



Safety Update

Date: June 3, 2015

FREE AGC WEBINAR ON NEW CONFINED SPACE RULE!



- **June 30, 2015, 2-3:00 p.m.**
- **Speaker - Jessica Douma, Regulatory Analyst, Directorate of Construction, OSHA**
- [Learn more and register](#)

OSHA is adding a new subpart (Subpart AA) to provide protections to employees working in confined spaces in construction. This new subpart replaces OSHA's one training requirement for confined space work with a comprehensive standard that includes a permit program designed to protect employees from exposure to many hazards associated with work in confined spaces, including atmospheric and physical hazards. Please join us and learn what those hazards might be and how to address them.

At the end of the webinar contractors will be able to:

- Recognize the types of construction work or activities covered under the scope of the final rule.
- Understand the requirements of a written confined spaces program
- Understand the responsibilities of all parties that may be affected by the final rule (i.e. entry employer, host employer, and controlling contractor)
- Understand the criteria for properly implementing a confined space rescue plan (outside vs. in-house rescue and emergency services)
- Understand an employer's responsibilities related to the training of personnel

OSHA'S REVISED HAZARD COMMUNICATION REQUIREMENTS IN EFFECT

Beginning June 1, chemical manufacturers, importers, distributors and employers are required to provide a common approach to classifying chemicals and communicating hazard information on labels and safety data sheets. Chemical manufacturers and importers must provide a label that includes a signal word, [pictogram](#), hazard statement, and precautionary statement for each hazard class and category. Beginning in December, distributors may only ship containers labeled by the chemical manufacturer or importer if the labels meet these requirements.



The June 1 deadline was established when OSHA aligned its [Hazard Communication Standard](#) in 2012 with the global standard for chemical product labeling. The provisions for labeling offer workers better protection from chemical hazards, while also reducing trade barriers and improving productivity for American businesses that regularly handle, store, and use hazardous chemicals. The updated standard also provides cost savings for American businesses that periodically update safety data sheets and labels for chemicals covered under the standard, saving businesses millions of dollars each year.

The new format for [Safety Data Sheets](#) requires 16 specific sections to ensure consistency in presentation of important protection information. For more information, see OSHA's [Hazard Communication webpage](#).

AS THE WEATHER HEATS UP, OSHA AND NOAA PROMOTE SUMMER SAFETY CAMPAIGN

Summer is almost here! The Occupational Safety and Health Administration and National Oceanic and Atmospheric Administration are joining forces to promote a [Summer Safety Campaign](#) to help employers protect workers.

OSHA provides resources for [workplace preparedness and response to severe weather](#) emergencies that can arise during summer, including: [hurricanes](#), [wildfires](#) and [floods](#) as well as [severe heat](#). OSHA and NOAA encourage employers to be aware of weather forecasts, train workers on severe weather plans and keep emergency supplies, including a battery-operated [weather radio](#).

Some parts of the country have already experienced deadly and damaging flooding this season. Employers and workers need to be prepared with a [detailed plan](#) before these events occur to ensure that everyone stays safe.

And with temperatures rising, now is the best time for employers to prepare to protect workers outdoors in construction. One handy tool available for free to prevent these hazards is the [OSHA Heat App](#) that calculates the heat index (both temperature and humidity) at your worksite and provides recommendations for how best to protect workers based on the risk level. OSHA's heat app, recently updated for iPhone users, has been downloaded more than 193,000 times.



BLACKLISTING EXECUTIVE ORDER PROPOSED RULE & GUIDANCE RELEASED

AGC to Provide Comments in Opposition

On May 27, the Federal Acquisition Regulation (FAR) Council issued a [proposed rule](#) and the Department of Labor (DOL) issued [guidance](#) implementing the president's "[Fair Pay and Safe Workplaces](#)" Executive Order (EO) 13673, commonly referred to as the Blacklisting EO.

Under the proposed rule, both prime and subcontractors must report violations of 14 federal labor laws and "equivalent" state labor laws during the previous three years, and again every six months, on federal contracts over \$500,000. A single violation, or a combination of multiple violations, could lead a contracting officer to either (1) deny the contractor the right to compete for a federal contract; or (2) remove a prime contractor or subcontractor from an ongoing project. Such determinations would be made on an individual contracting officer basis with assistance from newly-created agency labor law compliance advisors. The DOL guidance further articulates the policies outlined in the proposed rule such as, the rule would only apply to direct-federal contracts and not to federal-aid highway contracts awarded by state departments of transportation.

Since the administration issued the Blacklisting Executive Order in July 2014, AGC has advocated against its implementation on Capitol Hill and helped form an industry coalition to stop it. AGC also participated in a White House meeting with Secretary of Labor Thomas Perez, where the association noted its deep concerns with the Order. AGC will provide more analysis and information on this rulemaking as it reviews the proposed rule and guidance.

There is a 60-day public comment period on the proposed rule and guidance, during which time AGC members are encouraged to comment directly on the proposals and share that input with AGC as it articulates its own comments. *For more information, please contact Jimmy Christianson at christiansonj@agc.org or 703-837-5325.*