

Prevent the Event

Planning to Protect the Workplace

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J E N N E R & B L O C K

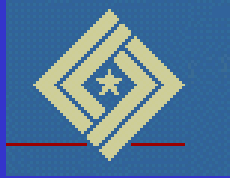
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OSHA – Legal Obligations

OSHA imposes overarching legal obligation to employees.

- General duty clause – based on OSHA Act of 1970.
 - ✓ Workplace must not have recognized hazards likely to cause “death or serious physical harm” to employees.



OSHA Enforcement Approach

Citations and penalties for violations of regulations or “general duty clause.”

Willful or repeat violations:	\$5,000 - \$70,000
Serious violations:	up to \$7,000
Other than serious violations:	\$0 - \$7,000
Failure to abate:	up to \$7,000
Criminal conviction:	up to \$250,000 or \$500,000 six months imprisonment



OSHA's Response to Catastrophic Events

- ▶ Limited role during initial response.
- ▶ Protect employee safety and health during clean-up, removal, storage, and investigation phases.
- ▶ Use of video camera recommended, including voice-over narrative.



OSHA Policy on Employee Rescue

- ▶ Policy regarding employee rescue at §1903.14 (1994).
- ▶ OSHA will not issue citation if employee voluntarily attempts rescue, unless appropriate training or planning has not occurred.

OSHA's Approach to Emergencies

OSHA has four principal requirements for worker safety

1. Plan



2. Train



3. Protect



4. Report



OSHA's Approach to Emergencies

OSHA requires that workers be prepared to effectively respond to emergencies.

Effectiveness = planning + training





OSHA's Planning Requirements: Elements

- ▶ Basic Plan
- ▶ Alarm
- ▶ Evacuate
- ▶ Fire Prevention
- ▶ Medical



OSHA's Planning Requirements: The Basic Plan

Evaluate the type of emergencies that could occur:

- ▶ Fire
- ▶ Explosion
- ▶ Chemical Spill
- ▶ Accidental release of toxic gas
- ▶ Workplace violence
- ▶ Threat from external sources
- ▶ Flood or other natural disaster



OSHA's Planning Requirements: The Basic Plan

Every plan should be:

- ▶ site specific.
- ▶ developed locally, with input from management and labor.
- ▶ In writing, if more than 10 employees.



OSHA's Planning Requirements: The Basic Plan

Minimum Regulatory Requirements – 24 CFR 1910.38

- ▶ Emergency escape procedures and escape routes.
- ▶ How to account for employees after evacuation.
- ▶ Procedures for employees who stay to maintain or shut down critical operations before evacuation.
- ▶ Rescue and medical duties, if assigned.
- ▶ How to report specific emergencies.
- ▶ Contacts to obtain more information about the plan.



OSHA's Planning Requirements: The Basic Plan

Emergency Response Team

- ▶ Physically capable of performing tasks.
- ▶ Thoroughly trained in responsibilities.
 - ✓ All flammable, toxic, and other hazards.
 - ✓ Judgment about evacuation and outside help.
- ▶ Warden for every 20 employees.



OSHA's Planning Requirements: The Alarm

- ▶ Every employer must have an alarm system.
- ▶ Alarm must warn of necessary emergency action or reaction time for safe escape.
- ▶ Must be perceived by all employees – noise, light, motion
- ▶ Distinctive and recognizable.
- ▶ If 10 or fewer employees, direct voice is okay.
- ▶ Emergency numbers posted.



OSHA's Planning Requirements: The Alarm

- ▶ Fire alarms necessary in any building where fire itself is not adequate warning.
- ▶ Use of alarm system must be explained to employees.
 - ✓ Alarm boxes every 200 feet.
- ▶ Fully operational.
 - ✓ Positive notification tested annually.
 - ✓ Non-supervised, test every two months.
- ▶ Back-up alarm must be provided.



OSHA's Planning Requirements: Evacuation

Exit requirements – 29 CFR §1910.36 – Applies to structures.

- ▶ Applies to new or old buildings.
- ▶ Sufficient to allow prompt exit of occupants.
- ▶ No reliance on a single safeguard.
- ▶ Constructed to avoid undue danger from fire, smoke, fumes or panic during time “reasonably necessary” to escape.
- ▶ Exits constructed based on:
 - ✓ number of persons exposed.
 - ✓ fire protection available.
 - ✓ height and type of construction.



OSHA's Planning Requirements: Evacuation

Exit requirements (cont'd)

- ▶ Free and unobstructed egress.
- ▶ Exits clearly visible or route to exit conspicuously designated.
 - ✓ Must know direction of escape from any point.
 - ✓ Each path marked so that way outsider is unmistakable.
 - ✓ Mark "Not an Exit."
 - ✓ Always keep clear.



OSHA's Planning Requirements: Evacuation

Exit requirements (cont'd)

- ▶ Adequate and reliable illumination for exits.
- ▶ Must have two means of exit, arranged to minimize possibility that both are blocked.
- ▶ During construction, no occupancy until all exit facilities are ready for use.
- ▶ Specific engineering and structural standards at §37.



Fire Prevention Basics

- ▶ Conditions or substances igniting or fueling a fire must be eliminated:
 - ✓ Open flames.
 - ✓ Chemical agents.
 - ✓ Sparks.
 - ✓ Heat producing equipment.
- ▶ Inspection and housekeeping.



