



**"Your Connection for Workplace Safety"**  
Phone: 920-208-7520

*We're about service, commitment, results, and accountability!*

*Our Weekly Safety Tip provides valuable and current safety information relevant for Work, Home & Play.*

*And, you will be kept current on the latest Safety Compliance issues.*



**SCI SAFETY NEWS OR TIP**



**SCI OSHA NEWS OR COMPLIANCE**



**SCI HEALTHYLIVING and WELLNESS NEWS**

**We want to hear from you! Send us your feedback and give us ideas for future safety topics.**

**Let us know how you feel about our new look!**

**Safety Slogan**

**Answer the "burning question" with fire prevention**

**James Lehrke-SCI  
of the week**

## SCI Safety Tip: Industrial Fire Prevention Best Practices: Strategies for Success (Part 2)

**By Walter S. Beattie, CSP, CFPS, CSHM**

**Source: [www.blr.com](http://www.blr.com)**

**Date: October 3, 2014**

*Continued best practices for successful fire prevention*

### Analyze hazards

Hazard analysis is a key tool in identifying and reducing hazards. Operations should be broken down into components and studied. Following a "what-if" or other analysis method, potential hazards may be addressed to reduce an impact or eliminate its exposure. While a hazard analysis cannot guarantee all hazards, accident scenarios, and consequences are identified, many hazards will be addressed. The process being studied may be improved and made more efficient, and the analysis may help employees better understand the process and related hazards.

### Maintain sprinkler systems

Fire sprinkler systems are the backbone of fire protection at many facilities. Fire sprinklers have a very high rate of reliability when properly inspected, tested, and maintained. Fire sprinkler systems are designed to a specific occupancy. When the occupancy changes, the sprinkler system should also be modified so it is capable of protecting the new hazard.

One change may be increased storage height. Storage height is a major factor in the design of sprinkler systems. If the materials stored change, the hazard may increase.

Additional plastic material in the products being stored, or the introduction of tires, aerosols, oils or other high challenge commodities can adversely affect the capability of the sprinkler system to control a fire. Management of change reviews should identify these situations, but unfortunately, they are not always performed.

### Respond promptly

Prompt notification of a fire or other unusual condition is a key aspect of your fire program. A good surveillance program will provide prompt notification to the fire department when a fire condition is detected. When a fire starts, it grows in size exponentially over time, and the quicker the response, the smaller the fire will be, and the better chance of controlling and extinguishing the fire.

Notification should be provided to management and key employees upon detection of supervisory signals. The supervisory signals may be fire protection related or process related. Responding to these abnormal conditions quickly may help prevent a situation which could become a major issue if not addressed early.

Walt Beattie will be hosting a webinar "[Industrial Fire Protection Best Practices: Strategies for Success](#)" on Wednesday, October 15, 2014 from 1:30 p.m. to 3:00 p.m. Eastern/10:30 a.m. to 12:00 p.m. Pacific. Please [join him](#) to learn more about this very important topic.

## SCI OSHA News: Contesting an OSHA Citation? What's Your Defense?

Source: [www.blr.com](http://www.blr.com)

By Jennifer Busick

Date: October 1, 2014

**If you've been issued an OSHA citation, you may feel that it was undeserved and wish to contest it. But if you're going to contest, you'll need to give a reason. Keep reading for a discussion of the defenses you can make against an OSHA citation.**

Your grounds for contesting the violation will fall into two general categories. You may claim that no violation occurred, in which case, OSHA will have to prove that it did. Or, you may acknowledge that the violation occurred, but claim that you are not responsible —this type of defense is called an *affirmative defense*, and there are specific affirmative defenses that are recognized by the Occupational Safety and Health Review Commission. We'll talk about both types of defenses and a few of the more common affirmative defenses in today's article and in tomorrow's as well.

### No Violation Occurred

Generally, the burden of proving that an OSHA standard was violated falls on OSHA. If you feel that a violation did not occur, you can directly contest the violation. You should be able to provide evidence demonstrating that no violation occurred. For example:

- If you were cited for failing to train workers under the requirements of a specific standard, you can contest the citation and provide written documentation of the training you provided.
- If you were cited for failing to comply with machine guarding standards, you might offer evidence demonstrating that there was no violation because the machine was properly locked out during a maintenance operation when OSHA observed it.

**Affirmative Defenses** It might be that OSHA cited you for a violation and that the violation did occur, but that you do not feel that you should be held responsible for it. In order to contest a citation in such a case, the burden of proof will fall on you (the employer) rather than on OSHA, and your defense falls into the category of an affirmative defense. An affirmative defense is simply a defense which, if established by the employer, will excuse the employer from a violation that has otherwise been proved by OSHA.

