising the minimum penalty amount from \$463 to \$471 for a violation related to training.

For further information on safety and compliance issues for hazardous materials, contact the Law Office at 301-595-3520.

The Fourth Circuit Significantly Expands Joint Employer Liability

By: Diana R. Schroeder

The Fourth Circuit Court of Appeals expanded liability under the joint employer test in a wage and hour claim under the Fair Labor Standards Act in its January 25, 2017 decision, reversing the lower court. Unless the decision in *Salinas v. Commercial Interiors, Inc.*, is appealed (and reversed) by the U.S. Supreme Court, the new “test” announced by the Fourth Circuit changes the legal landscape of contractor-subcontractor relationships, and employers are on notice to evaluate their business relationships in light of the potential impact and increased exposure following this decision.

The case involved a contractor, Commercial Interiors, Inc., and its drywall subcontractor, J.I. General Contractors, Inc. The employees of J.I. General Contractors sued both its employer and Commercial Interiors for unpaid wages, claiming that they worked for both employers, and that the hours they worked must be “aggregated” for purposes of determining compliance with the FLSA. The employees sued under the FLSA and also Maryland state wage and hour laws.

The lower court, the U.S. District Court for the District of Maryland, applied a narrower test for determining joint employer liability under the FLSA, and held that the contractor Commercial Interiors, Inc., was not liable for the wage claims of its subcontractor’s employees.

In rejecting the tests applied by other circuit courts, the Fourth Circuit found that these tests focused on the relationship between a worker and a putative employer “do not address, much less solve,

Joint Employer Liability, cont.

the problem of whether two entities are ‘entirely independent’ or ‘not completely disassociated’ with regard to the essential terms and conditions that govern a worker’s employment, and thus . . . should be treated as ‘one employment’ for purposes of determining compliance with the FLSA.” The Court clarified that the employers’ combined influence over the terms and conditions of a worker’s employment may give rise to joint liability, if the entities are “not completely disassociated”.

The Fourth Circuit provided an analysis of joint employer liability under other labor and employment laws, finding that the FLSA’s definition of “employee”, “employer” and “employ” far more broadly worded. An entity may be an “employer” under the FLSA, and not so under other labor and employment laws. The Fourth Circuit’s 6-factor test includes:

- 1) Whether, formally or as a matter of practice, the putative joint employers jointly determine, share, or allocate the power to direct, control or supervise the worker, whether by direct or indirect means;
- 2) Whether, formally or as a matter of practice, the putative joint employers jointly determine, share, or allocate the power to – directly or indirectly – hire or fire the worker or modify the terms and conditions of the worker’s employment
- 3) The degree of permanency and duration of the relationship between the putative joint employers;
- 4) Whether, through shared management or a direct or indirect ownership interest, one putative joint employer controls, is controlled by, or is under common control with the other putative joint employer;
- 5) Whether the work is performed on a premises owned or controlled by one or more of the putative joint employers, independently or in connection with one another; and

- 6) Whether, formally or as a matter of practice, the putative joint employers, independently or in connection with one another; and
- 7) jointly determine, share, or allocate responsibility over functions ordinarily carried out by an employer, such as handling payroll; providing workers’ compensation insurance; paying payroll taxes; or providing the facilities, equipment, tools, or materials necessary to complete the work.

The Court emphasized that the new 6-factor test may not be an exhaustive list, and that the Department of Labor regulations indicate that “one factor alone can serve as a basis for a finding . . . if the facts supporting that factor demonstrate that the entity has a substantial role in determining the essential terms and conditions of a worker’s employment.” In considering each of the 6 factors, the Court found that Commercial Interiors, Inc. (contractor) and J.I. General Contractors (subcontractor) were “not completely disassociated” and were found jointly liable for the wage claims.

This decision constitutes binding precedent within its Circuit, and will be persuasive authority in other jurisdictions. The Fourth Circuit is a federal court that hears appeals from the nine federal district courts in Maryland, Virginia, West Virginia, North Carolina, and South Carolina and from federal administrative agencies in those jurisdictions. The Law Office’s attorneys regularly practice before this Circuit, as well as multiple other circuits and the Supreme Court of the United States. For more information, please contact the Law Office.

