

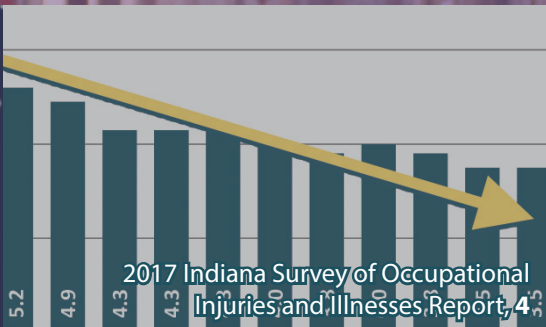


Indiana Labor *Insider*

2018 October - December



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Overtime and Minimum Wage

Indiana Labor Insider WINTER 2018 EDITION

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A Letter From Commissioner Rick J. Ruble

On behalf of myself and the staff of the Indiana Department of Labor, I introduce the *Indiana Labor Insider* for winter 2018. As the year draws to a close, we are celebrating our 2018 accomplishments as well as gearing up for the cold winter months.

The *Insider* has long been one of our primary connections to Hoosier employers, managers, safety directors, trades people, and employees. We strive to keep you informed of relevant and timely topics. In this edition of *Insider*, we cover topics such as winter driving safety, some of the dangers of exhaustion and cold temperatures, and a look at some of the health hazards facing those working in the veterinary industry.

We would also like to remind you that we are still taking applications for the 2019 Governor's Workplace Safety Awards. These awards, offered in partnership with the Indiana Chamber of Commerce and the Central Indiana

Chapter of American Society of Safety Professionals (ASSP), serve to honor businesses that have taken steps to prioritize safety and health and who have taken big steps to identify and eliminate workplace hazards. Nominations are also open for the Everyday Safety Hero Award, an opportunity for Hoosier employers to recognize outstanding individuals for protecting workers. More information is available on **Pages 12 and 13**.

As we head into the winter months, we encourage all Hoosiers to prepare to be safe in the cold and sometimes inclement weather. Ensure that your vehicles are in good working order, tires are in good shape, and your emergency preparedness kits are ready and stored inside.

From all of us at the IDOL, we wish you a safe, healthy and prosperous new year!

