

# ON THE LEVEL

BALANCING INDUSTRY & ASSOCIATION NEWS

## On The Level - October 2018



VPPPA Members Receive a  
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# LOCKPOINT

MOBILE SAFETY CENTER

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*Now*

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*(ISHN)*

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### October is Fire Prevention Month

Did you know October is Fire Prevention Month? Last week was Fire Prevention Week, and the 2018 theme was "Look. Listen. Learn. Be aware. Fire can happen anywhere." The week aimed to educate people about the three key steps to take to reduce the likelihood of having a fire, as well as how to safely escape if one occurred. In 1922, the National Fire Protection Association named the second week in October Fire Prevention Week. That particular week was chosen to commemorate the Great Chicago Fire in 1871, which killed more than 250 people, left 100,000 homeless, destroyed thousands of structures and burned more than 2,000 acres of land. In 1925, President Calvin Coolidge proclaimed Fire Prevention Week a national observance, making it the longest-running public health observance in the United States. According to the National Fire Protection Agency, less than 50 percent of homeowners have a fire escape plan. In addition,

carbon monoxide is the number one cause of accidental death. Fire Prevention Month is a great time to talk with your family about fire safety, equip your home with the proper alarms and create an emergency plan.

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## OSHA News Regarding Incentive Programs & Post-Incident Drug Tests

The following information was taken from OSHA's website and can all be found [here](#).

### Clarification of OSHA's Position on Workplace Safety Incentive Programs and Post-Incident Drug Testing Under 29 C.F.R. § 1904.35(b)(1)(iv)

- On May 12, 2016, OSHA published a final rule that, among other things, amended 29 C.F.R. § 1904.35 to **add a provision prohibiting employers from retaliating against employees for reporting work-related injuries or illnesses**. See 29 C.F.R. § 1904.35(b)(1)(iv).
- In the preamble to the final rule and post-promulgation interpretive documents, **OSHA discussed how the final rule could apply to action taken under workplace safety incentive programs and post-incident drug testing policies**.
- The purpose of this memorandum is to clarify the Department's position that 29 C.F.R. § 1904.35(b)(1)(iv) **does not prohibit workplace safety incentive programs or post-incident drug testing**.
- The Department **believes that many employers who implement safety incentive programs and/or conduct post-incident drug testing do so to promote workplace safety and health**. In addition, evidence that the employer consistently enforces legitimate work rules (whether or not an injury or illness is reported) would demonstrate that the employer is serious about creating a culture of safety, not just the appearance of reducing rates.
- Action taken under a safety incentive program or post-incident drug testing policy would only violate 29 C.F.R. § 1904.35(b)(1)(iv) if the employer took the action to penalize an employee for reporting a work-related injury or illness rather than for the legitimate purpose of promoting workplace safety and health.

Incentive programs can be an important tool to promote workplace safety and health. One type of incentive program rewards workers for reporting near-misses or hazards, and encourages involvement in a safety and health management system. Positive action taken under this type of program is always permissible under § 1904.35(b)(1)(iv). Another type of incentive program is rate-based and focuses on reducing the number of reported injuries and illnesses. This type of program typically rewards employees with a prize or bonus at the end of an injury-free month or evaluates managers based on their work unit's lack of injuries. Rate-based incentive programs are also permissible under § 1904.35(b)(1)(iv) as long as they are not implemented in a manner that discourages reporting. Thus, if an employer takes a negative action against an employee under a rate-based incentive program, such as withholding a prize or bonus because of a reported injury, OSHA would not cite the employer under § 1904.35(b)(1)(iv) as long as the employer has implemented adequate precautions to ensure that employees feel free to report an injury or illness.