Byrd Is Back

By: Adele Abrams, Esq., CMSP

On April 5, 2017, several members of the US House of Representatives and the US Senate reintroduced the Robert C. Byrd Mine Safety Protection Act of 2017 (HR 1903 and S. 854). The main Senate proponents are Sen. Bob Casey (D-PA), Joe Manchin (D-WV), and Sen. Sherrod Brown (D-OH), while the House bill has five original sponsors. The House Education & Workforce and the Senate Health Education Labor & Pensions committees will have jurisdiction over the measures.

Byrd is Back, cont.

The 74-page legislation will face heavy odds against passage, but it is helpful to recall that in 2006, within months after the Sago mine disaster, a Republican-controlled Congress passed the MINER Act reform measure, which was then signed into law by President George W. Bush. The 2006 measure created the Mine Safety & Health Administration's (MSHA) "flagrant violation" criteria with enhanced penalties that were 75 percent higher than the regular fines, instituted the 15-minute serious injury reporting rule (with the mandated \$5,000 minimum penalty), and instituted many new regulatory requirements for underground coal mines.

Because mine safety legislative initiatives are, unfortunately, usually propelled by mine tragedies, the Byrd Act should not be written off as "dead on arrival." The legislation includes a variety of provisions to strengthen miners' protections and rights, as well as enhancing both civil and criminal penalties. The key provisions include, but are not limited to, the following:

- **MSHA Investigations and Criminal Referrals:** For all accident investigations, MSHA shall determine why the accident occurred, whether there were violations of mandatory standards, and if there is evidence of criminal conduct, make a referral to the Attorney General;
- **NIOSH-Led Independent Investigations:** In addition to the MSHA investigation, there shall be an independent investigation of any accident involving 3 or more deaths, or if the scale for potential or actual harm is such that the Secretary of Health & Human Services opines that the incident merits an independent investigation. Such investigations would be conducted by a five-member panel (with representation for mine operators, labor organizations representing miners), and chaired by a representative from the NIOSH office of Mine Safety & Health research. The panel would identify factors causing the accident -- including

deficiencies in safety management systems, regulations, enforcement, industry practices, or organizational failures, and also identify contributing actions/inactions of the mine operator, contractors, state agencies with oversight responsibilities, the US Department of Labor, the Federal Mine Safety & Health Review Commission, or by other entities such as equipment manufacturers – publish a report and hold public hearings to inform the mining community of its findings and recommendations. NIOSH would have authority to issue subpoenas for witnesses and production of documents as part of its investigatory powers, and could question persons privately without the knowledge of the mine operator or its attorneys.

- **Enhanced Subpoena Powers:** During normal inspections and investigations, MSHA would be granted expanded subpoena powers to require attendance and testimony of witnesses and production of information and documents. Authorized representatives of MSHA (inspectors) and also US Department of Labor attorneys would be allowed to question individuals privately without the presence, involvement or knowledge of the operator or its attorneys. The identity of individuals providing statements pursuant to subpoenas would be kept confidential to the extent permitted by law. However, nothing in the proposed measure would prevent an individual witness from being represented by his/her personal attorney or other representative.
- **Designation of Miner Representative:** If a miner is entrapped, disabled or killed as a result of a mine accident, his/her closest relative may act on behalf of the miner in designating a representative, who can participate in the agency's accident investigation, its interviews, and could review all relevant documents produced unless it would compromise a criminal investigation.

Byrd is Back, cont. (2).