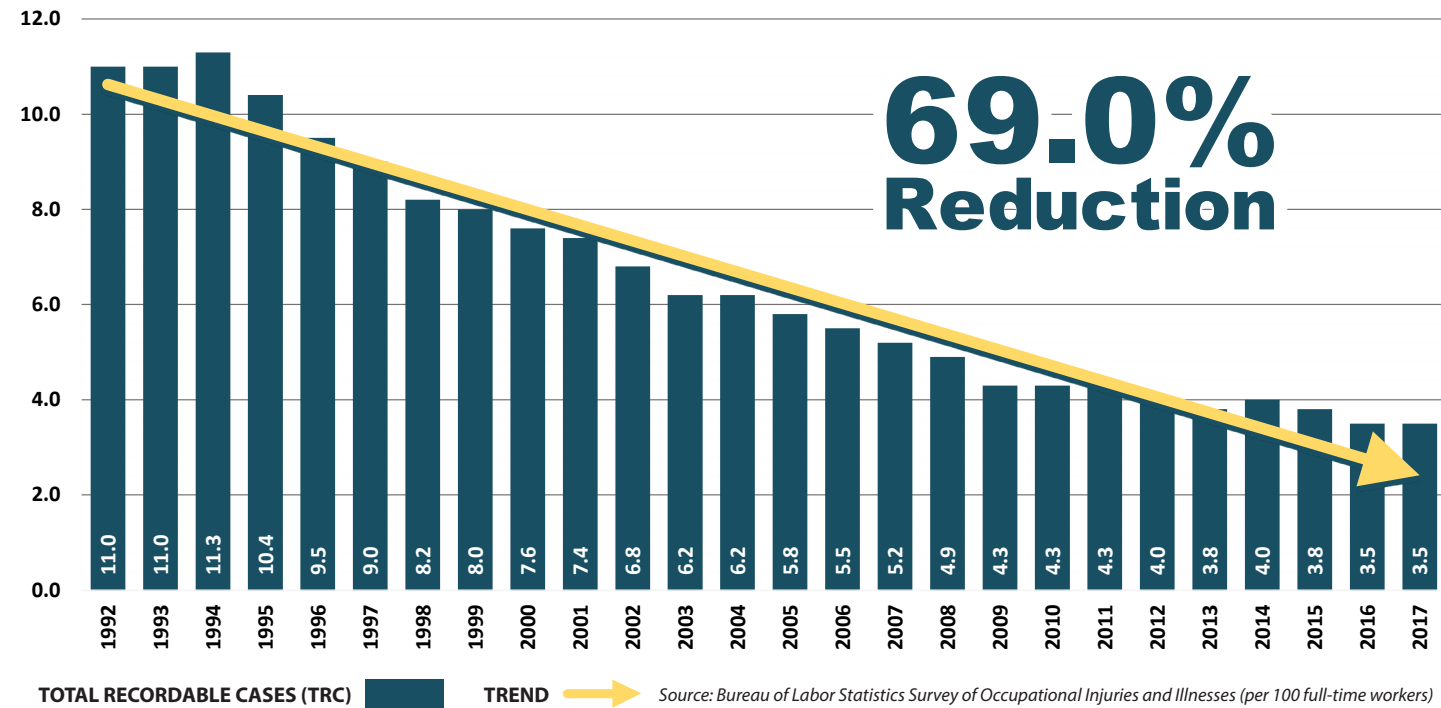
To your health and wealth,



Indiana's Nonfatal Occupational Injuries & Illnesses

Analysis of the Survey of Occupational Injuries and Illnesses (SOII) Results

Indiana's Nonfatal Occupational Injury and Illness Rate



Each year, nearly 5,800 Indiana businesses participate in the Survey of Occupational Injuries and Illnesses (SOII) conducted by the federal Bureau of Labor Statistics (BLS). The Survey is designed to provide an estimate of the number of work related injuries and illnesses and a measure of the frequency at which they occur. The SOII is conducted by requesting data from employers' Occupational Safety and Health Administration (OSHA) logs showing OSHA recordable work related injuries and or illnesses that occurred in the previous calendar year. The sampled employers receive notification prior to the year they will be on the survey. After the calendar year has ended, they receive a notification that it is time to submit their OSHA logs.

At 3.5 injuries or illnesses per 100 full-time workers, the 2017 nonfatal injury and illness rate for Indiana tied the 2016 rate as the lowest rate of nonfatal injuries and illnesses in Indiana history. At the inception of the SOII

program in 1992, the overall nonfatal injury and illness rate was 11.0 injuries per 100 full-time workers. The rate reached a high of 11.3 in 1994 and has declined by 69.0%.

The BLS estimates that around 83,500 Hoosier workers experienced a nonfatal OSHA-recordable injury or illness in 2017. This is less than a 1.0% decrease from the 2016 estimate of 84,300 injuries or illnesses.

Just over half (50.2%) of all recordable injuries and illnesses in 2017 resulted in one or more days away from work (DAFW) or days with job transfer or restriction (DJTR). This was a slight increase from 2016 recordable injuries and illnesses of 48.6%. Companies with 50 to 249 employees had the highest nonfatal injury and illness rate at 4.1, with companies of 1,000 or more employees following closely with a rate of 4.0. Companies with 1 to 10 employees had the lowest nonfatal injury and illness rate at 1.3.

