



SAFETY & TECHNOLOGY ORGANIZER

SEPTEMBER 2013

ENCLOSED

Safety Topic: “Clothing”

Please contact GAWDA's OSHA and EPA Consultant, Mike Dodd for more information.

Traffic Bulletin: “Hours of Service Update”

Please contact GAWDA's DOT and Security Consultant, Mike Dodd for more information.

Medical Gas Bulletin: FAQs, Medical Gas Roundtables, Professional Compliance Seminars and Micro-audit

Please contact GAWDA Medical Gas Consultant, Tom Badstubner for more information.

GAWDA is pleased to distribute this information to: Distributor and Supplier Key Contacts and all Compliance Manual Owners. Please carefully review this mailing and be sure the information is passed to the appropriate person within your organization. Timely Safety data is a benefit of Membership in GAWDA



Safety Meetings are important!

They: get your employees actively involved
encourage safety awareness
help identify problems before they become accidents
motivate employees to follow proper safety procedures

We are happy to provide you with a monthly topic for your agenda.

ROUTE TO:

- General Manager
- Safety Coordinator
- Supervisor Dept. _____
- Other _____
- Date of Meeting _____

CLOTHING

A lot depends upon the safety of your employees: what they do, the equipment and chemicals they work with or near, their coworkers, and the policies and procedures they follow. Add to this list the clothes they wear. Depending upon the tasks they perform, what they wear can mean the difference between going home the way they came in, and not going home at all.

Clothing can both protect employees from hazards and be the cause of hazards. For example, look at the cases where workers have gotten their sleeves caught in grinders, or electrical workers who were not wearing clothing made of flame-resistant fabric when a loose spark caused ignition. When this type of situation happens, it often leads to tragic results.

There are a number of factors employees should consider when choosing what clothing they will wear to work, especially if they work where there is a high potential for hazards.

Clothing that protects

Some positions require the use of articles of clothing known as personal protective equipment (PPE). This can include anything from safety shoes to hard hats to flame or heat resistant outerwear.

Usually, PPE requires some level of training to keep employees aware not only of any potential hazards, but also how to ensure that their PPE will protect them from hazards.

It is generally the company's responsibility to determine when and what type of PPE employees are required to use. It is the employees' responsibility to use the PPE appropriately, be aware of how your PPE works, know how and when to use it, its limitations, and how to maintain it.

PPE hazards

Some tasks will require PPE. These articles of protection can actually create hazards. A protective glove can become caught between rotating parts, or a respirator facepiece can fog up and hinder the wearer's vision. PPE requires continued alertness whenever it is used.

Sometimes wearers of PPE can be lulled into a false sense of security believing that the protection offered to them by PPE is higher than it actually is. Ensure that employees are aware of any limitations of the PPE that is assigned them.

Other Considerations for Clothing

You may choose what PPE your employees must wear, but they can add to their level of protection by choosing their own clothing wisely. Here are a few examples of occupations and some clothing elements to consider:



Occupation element	Protective clothing elements
Welding	Dark clothing to reduce reflection under the face shield;
	Garments made of flame-resistant fabric, or fabric treated with a flame resistant agent;
	Wool clothing to resist deterioration;
	Clothing thick enough to prevent flash-through burns;
	Trousers without pockets or cuffs that could catch stray sparks;
	Long sleeves, no shorts; and
	Avoid nylon or polyester as it melts and sticks to the skin when ignited.
Electrical	Clothing that has no metal fasteners;
	Rubber soled shoes;
	Trousers without pockets or cuffs that could catch stray sparks; and
	No metal objects such as watches, rings, belt buckles.
Machinery	Clothing that is not loose fitting,
	No jewelry, and
	Long hair tied back.

Clothing that causes hazards

It is easy to see how clothing selection can have an impact on employee safety, whether they work indoors or out.

Working around machines of any kind generally requires one to dress with safety as a primary consideration. A typical dress code might prohibit loose-fitting clothes, jewelry, torn clothing, and shirts with long or baggy sleeves, shorts, dresses, or tank tops.

Poorly fitted clothing can also lead to slips, trips, or falls. For example, pants that are too long or shoelaces that won't stay tied can easily pave the way for a tumble down a set of stairs.

Employees probably wouldn't wear heavy clothing if they're working in a hot climate, but coverage like long sleeves will protect them from the burning rays of the sun.

Feel free to contact me if you have any questions.

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TRAFFIC BULLETIN

September 2013

Hours of Service Update

FMCSA Clarifies That Both Types of Short Haul Drivers Are Not Subject To Rest Break Requirement

On August 2, 2013, the U.S. Court of Appeals for the District of Columbia Circuit issued its ruling on the Hours of Service litigation brought by the American Trucking Associations and Public Citizen. The Court upheld the 2011 Hours of Service regulations in all aspects except for the 30-minute break provision *as it applies to short haul drivers*.

