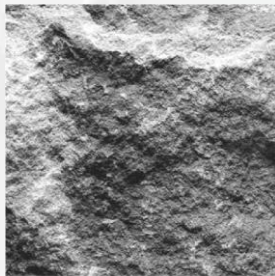


# 2016 Spring Thaw



*Columbus Ohio*

*March 2, 2016*



*2014-2016 Strategic Plan*

# **Rocks Build America**



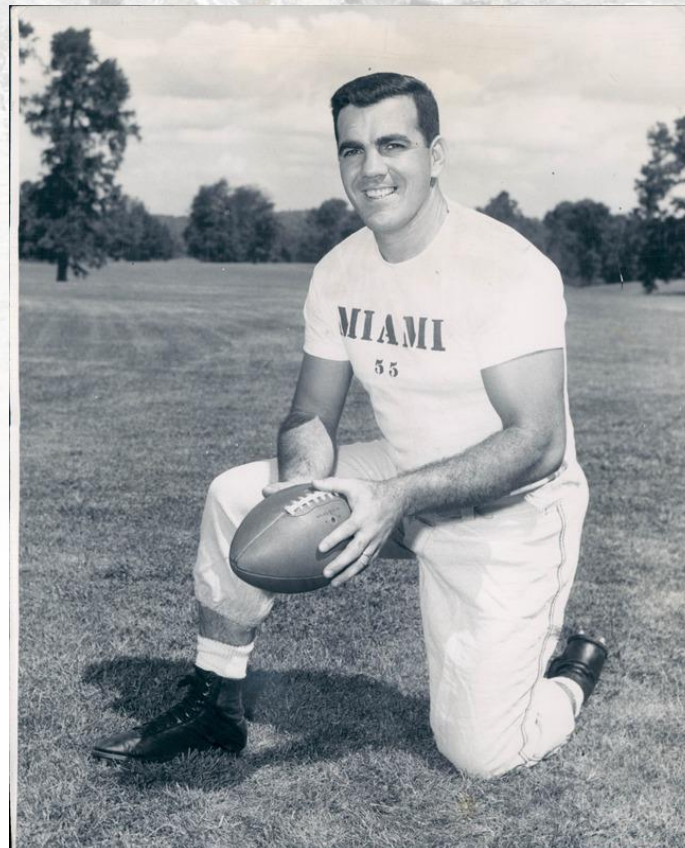
# AGENDA

- NSSGA's Commitment to Safety & Health
- NSSGA's Dialogue with MSHA
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- Ideas for Teamwork in Safety & Health
- Get It Right on Regulation





**Luck is nothing more than preparation meeting opportunity.**  
**– Ara Parseghian**



# NSSGA's COMMITMENT TO SAFETY & HEALTH

- NSSGA's S&H guidelines adopted almost a quarter century ago
- Safety & Health committee consists of 200 professionals involved in safety and health
- Committee delivers programs to enhance compliance as well as worker safety and health





# NSSGA's COMMITMENT TO SAFETY & HEALTH



**Hazard Communication Standard Final Rule**





# Occupational Health Program Example Program





# NSSGA's COMMITMENT TO SAFETY & HEALTH

## NSSGA Occupational Health Program Guideline

1. Management commitment
2. Comprehensive employee comm's & training
3. Exposure monitoring & control
4. Medical monitoring
5. Process for periodic evaluation & auditing
6. Emphasis on smoking cessation





# NSSGA's COMMITMENT TO SAFETY & HEALTH

Develop Training Materials:

## Mineral Identification & Management Guide

- ✓ Periodic on-site inspections
- ✓ Program for testing settled dust
- ✓ Qualitative geologic survey
- ✓ Further steps



# NSSGA's COMMITMENT TO SAFETY & HEALTH

- Collaborate with NIOSH
  - Participate in meetings re: future training needs
  - Reviewed study on Noise effects
  - Sponsor annual workshop on safety in underground aggregates facilities





# NSSGA's COMMITMENT TO SAFETY & HEALTH

- Cooperate with MSHA thru initial Alliance:
  - Conduct educational workshops on noise & dust



