

# OSHA CORNERSTONES

Provided by **Ollis/Akers/Arney Insurance & Business Advisors**

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## OSHA Proposes Rule to Update the HCS

The Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard (HCS) outlines requirements regarding labels and Safety Data Sheets (SDSs) for hazardous workplace chemicals throughout the United States. To align its requirements with the United Nation's Globally Harmonized System of Classification and Labeling of Chemicals (GHS), OSHA recently issued a proposed rule to update the HCS.

The HCS was last modified in 2012, in order to match GHS Revision 3. OSHA's proposed rule would update the requirements within the HCS to conform with GHS Revision 7—which debuted in 2017. Key HCS changes that would result from the proposed rule include:

- **Revised classification criteria**—The HCS's criteria for the classification of health and physical hazards would change under OSHA's proposed rule. This includes revised health hazard definitions, changes to sections on skin corrosion and serious eye damage, updates to the flammable gases hazard class, an expansion of the flammable aerosol hazard class and the addition of a new physical hazard class.
- **Relaxed requirements for updating labels**—The current HCS requires labels to be physically updated after new information regarding chemical hazards arises. However, OSHA's proposed rule would allow new labels for chemicals awaiting future distribution to either be placed on containers, included within shipping papers or sent via electronic means.
- **New provisions for small containers**—In scenarios where it's not feasible to include full label information on small chemical containers, OSHA's proposed rule would permit reduced information labels.
- **Amendments to the contents of labels and SDSs**—OSHA's proposed rule would require labels to include the date that chemicals are released for shipment. It would also require several adjustments to SDSs.
- **Changes to HCS definitions**—Lastly, OSHA's proposed rule would update three existing terms and introduce eight new definitions to the HCS.

Together, these HCS changes will help remedy remaining issues that employers, manufacturers and importers have encountered since the 2012 HCS modification.

## OSHA Temporarily Defers to CDC Guidance for Vaccinated Individuals

On May 18, 2021, OSHA announced it is reviewing the Centers for Disease Control and Prevention's (CDC) [recommendations](#) for fully vaccinated individuals. OSHA has indicated it will update its [Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace](#) and their [National Emphasis Program](#) for COVID-19 accordingly once the review is complete. Until then, OSHA is referring employers to the CDC's guidance for appropriate measures to protect fully vaccinated workers.

As such, employers should review the CDC's recommendations for fully vaccinated individuals. Subject to state or local requirements, employers may choose whether to enforce face covering and physical distancing measures for fully vaccinated individuals. Employers should also monitor OSHA's communications to learn about updated guidance once it is published.

For more information and OSHA updates, contact us today.

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## Protecting Employees From Heat-related Illnesses

According to OSHA, millions of employees across the country are exposed to heat within their workplaces. Employees can encounter occupational heat exposure in both indoor (e.g., kitchens, boiler rooms, manufacturing plants and warehouses) and outdoor (e.g., construction and landscaping sites, oil or gas wells and farms) work environments.

Without the proper precautions in place, occupational heat exposure can cause employees to experience various heat-related illnesses. In fact, OSHA estimates that thousands of employees sustain heat-related illnesses every year—some of which prove fatal. Key factors that contribute to these illnesses include increased air temperatures, elevated humidity levels, prolonged exposure to sunlight or other heat sources, inadequate airflow and tasks involving heavy physical labor.

Heat-related illnesses are especially prevalent in the summertime, when temperatures rise and heat waves are likely. To protect employees from heat-related illnesses on the job, employers should do the following:

- Develop an effective heat illness prevention program.
- Educate employees on heat-related illnesses and how to adequately avoid them.
- Offer plenty of cool drinking water within the workplace. Provide employees with regular water breaks in air-conditioned or shaded locations.
- Help employees who are new to working in heat acclimate by gradually elevating their workloads and allotting them more frequent breaks.
- Consider modifying employees' work schedules to minimize direct exposure to sunlight or other heat sources.
- Have supervisors monitor employees for signs of heat-related illnesses (e.g., headache, dizziness, confusion, fainting, excessive thirst and vomiting).
- Instruct supervisors to take these steps if any employees display signs of heat-related illnesses:
  - Relocate the employee to a cooler or shaded area.
  - Fan the employee and give them water to drink.
  - Have the employee apply ice to their body.
  - Call 911 immediately if the employee's condition worsens or they lose consciousness.

For additional workplace safety resources, contact us today.

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