The Federal Motor Carrier Safety Administration has released a new enforcement policy clarifying that, **effective August 2**, the hours of service 30-minute rest break requirement does NOT apply to either of the two categories of short haul drivers (see 49 CFR Sections 395.1(e)(1) and (e)(2)). The recent U.S. Court of Appeals decision which vacated the rest break requirements for short-haul drivers created some confusion by only speaking specifically to one of the two categories of short haul drivers – non-CDL holders who operate within a 150 mile radius of their work reporting location.

FMCSA's new enforcement policy states that the Agency and its state enforcement partners will immediately cease enforcement of the 30-minute rest break provision of the HOS rule against all short-haul operations. This includes the aforementioned non-CDL holders using the exemption under 395.1(e)(2) **AND** drivers of any CMV (both CDL and non-CDL) operating within a 100 air-mile radius and using the exemption under 395.1(e)(1).

Also, FMCSA will also be initiating a rulemaking to include text in the HOS regulations specifically noting that the 30-minute break provisions do not apply to short haul drivers.

In discussing the 30-minute break exemption with some companies, another scenario has arisen that I think GAWDA members should understand. To be eligible for the exemption from log books and now from the 30-minute break rule, the driver must return to the work reporting location and be released from work within 12 consecutive hours (and also meet the other requirements of 395.1(e)(1)).

But if a driver realizes, after more 8 hours on duty, that he will not be able to return to the work reporting location and be released from work before the 12 hour limit, then the driver must create a log for that day. At that point the driver will be in violation of the 30-minute break rule if he drives after 8 hours on duty without having taken the 30-minute break, because the break exemption will no longer apply. The only way to avoid this is if the driver makes a decision to take a 30-minute break before the end of 8 hours on duty if he thinks there is any chance his shift will exceed 12 hours.





TRAFFIC BULLETIN

Most of our drivers are taking a lunch break during the day and as long as the break is at least 30 minutes long and taken within the first 8 hours, then they have met the new rule. It is only those drivers that are not taking a lunch break that we need to watch and not break the hours of service rule.

If there are any questions, please contact me. I always enjoy helping people.

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MEDICAL GAS BULLETIN

09/01/2013

Frequently Asked Questions

Q – How important is the contents (volume) statement on the medical gas label?

A – A missing contents statement is clear violation of FDA regulations:

21 CFR 201.51 Declaration of net quantity of contents.

(a) The label of a prescription or insulin-containing drug in package form shall bear a declaration of the net quantity of contents.

This is also one of the simplest potential violations to avoid... simply make sure that the volume (in liters, cubic feet, etc.) is declared on the label.

Many companies have put their contents statement on the lot number sticker. While this is not strictly according to the regulations, the FDA seems to be using its enforcement discretion and allowing the contents statements on lot number stickers.

September Medical Gas Roundtable (09/06/2013) – Subpart G – Packaging and Labeling Control

These GAWDA Medical Gas roundtables are excellent sources of CGMP training and the latest industry compliance news. In September we will be discussing labeling issuance, labeling operation and expiration dating.

For your information, we are also conducting the following webinars in August:

- **Device Gases** - QSR Subpart N, O and Part 803 – Servicing, Medical Device Reporting, Statistical Techniques
- **Specialty Gas** - High Pressure Prefill Inspection and Filling High Pressure Cylinders

These and other webinars are available as a streaming recording at a time convenient to you. If you are unable to view the webinar live, just let us know and we will send you the link to the recording. If you would like to receive invitations to the training webinars, just send an email to juliet@asteriskllc.com.

Professional Compliance Seminars

The GAWDA Professional Compliance Seminar series has one more sessions in 2013:

- ☐ Central Region - Aurora, IL – October 1 - 3, 2013 (Weldcoa/Precision University)



These seminars provide certified and documented training about DOT, OSHA, FDA and plant operations. Contact juliet@asteriskllc.com for a registration form.





MEDICAL GAS BULLETIN

Micro-audit

This section of the Medical Gas Bulletin lists small steps you can take each month to improve your medical gas management system. These steps are not designed to be a full audit, but rather small steps to sample your compliance.

For this month, simply do these items:

1. **Label Inventory** – Be sure the labels in stock and at your pumper's station are correctly inventoried.
2. **Contents Statement** – Be sure all cylinder and container labels bear the contents statement (liters, cubic feet, etc.). This is a common violation and is easily correctable.
3. **Expiration Dates** – Consider discontinuing expiration dates. The FDA has been issuing violations for the use of expiration dates without supporting stability studies. Contact Juliet@asteriskllc.com for a sample customer notification letter if needed.

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