2015 - 2017 Nonfatal Injury and Illness Rates By Industry

INDUSTRY	2015	2016	2017
Agriculture, forestry, fishing, and hunting	7.1	4.3	5.3
Mining, quarrying, and oil and gas extraction	2.7	2.6	2.7
Construction	2.8	2.8	2.6
Manufacturing	4.7	4.1	4.2
Wholesale trade	3.2	3.1	2.3
Retail trade	4.0	3.8	3.4
Transportation and warehousing	4.6	4.7	4.2
Utilities	2.2	1.4	2.1
Information	1.6	1.4	1.5
Finance and insurance	1.0	0.4	0.4
Real estate and rental and leasing	2.7	3.6	2.0
Professional, scientific, and technical services	0.7	1.1	1.3
Management of companies and enterprises	0.8	0.8	1.1
Administrative and support and waste management and remediation services	2.5	1.3	2.7
Educational services	2.4	2.3	1.8
Health care and social assistance	4.9	4.9	4.8
Arts, entertainment, and recreation	6.3	4.9	5.0
Accommodation and food services	3.1	3.4	3.3
Other services (except public administration)	3.6	2.5	2.4
State government	2.6	2.4	2.3
Local government	5.8	5.2	5.2

Data is courtesy of the BLS Survey of Occupational Injuries and Illnesses for 2015 - 2017. These data show the estimated number of injuries per 100 full-time workers. Industry and sub-industry definitions are available online at www.census.gov/cgi-bin/sssd/naics/naicsrch?chart=2012.

Numerous factors can affect the nonfatal injury and illness rate of a particular industry. Employers, employees, regulatory agencies, outreach programs, trade organizations and labor unions can positively impact occupational safety and health through safety awareness programs, enforcement of occupational safety and health standards, training and education.

Economic factors such as the number of employees can also affect the rates, as can the sample size and the companies surveyed.

From the 2017 SOII data, 10 industries experienced decreases in their nonfatal injury and illness rates from 2016 to 2017. These included **construction, wholesale trade, retail trade, transportation and warehousing, real estate and rental leasing, educational services, health care and social assistance, accommodation and food services, other services (except public administration)** and **state government**.

In contrast, **manufacturing, agriculture, forestry, fishing, and hunting, arts, entertainment and recreation, mining, quarrying, and oil and gas extraction** and **administrative and support and waste management and remediation services** all experienced an increase in nonfatal injury and illness rates. The rates for **local government** and **finance and insurance** remained the same.

Administrative and support and waste management and remediation services experienced an increase in rate from 1.3 in 2016 to 2.7 in 2017. In contrast, **transportation and warehousing** saw a decrease in rate from 4.7 to 4.2 in that same timeframe.

For additional results, data, and information including hazard analyses, employment comparisons, and detailed demographics, please view the full **2017 Indiana SOII report and analysis** at www.in.gov/dol/2341.htm.

THE COLD TRUTH

Severe Safety and Health Risks of Winter Labor

CONTRIBUTOR
Rebecca Ellison
INSHARP Consultant



IT HAPPENED HERE Lake County

February 8-10, 2018

In a 48-hour period, the northern Indiana county recorded four deaths as results of shoveling and moving snow. Following a major winter storm, private citizens and homeowners began removing and snow away from their driveways and vehicles. *The Chicago Tribune* reported the deaths of four citizens, at least one of which suffered a heart attack while using a snowblower.

(Source: <https://trib.in/2BqoF9H>)

Many Hoosiers will be shoveling snow and enjoying winter activities that can cause exposures to extreme cold temperatures. Statistics of weather-related injuries and deaths are difficult to establish due to delays in symptoms, but it is widely known that shoveling snow can be one of the more hazardous winter tasks and can lead to serious injuries and health concerns. Recreational activities in the snow can be just as dangerous. Overall, it is very important for workers and citizens exposed to cold temperatures for any amount of time to understand dangerous and hazards related to the winter season and how to protect themselves.