The classic example of an affirmative defense in criminal law is self-defense. When a defendant in a murder trial argues that the murder was committed in self-defense, the defendant admits up front to having killed the other person. The defendant simply argues that he is not liable for murder because he acted in defense of his own life. In such cases, the accused is responsible for proving his defense, because the prosecution's assertion—that he killed another person—is not directly at issue.

## SCI OSHA News: Contesting an OSHA Citation? Common Affirmative Defenses (Part 1)

Source: [www.blr.com](http://www.blr.com)

By Jennifer Busick

Date: October 1, 2014

Yesterday, we looked at the two categories of defenses an employer can use in contesting an OSHA citation. Today, we'll look at three common affirmative defenses that employers can use to argue that, even though a violation occurred, the employer is not responsible.

Any defense you wish to argue must be listed in your notice of contest. If you don't list it, you can't use it. If you raise an affirmative defense, the judge may require you to provide certain documents supporting your defense before the

hearing. For example, if you claim that an employee acted in a way that is forbidden by your company's written work rules, you will probably be required to provide a copy of those rules. Here are three common affirmative defenses you might employ against an OSHA citation, and what you must demonstrate in order to make your case.

## The Unpreventable Employee Misconduct Defense

When you argue that a violation occurred because of employee misconduct that you could not have prevented, you must demonstrate that:

- You did not know about the violation, *and*
- The employee violated a work rule that would have prevented the violation, *and*
- The employee knew of the work rule, because it had been adequately communicated, *and*
- The work rule had been enforced in the workplace.

If you fail to establish any of these four things, your defense will fail.

## HEALTHY BITES

Quick Tips for Healthy Living

PREVEA  
Health & Wellness

## Neck Injuries and Disorders

Any part of your neck - muscles, bones, joints, tendons, ligaments, or nerves - can cause neck problems. Neck pain is very common. Pain may also come from your shoulder, jaw, head, or upper arms.

Muscle strain or tension often causes neck pain. The problem is usually overuse, such as from sitting at a computer for too long. Sometimes you can strain your neck muscles from sleeping in an awkward position or overdoing it during exercise. Falls or accidents, including car accidents, are another common cause of neck pain. Whiplash, a soft tissue injury to the neck, is also called neck sprain or strain.

The Lehrke Family Scholarship Fund Is Up & Running It's 2015 Fundraiser In Memory of the Lehrke Family Children - Jessica, Nick & Kristin – Our Theme – “ Help Us Help Others “



What do you think?  
Send us an email at:  
[jconnections@aol.com](mailto:jconnections@aol.com)  
See our bold new look @  
<http://www.safetyconnections.com/>

In Loving  
Memory of Jessica Lehrke

### Lehrke Family Scholarship Fund

All proceeds go to the High School Scholarship

## Las Vegas Trip & \$500 Cash

**WIN A TRIP TO Fabulous LAS VEGAS NEVADA**

Purchase a ticket for your chance to win  
**ROUND TRIP AIRLINE TICKETS and a HOTEL STAY IN LAS VEGAS valued up to \$1000. Plus \$500 cash!**  
Drawing Held 12/13/14  
This prize has the following guidelines:

- Price is for 2 airline tickets & 3-night hotel stay for 2 people valued up to \$1000 and \$500 cash.
- Maximum travel prize value is \$1000. Prize covers 2 airline tickets (round-trip flights from Appleton or Milwaukee to Las Vegas, NV), 3-night hotel stay for 2 people, choice of a travel agent at Fox World Travel and any additional charges (transfer, show tickets, etc.) up to \$1000. Costs beyond \$1000 are the responsibility of the winner.
- Winner may choose travel dates, hotel accommodations and flight, but will be responsible for any charges above the \$1000 total value of the vacation.
- All taxes, fees, and expenses over \$1000 (including, but not limited to, food, beverages, and checked-baggage fees) are the responsibility of the winner.
- Package is redeemable in 2015. Travel must be completed by 12/31/15.
- Unused travel award will be forfeited. This award has no cash value and is non-refundable and non-transferable once booked.
- Travel arrangements must be made through Fox World Travel in Sheboygan.
- Cash prize of \$500 must be redeemed from Jim Lehrke on behalf of the Lehrke Family Scholarship Fund.
- Other restrictions may apply.

To redeem the travel prize, please choose your travel dates well in advance and contact:  
Fox World Travel - 375 S. Taylor Drive, Sheboygan  
920-469-4500 or [vacations@foxworld.com](mailto:vacations@foxworld.com)  
at least 60 days prior to your anticipated travel date.

To redeem the cash prize, please contact:  
Jim Lehrke - 920-912-7233  
**Thank you for your support!**

Travel arrangements by:  
**FOX WORLD TRAVEL**