*\*\*More information regarding drug abuse and drug testing in the workplace can be found in the upcoming Autumn issue of The Leader magazine.\*\**

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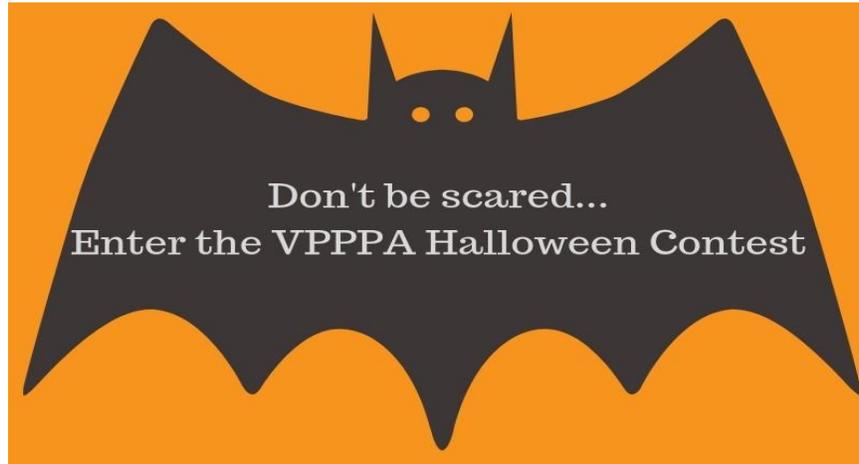
## Halloween Costume Contest

Announcing our newest *spook-tacular* contest...

**To enter:** Submit a photo of yourself, pet, friend, baby, child or pet rock in a Halloween costume. If you've got it, haunt it!

The easiest way to submit is to comment your photo on [this VPPPA Facebook post](#).

The post with the most "likes" will win a spot in *The Leader* magazine AND a \$50 Amazon gift card. The contest will run until **November 1 at 4pm EST**. We will announce the winner on November 2. Let's have some skele-fun!



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## Join Our October Webinar

We have webinars scheduled for every month through April 2019! The October session, **Using Exercise to Achieve Best Practices in Injury Prevention**, is a **free** opportunity you should not miss. As strategic partners, Nautique and BIOKINETIX have achieved a heightened level of injury prevention through programs that integrate exercise and one-on-one preventive care into an existing safety culture. By preparing employees for the physical demands of job tasks, these onsite programs have brought lasting improvements in safety and well-being, along with quantifiable direct and indirect cost containment. In this session, Jon Kabance will share best-practice strategies that continue to reduce recordable injuries, improve employee well-being, and yield quantifiable ROI.

**Presenter:** Jon Kabance, BIOKINETIX

**Date:** Tuesday, October 30

**Time:** 1:00PM Eastern Time

**Price:** Free

[\*\*REGISTER HERE\*\*](#)

*\*Registration will be open until 12PM EST on October 30.*

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## #VPPPAAnimals Contest Winner

Congratulations to Kurt E's dog, Gordy, for winning the #VPPPAAnimals Contest! He won a \$50 gift card and a spot in *The Leader* magazine. We loved seeing everyone's adorable pets. Thank you to all of those who participated.

Stay tuned for the Autumn issue of *The Leader* magazine to read more about Gordy. You can see all of the #VPPPAAnimals Contest entries on the [VPPPA Facebook page](#). We will be adding new contests regularly and you won't want to miss them. So go ahead and "like" our page to stay updated on everything VPPPA has to offer.



[You can find and "like" our Facebook page here.](#)

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## Association Announcements

### Write for a VPPPA Publication

Have you checked out the [VPPPA Blog](#)? Send us an article regarding any safety or health topic, and we might add you to our blog schedule for 2018.

If you would like to write for a VPPPA publication, or know of someone who is interested, please email [communications@vpppa.org](mailto:communications@vpppa.org). We look forward to hearing from you!

### Membership News

If you have any news or pictures from your site that you would like to share (an award, a VPP approval, a member who went above and beyond, etc.), please send it to [communications@vpppa.org](mailto:communications@vpppa.org). We would love to add your updates to the next On The Level newsletter or post it on our social media pages. In addition, please send us any safety "lessons learned" and we can share them with our membership.

### Member of the Month

Have you checked out the [Member of the Month](#) section on our website? If you would like to nominate someone as the VPPPA Member of the Month, please email [membership@vpppa.org](mailto:membership@vpppa.org).

**The October Member of the Month is Michael Perry. You can read about him [here!](#)**



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Stay Connected



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On The Level is prepared by VPPPA's Communications Department. These reports are for the use of VPPPA members ONLY.

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