Frostbite

A potentially serious condition, frostbite can occur in severe weather in as little as five minutes. Frostbite is a treatable but potentially serious condition that affects the skin. It happens when a body part isn't properly covered and has been exposed to freezing temperatures. Red or sore skin can result in frostnip, the warning sign frostbite. Symptoms of frostbite depend on how deep the damage goes into the body. Minor exposure affects the top layers of the skin. More advanced cases can go all the way through, damaging the muscles and bones.

Heart Attack

It is no secret that heart attacks are serious and deadly, although some may not know that shoveling snow is a known cause of heart attack. A heart attack results from lack of oxygen to the heart and the forceful exertion of lifting and pushing of the snow. Lack of oxygen and the strenuous job of shoveling make it harder for the heart to do its job. Several medical studies have also revealed the additional factor of increased blood pressure due to cold temperatures.

Hypothermia

On top of working outside in winter weather, sledding, skiing, and snowboarding are recreational activities that can lead to hypothermia. Hypothermia is caused by reduced body temperature that happens when a body dissipates more heat than it absorbs. Symptoms of mild hypothermia are shivering and mental confusion. This is a dangerous condition resulting in a medical emergency and requires immediate medical attention.

Hyperthermia

The opposite of hypothermia, hyperthermia is the result of a too-high body temperature. When a person overexerts themselves in cold weather, the core body temperature may escalate to unsafe levels. Symptoms include fever, a dangerous drop in blood pressure, hallucinations and seizures. These are medical emergencies that will require immediate medical attention.

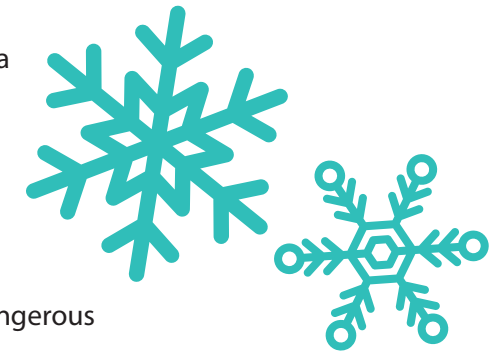
Back and Shoulder Injury

Lifting heavy snow with the arms can put tremendous strain on the body, possibly leading to back and shoulder injuries. Excess amounts of snow can weigh hundreds of pounds and require strenuous labor to lift and move. Safer ways to shovel snow include bending at the knees and keeping the back straight. One should avoid picking up large amounts of snow at a time. Pushing the snow is always safer and preferred to lifting. A person shouldn't continue to shovel snow if they feel tired and exhausted, nor should they shovel snow if they've had back issues.

Prevention is Key

Of course, the best way to avoid injuries and/or illnesses in winter weather work is a proactive approach and limiting hazards. Prevention strategies may include:

- Avoiding temperatures below -15 degrees^c (Celsius)
- Wearing and layering proper clothing and/or personal protective equipment (PPE)
- Eating a light meal to maintain energy
- Drinking plenty of water to stay hydrated
- Avoiding alcohol, which can mask the body's ability to determine dangerous symptoms such as cold temperatures and muscle aches
- Staying active without becoming exhausted



Any workplace that employs workers who may encounter or regularly work within cold temperatures and frosty conditions should develop and implement a comprehensive occupational safety and health program to prevent the aforementioned ailments. This program should include important PPE, a schedule to rotate workers and allow "warm up" breaks, essential training for all new employees, and recurring training to emphasize proactive protection.

Additional Information

INSafe, the consultation and education division of the Indiana Department of Labor, offers cost-free services to Indiana employers and businesses for voluntary occupational safety and health compliance. Services include on-site consultations, sample programs, on-site health sampling, and much more. If you would like to schedule an on-site consultation with INSafe, please visit www.in.gov/dol/insafeconsultation. You may also contact INSafe over the phone by calling (317) 232-2688 or via email at insafe@dol.in.gov.