- Develop training materials like 'Safety Alerts' based on analysis of MSHA injury data



## NSSGA-MSHA Alliance

### Core Principles of a Safety Program

The fundamental elements of a safety program that will help create an ideal culture in order to prevent accidents and injuries are:

- ✓ **Front Line Management Leadership and Commitment**
  - *Senior Management & CEO/Owner Commitment*
  - *Safety Director Role*
- ✓ **Training and Development**
- ✓ **Formal Auditing of All Employee Work Practices**
- ✓ **Employee Involvement & Participation**
  - *Job Safety Analysis*
  - *Safety Committees*
- ✓ **Incident Investigation**
- ✓ **Safety Communications**
  - *Alerts*
  - *Newsletters*
- ✓ **Regulatory Compliance Programs**
- ✓ **Operational Safety Best Practices**
- ✓ **Recognition Program**
- ✓ **Accountability System**
- ✓ **Substance Abuse Prevention Program**

*The following pages will describe each of these elements and provide examples of how they can be used to achieve better safety performance at your company.*



## METAL / NONMETAL Near Miss Incident

Cement Plant – A 100 ton “Sand Bin” failed inside this plant. The Sand Bin collapsed through the mill floor it was on and came to rest in the basement. The failure occurred between shifts where normally 5 miners would have been assigned to work. No injuries were reported.



- Examine your work places for all possible hazards and correct them before you perform work.
- Conduct structural inspections periodically.
- Routinely examine metal structures for indications of weakened structural soundness (corrosion, fatigue cracks, bent/buckling beams, braces or columns, loose/missing connectors, broken welds, etc.).
- Keep corrosive material spillage/build-up removed from metal structures.
- Report all areas where indications of structural weakness are found.



# NSSGA's COMMITMENT TO SAFETY & HEALTH

## NSSGA Safety and Health Pledge 2016

As aggregate producers and suppliers to the industry, we join in a commitment to a culture that promotes our employees as our most valuable resource.

We believe that safety and health are core values. Our goal is to work with our workers to ensure they know how to recognize and prevent injuries and exposure to harmful substances in order to return home at the end of every shift in as safe and healthy a state as when they arrived.

To accomplish this, we will improve employee safety and health practices, ensure the amount and quality of formal worker training is appropriate, and advocate greater employee participation in the safety and health process.

We will continually enhance management's direct participation through personal example and leadership in all aspects of safety and health, specifically that of senior management, production and plant managers, field superintendents and supervisors.

By voluntarily signing this agreement, we demonstrate our commitment to a work environment designed to eliminate injury incidents and health hazards, which will ultimately result in zero fatalities. With continuous improvement, our next industry-wide goal in this process will be to reduce the MSHA injury incidence rate 10% each year.