Fire Prevention Basics

Look for:

- ▶ Overloaded, damaged or flawed electrical circuits.
- ▶ Welding, cutting, grinding operations producing sparks.
- ▶ Heat from chemical decomposition sufficient to spontaneously combust.
- ▶ Sawdust debris accumulation.
- ▶ Oily rags in open containers.
- ▶ Open containers of flammable liquids generating evaporative gases.
- ▶ Uncontrolled smoking and disposal of smoking wastes.



Fire Prevention Basics – Fight or Flee?

Firefighting is inherently dangerous.

Protection of life is paramount.

Typically, immediate evacuation is best if professionals are nearby.



Fire Prevention Basics – Fight or Flee?

The options:

- ▶ Evacuate only.
- ▶ Any employee can use extinguishers or hose/standpipe system.
- ▶ Some employees fight small fires to allow time for evacuation.
- ▶ Internal fire brigade.



OSHA's Planning Requirements: Medical

- ▶ Medical and rescue duties do not have to be performed.
- ▶ Medical personnel must be readily available for advice.
- ▶ First aid responders must be available for remote locations.
- ▶ Adequate first aid supplies readily available.



OSHA's Planning Requirements

Protecting your documents:

Access to personnel records during emergency .

Storage of important records.

- ✓ Secure locations.
- ✓ Duplicate records.



OSHA's Planning Requirements: HAZWOPER

HAZWOPER – when does it apply?

- ▶ Not to “incidental” spills addressed by maintenance personnel.
- ▶ Look at:
 - ✓ Volume of spill.
 - ✓ Type of material.
 - ✓ Location of spill.



OSHA's Planning Requirements: HAZWOPER

HAZWOPER – when does it apply? (cont'd)

- ▶ Release must pose an emergency.
 - ✓ High levels of exposure to toxic substances.
 - ✓ Life or injury threatening.
 - ✓ Employees must evacuate.
 - ✓ Fire or explosion hazard.
 - ✓ Immediate attention because of danger.
 - ✓ Oxygen deficient conditions.
- ▶ Workers responding to non-emergency spills still must have appropriate HazCom training.



HAZWOPER – Natural Phenomena

- ▶ Workplace located in areas prone to natural disasters are subject to a “substantial threat of release of hazardous substances.”
- ▶ Plan must include response to natural disasters.
- ▶ Can still allow evacuation, rather than response.



Special Responsibilities of Hospitals

- ▶ OSHA and EPA were required to develop plans by SARA in 1986 to respond to chemical emergencies.
- ▶ HAZWOPER is the result – 29 CFR § 1910.120 (q).



Elements of Hospital Emergency Response Plan

Hospitals' responsibilities are broader when it is the designated provider by the LEPC.

- ▶ Performance-based regulation.
- ▶ Community required to determine level of training needed.
- ▶ Employers required to determine if HAZWOPER applies.



Elements of Hospital Emergency Response Plan (cont'd)

- ▶ Pre-emergency drills.
- ▶ Practice sessions using Incident Command System with other local organizations.
- ▶ Lines of authority regarding hazard and potential risks.
- ▶ Designation of decontamination team.
- ▶ Description of how hospital accesses information on toxic substances.
- ▶ Alternative facility designation.



Elements of Hospital Emergency Response Plan (cont'd)

- ▶ Emergency treatment of other patients.
- ▶ Decontamination procedures.
- ▶ PPE designed for degree of contact, route or exposure, and responsibilities.
- ▶ Ventilation system cross-contamination prevention.
- ▶ Follow-up air or other monitoring.
- ▶ Post-incident critique.



OSHA's Training Requirements

Emergency action plan details

- ▶ Evacuation plan
- ▶ Alarm system
- ▶ Personnel reporting
- ▶ Shut down process
- ▶ Types of potential emergencies



OSHA's Training Requirements

General Areas of Training

- First aid / CPR
- Shutdown procedures
- Chemical spill procedures
- Use of respiratory protection
- Use of fire extinguishers
- OSHA bloodborne pathogen standard
- Search and rescue procedure
- Hazardous material emergency response



OSHA's Training Requirements

Drills

- ▶ Random
- ▶ Annual, at minimum
- ▶ Coordinate with outside services



OSHA's Training Requirements

Basic Training

- ▶ Initial hire
- ▶ Initial plan development
- ▶ Annually
- ▶ When new equipment, materials, or processes
- ▶ When drills show problems



OSHA's Training Requirements

Employer must train “sufficient number” of persons to assist in evacuation process.

The emergency responders need initial training and training whenever their role or the plan is changed.

All employees must be trained in what they need to do in the event of an emergency.

Outside contractors should be trained on how they are to respond.



OSHA's Training Requirements

HAZWOPER TRAINING

- ▶ First Responder Awareness – Recognize, Protect, Report
- ▶ First Responder Operations
 - ✓ 8-hour training
 - ✓ no chemical protective clothing
- ▶ Hazmat technicians and specialists – 24 hours
- ▶ On-scene incident commander – 24 hours

Prevent the Event – In the Workplace



Key Points

- FEMA document as basic structure
- Written emergency and fire plan
- Alarm
- Evacuation
- Fire prevention
- Special emergency issues at site
- Evaluate, test, revise