- **Inspections and POV Status:** The bill clarifies that inspections should be conducted during all shifts when miners are normally present, to afford protections to those working all shifts. In addition, MSHA is directed to review with the mine operator (upon request) its Pattern of Violations (POV) status during the pre-inspection conference. The proposal would also codify MSHA's POV criteria, as adopted by the agency on January 23, 2013, and expand MSHA's injunctive authority to eliminate the need for the agency to show a POV before seeking to compel action by the mine operator, modifying the test to "a course of conduct ... that constitutes a continuing hazard to the health or safety of miners."
- **Injury & Illness Reporting:** The legislation provides that records kept by the mine operator shall include manhours worked and occupational injuries/illnesses occurring to miners in their employ, or under their direction or authority. Records must be reported separately for each mine, at least annually. Independent contractors would have to report accidents, occupational injuries and illnesses, and manhours worked for each mine with respect to miners in their employ or under their direction or authority. The reports would have to be signed and certified as accurate by a knowledgeable, responsible person, certified per Section 118 of the Mine Act, and there would be criminal penalties for knowing falsification including de-certification.
- **Limits on Legal Representation:** The legislation would bar an attorney from representing both the mine operator and also any other individuals unless the individual had "knowingly and voluntarily waived all actual and reasonably foreseeable conflicts of interest" and MSHA could take "appropriate" action to ascertain whether the waiver was coerced. If MSHA finds that such an individual could not be "adequately" represented due to a conflict of interest, the agency could petition the US District Court to disqualify the attorney chosen by the individual.
- **Civil Penalty Changes:** The bill includes a new section on "targeted penalties" that provides a civil penalty of not more than \$220,000 can be assessed for changes to ventilation systems without prior approval of MSHA, if it diminishes protections below the approved ventilation plan or applicable safety standard, or if there is a violation of the mandatory rock dusting standard (coal mines), or on the prohibition against advance notice of inspections, or of the standard requiring work area examinations (underground coal mines). There would be doubled penalties for mines placed under a pattern of violations, and if "any person" violates miners' rights under Section 105(c) of the Mine Act, they can be fined a minimum of \$10,000 up to a \$100,000 maximum for the first offense. Agents of mine operators would be subject to the same penalties as the company for any knowing violations.
- **Criminal Penalty Changes:** When conduct occurs that subjects the mine operator to criminal penalties, the company's directors, officers, and agents will be subject to the same penalties. The legislation would increase criminal penalties for knowing violations of mandatory safety or health standards, or actions involving tampering with safety devices, or for failure to comply with a withdrawal order, the criminal penalties would rise to \$1 million per offense and up to 5 years imprisonment. There would also be new criminal penalties for retaliation against miners or their family members for reporting information to MSHA or other law enforcement officers about unsafe or unhealthful conditions, or for interfering with the informant's (or his/her family's) employment. The new penalty for such discrimination is up to 5 years imprisonment and fines pursuant to 18 U.S.C. Advance notice of inspections

Byrd is Back, cont. (3).

would similarly be punished.

- **Penalty Assessments:** In reviewing penalties and citations, the Federal Mine Safety & Health Review Commission would be barred from reducing penalties below the levels set in Part 100, unless it finds extraordinary circumstances. The bill would also impose pre-final order interest on contested citations, starting from the date of the citation contest. For operators who fail to pay their civil penalty assessments, MSHA would be empowered to issue withdrawal orders to remove all workers from the mine until the assessments are paid in full, including interest (or enters into a payment plan with the agency).
- **Expanded Whistleblower Protections:** The legislation would amend Section 105(c) of the Mine Act to expand the statute of limitations for filing a discrimination complaint from the current 60 days to 180 days. MSHA would have to commence an investigation within 15 days and make a determination quickly. If MSHA found the complaint was not frivolous, Federal Mine Safety and Health Review Commission would order immediate reinstatement on an expedited basis until a final order disposing of the complaint is issued or the Commission dismisses the complaint for failure to prosecute. The bill also modifies the burden of proof in discrimination cases, so that the complainant would prevail if the protected conduct was a “contributing factor” to the adverse action, but the mine operator could defend by showing through “clear and convincing evidence” that it would have taken the same adverse action in the absence of the protected conduct. Another provision specifies that rights under Section 105(c) could not be waived through any policies, conditions of employment, or pre-dispute arbitration or collective bargaining agreement.
- **Protection From Loss of Pay:** The measure heightens protections for miners and entitles them to greater compensation than under current law, if they are withdrawn from the mine due to an MSHA order, or if the mine operator closes the mine in anticipation of the issuance of such a closure or withdrawal order, until the mine reopens (or for a period not to exceed 60 days). There are other protections for coal miners who work at mines placed under pattern of violations status.
- **Pre-Shift Review of Mine Conditions:** MSHA would be required to adopt interim final rules (within 180 days of passage) requiring a communication program at underground coal mines so that each miner is orally briefed on hazardous conditions or safety/health violations, as well as the general condition of that miner’s assigned working section or area, prior to entry into that area and commencement of assigned tasks. Additional provisions would require enactment of revised rock dust standards, and atmospheric monitoring requirements, for underground coal mines, as well as a study on respirable dust standards.
- **Refresher Training Changes:** The proposal would amend MSHA’s annual refresher training requirements to expand the 8-hour duration to 9 hours annually, with one hour dedicated to the statutory rights and responsibilities of miners and their representatives. The trainer providing this information would have to either be an MSHA employee, or an MSHA-approved trainer who is independent from the mine operator. The training would include distribution of a toll-free hotline number, for use in submitting hazard and discrimination complaints to the agency by miners and the public. Moreover, the proposal would allow MSHA to issue an order requiring any mine operator to provide additional training beyond what is required by law under Part 46 or Part 48, if a serious or fatal accident has occurred at the mine, or its incidence/injury rates are