Company \_\_\_\_\_

Name \_\_\_\_\_

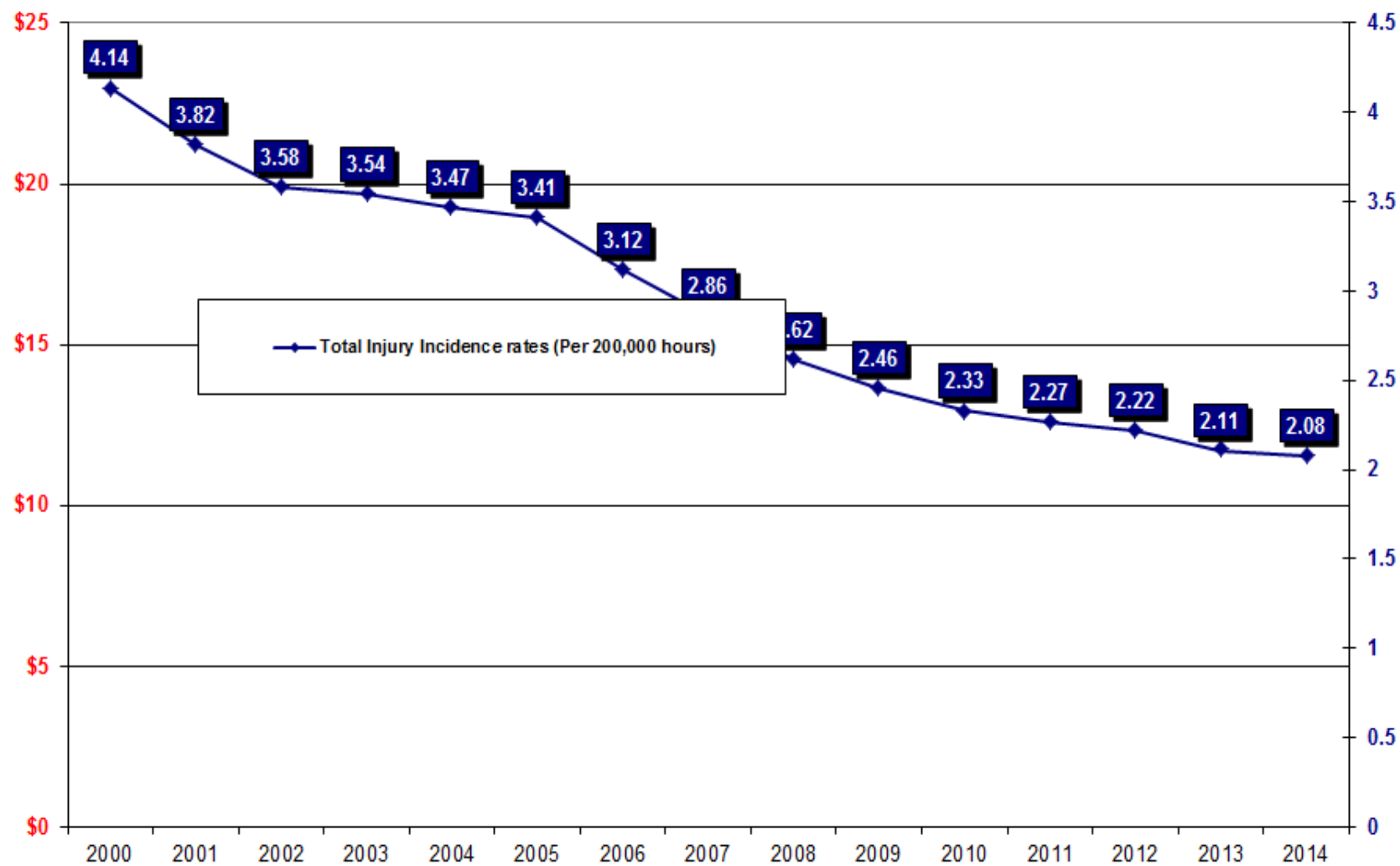
Signature \_\_\_\_\_

**NSSGA** NATIONAL STONE, SAND  
& GRAVEL ASSOCIATION





## US AGGREGATES OPERATIONS



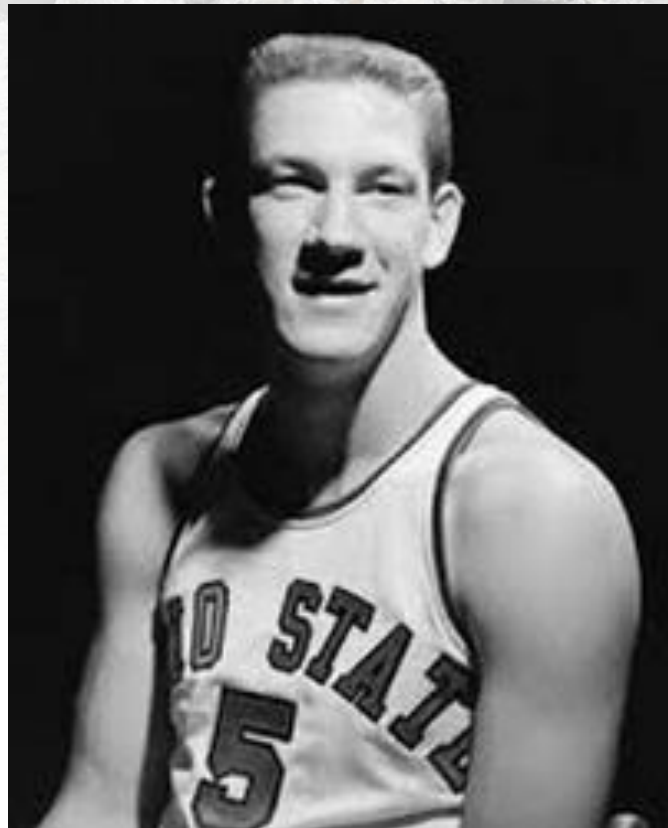
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**Over the years, I've had hundreds of shots blocked. But, you've got to go in and take chances. – John Havlicek**