Byrd is Back, cont. (4).

higher than average for similar mines, or if the company had a history of failing to train miners, or such additional training would benefit the health and safety of miners.

- **Section 118 Certification:** This provision would require any person who would perform any designated duties or provide training under the Act to be “certified, registered, qualified or otherwise approved” and within a year of enactment, MSHA would have to issue mandatory standards to set forth the requirements for such certifications or approvals, including examinations and experience benchmarks, a time limit for certification and procedures for renewal, and for revoking certification. These programs would be coordinated with states that already have miner certification requirements. MSHA would charge fees to the mine operator for certification of its personnel.
- **Electronic Data:** Within 180 days of enactment, MSHA would have to promulgate regulations requiring all mandated records and data to be created, stored and transmitted in electronic form.
- **Additional Provisions:** The legislation revises the definition of “operator” to include not only owners and lessees but any person who operates or supervises a coal or other mine, or controls such mines by having management or operational decision making authority, or independent contractors performing services or construction at the mine. The definition of “imminent danger” also is expanded to include “the existence of multiple conditions or practices (regardless of whether related to each other) that, when considered in the aggregate, could reasonably be expected to cause death or serious physical harm before such conditions or practices could be abated.” Finally, the definition of “Significant and

Substantial Violation” is modified to mean a violation “of such nature as could significantly and substantially contribute to the cause and effect” of a mine safety or health hazard.

For additional information on the practical implications of this proposed legislation, contact Adele Abrams at safetylawyer@aol.com or call 301-595-3520.

SPEAKING SCHEDULE

ADELE ABRAMS

4/25/17 Industrial Minerals Association - North America Safety & Technical Workshop, present on Multi-Site Safety Programs, St. Paul, MN

4/27/17 BLR webinar on corporate-wide abatement and safety programs

5/9/17 New Mexico Mine Safety Conference, present on Injury Reporting Requirements

5/24/17 National Safety Council, Mid-Year Division Conference, present on Safety Considerations for Unique Populations, Coronado, CA

5/31/17 BLR Webinar on PPE and Hazard Assessment

6/1/17 BLR Webinar on Substance Abuse Programs, Medical & Recreational Marijuana

6/6/17 SafePro Mine Safety Institute, present on MSHA enforcement and requirements, Savannah, GA

6/8/17 BLR Webinar on OSHA Inspection Management and Defense

6/20/17 ASSE PDC, present on Management of Safety & Health Documents

6/22/17 ASSE PDC, present on OSHA walking-working surfaces rule (panel)

TINA STANCZEWSKI

4/25/17 Mid-Atlantic Safety Construction Conference, OSHA Update, Greenbelt, MD

05/24/17 North Carolina Department of Labor, NC Mine Safety & Health Law School, Morganton, NC

10/18/17 California Joint Technical Symposium, The Carson Center, Carson, CA

MICHAEL PEELISH

04/25/17 Annual Mid-Atlantic Construction Conference, Practical Aspects of Implementing OSHA Silica Rule, Greenbelt, MD

04/25/17 BLR Webinar, Countdown to Compliance Under OSHA's Final Silica Rule

05/18/17 Washington Aggregates and Concrete Association, Workplace Exam Rule, Bellevue, Washington



Michael Peelish and Joshua Schultz provide Annual Refresher Training
for the Oregon Independent Aggregate Association
March 20-21, 2017