# DIALOGUE

- NSSGA advocated for continued improvement in enforcement consistency.
- NSSGA urged that MSHA keep open the Small Mines Office/Consultation Program.

# DIALOGUE

- NSSGA advocated for clarification of what's needed for compliance. Agency helpfully responded with:
  - some sharing of inspector-training materials, and
  - heads-ups on future enforcement pushes on Rules to Live By program, and Parts .5002 (air contaminants) and .6200 (noise).





# DIALOGUE

- Agency formed a Technical Task Force of the Alliance. NSSGA succeeded in securing from MSHA clarifying language on what's needed for compliance on such matters as:
  - Fall protection for miners on mobile equipment;
  - Fall protection for miners on work platforms fewer than six feet off the ground; and
  - Seatbelt replacement.



# DIALOGUE

- NSSGA advocated for fully funding the State Grants program for safety training.
- NSSGA urged that MSHA develop a Pattern of Compliance program:
  - afford excellent operators the chance to earn enforcement credit, e.g., reduction in mandatory 2s and 4s.

# DIALOGUE

- NSSGA argued against rulemakings on:
  - safety and health management systems, and
  - safety for dams and impoundments.



# DIALOGUE

- NSSGA submitted robust comments on OSHA crystalline silica rule proposal aiming to:
  - Reduce permissible exposure limit to 50  $\mu\text{g}/\text{m}^3$
  - Establish action level of just 25  $\mu\text{g}/\text{m}^3$
  - Trigger complicated ancillary provisions
- Proposal would cost \$billions annually to comply

# DIALOGUE

U.S. Court of Appeals for the Sixth Circuit

Kentucky, Michigan, Ohio and Tennessee

- NSSGA & other plaintiffs went to US Court of Appeals for the Sixth Circuit to fight MSHA's final rule on Pattern of Violations (POV). Court ruled it had no jurisdiction.
- NSSGA now taking fight to District Court in Ohio. Oral arguments to be heard April 12.

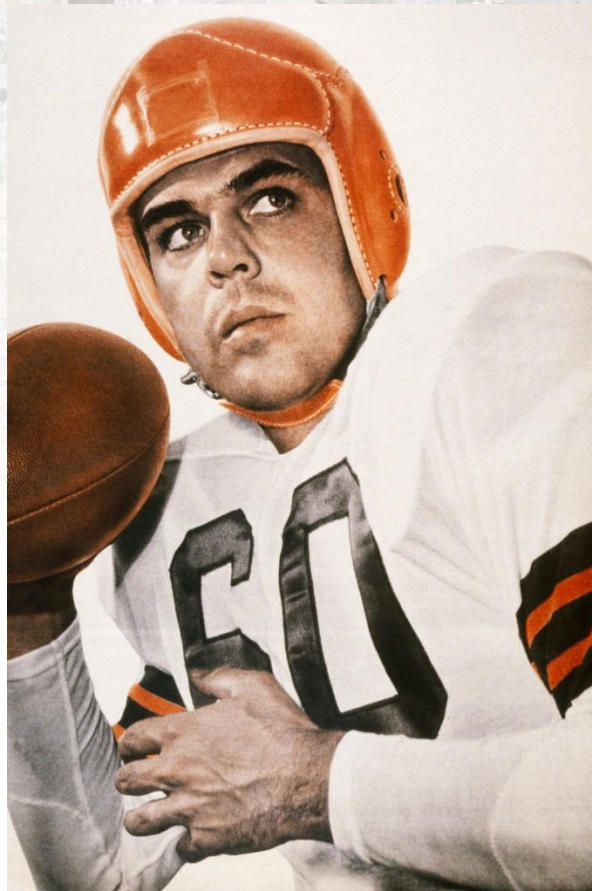


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**Do not throw in the towel. Use it to wipe the sweat off your face.  
- Otto Graham**





# Fatality Avoidance - Hazard Recognition

## A. Workplace exams done thoroughly

Employers and employees should examine their workplaces to detect any unsafe or unhealthful conditions, practices, or equipment and take the necessary steps to correct them.



# Fatality Avoidance - Hazard Recognition

## **B. Pre-shift exams done thoroughly**

Self-propelled mobile equipment to be used during a shift shall be inspected by the equipment operator before being placed in operation on that shift.





# Fatality Avoidance - Training

- A. Aim for quality training of adults.
- B. Utilize ‘best practices’ information provided by MSHA, NSSGA and other qualified entities. For instance: a trainer could take a fatalgram, remove the text and use the pictures to show trainees in asking how – at our facility – could this kind of fatality occur?



# Fatality Avoidance - Training

**C. Make it interesting/interactive** - If you want to teach a miner, you have to make it compelling. After all, this is:

- part lecture
- part demonstration
- part entertainment.





# Fatality Avoidance - Training

- Presentation - How will the information be presented? This should be developed and practiced well in advance.
- Application - People learn better when they get to put to use that which they've been instructed.



# Fatality Avoidance - Training

- Evaluation - There must be a method of evaluation to ensure that the participants have genuinely learned. This can be done in the form of a competitive game, e.g., 'Jeopardy.'





# Fatality Avoidance - Risk Tolerance

## A. Overestimating Capability or Experience:

A belief that one's physical ability or experience allows them to perform the task without injury.

## B. Familiarity with the Task – Complacency:

Over-confidence especially when accompanied by unawareness of actual dangers or deficiencies.



# Fatality Avoidance - Risk Tolerance

**C. Seriousness of the Outcome – What could happen?:** When we assume that an action's outcome will not be serious, we are prepared to accept more risk (e.g., “How bad could it be?”)

**D. Familiarity with the Task – Complacency:**  
“When I'm in charge...the risk is (somehow) lower.”





# Fatality Avoidance - Risk Tolerance

## **E. Confidence in Protection and Rescue:**

Blind faith that our safety equipment will protect us, or that rescue will be immediate if we do get in trouble, the acceptance of risk increases.



# Fatality Avoidance - Risk Tolerance

- F. Potential Profit/Gain from Actions:** A person or corporation may accept a higher level of risk if there is substantial profit or gain for the risk action (e.g., short-cut in order to make a production quota).
- G. Role Models Accepting Risk:** The level of risk accepted by role models/mentors will impact our own levels of risk acceptance.





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**Life is 10 percent what happens to you,  
and 90 percent what you do about it.**

**– Lou Holtz**





# **LEADERSHIP IN ACTION – Six Innovative Ideas**

- Wing Man**
- Leadership Weekends**
- Safety Blitz**
- District Steering Safety Team**
- Saved My Bacon**



# WINGMAN - DESCRIPTION

- The concept of a Wingman, originated in the movie “Top Gun,” is utilized to drive home the point that we must all look out for each other.
- It’s reinforced by calling attention to actions and consequences with and without a wingman who is looking out for your safety.





# WINGMAN - RESULTS

- It has become part of the culture in the operation, with people constantly asking, “who is your wingman?” or stopping un-safe acts by telling a co-worker that, “I am your wingman.”
- The operation has wings, and wingman signs, shirts and hats, with “who is your wingman?” printed.



# LEADERSHIP WEEKENDS - DESCRIPTION

- Recognizing that it's the front line leaders (leadmen and supervisors) who keep the operations running on:
  - weekends,
  - training days, and
  - off-shifts,

The operator began a safety leadership program aimed solely at these workers.





# LEADERSHIP WEEKENDS - RESULTS

- Saturday sessions were held to deliver information, and build workers' ability to trust their peers, and effectively deliver safety messages.
- The company CEO called into one of the meetings, this made a significant impact.



# SAFETY BLITZ - DESCRIPTION

- Started by a maintenance supervisor, this monthly program gets eight random employees from throughout the district, to descend, and conduct an MSHA inspection-type evaluation.
- Resultant feedback is done via private discussions with some employees related to behaviors, management effectiveness, etc.





# SAFETY BLITZ - RESULTS

- The results go only to the employees of the blitzed operation, and the employees correct deficiencies that were noted and/or photographed.
- This program is the primary reason why the operator had zero violation inspections at three operations (18 days), and why the VPID rate is below the national average.



# DISTRICT STEERING SAFETY TEAM - DESCRIPTION

- To maximizes effectiveness of a district's safety program, the operation established a district-wide safety team to review the safety process at all operations.





# DISTRICT STEERING SAFETY TEAM - RESULTS

- This District team is composed of, led, and facilitated by hourly employees.
- This 'bottom-up' process elicits much participation & problem-solving feedback.



# SAVED MY BACON - DESCRIPTION

- Operator wants all employees to know the rules and regulations. However, tracking this is challenging.
- So a front-line leader at one of our operations designed and started a “Saved My Bacon” recognition.
- Over the course of a month, an employee can drop into a secured hard hat the name of anyone who may have helped him work more safely.





# SAVED MY BACON - RESULTS

- Periodically, the names are drawn from the hard hat, and all names are read. The name read most often gets to pick out a gift from a catalog.
- This is very popular as it eliminated paperwork...but really encourages safe behavior.



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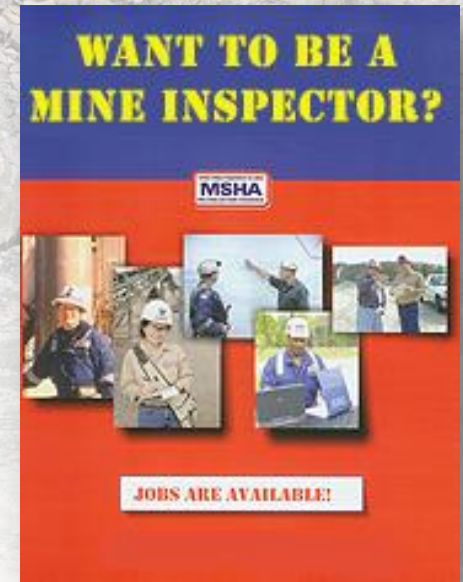
**No back in the history of football was worth  
two fumbles a game.**  
– Woody Hayes



# GET IT RIGHT ON CIVIL PENALTIES

- MSHA claims goals of rule proposal are to:

- improve objectivity & consistency in citation writing;
- earlier resolution of issues due to fewer disputes;
- greater emphasis on more serious violations;
- provide increased openness & transparency.





# GET IT RIGHT ON CIVIL PENALTIES

- NSSGA is concerned with multiple provisions:
  - Inducement to operators to not contest citations
  - Effort to curb Review Commission discretion in penalty amounts
  - Reduced range of choices in evaluating Negligence

# GET IT RIGHT ON CIVIL PENALTIES

- NSSGA is concerned with multiple provisions of the Civil Penalties rule, including (cont'd):
  - Reduced range of choices in evaluating Gravity
  - Substantial increases in penalty assessment costs



# GET IT RIGHT ON WORKPLACE EXAMS

- NSSGA is concerned that a new rule on workplace exams will risk:
  - treating inspectors as safety specialists;
  - bureaucratizing the process of managing for safety;
  - creating more red tape; and
  - increasing costs for operators.

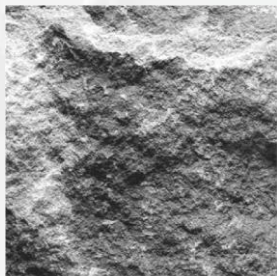
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# Spring Thaw 2016



*Columbus, Ohio*

*March 2, 2016*