SAVE THE DATE



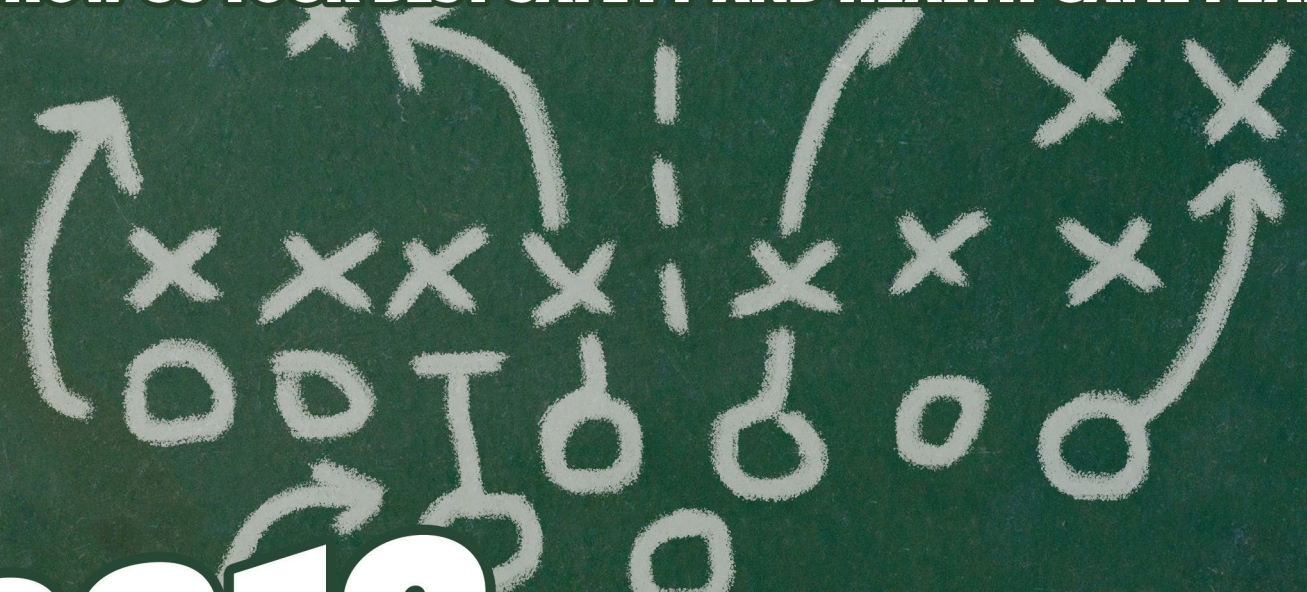
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2019 GOVERNOR'S WORKPLACE SAFETY AWARDS

The annual Governor's Workplace Safety Awards will be presented during the 2019 Indiana Safety and Health Conference and Expo at the Indiana Convention Center! All award categories are open for applications, including the distinct Everyday Safety Hero Award!

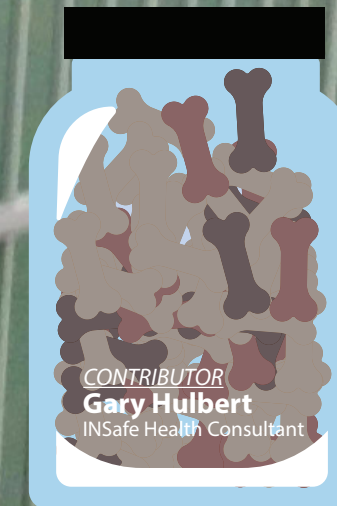


LEARN MORE AND APPLY TODAY AT WWW.IN.GOV/DOL/2934.HTM

The annual Governor's Workplace Safety Awards and the Everyday Safety Hero Award are opportunities to provide recognition for companies and professional individuals across the state of Indiana. These awards are based on best practices for eliminating workplace injuries and illnesses and salute those who have made safety and health a top priority. All award applications and nomination forms may be submitted through January 11, 2019.



Workplace Hazards of Veterinary Care



The veterinary medical industry employs people who care for animals that can vary from the family pet and farm animals, up to and including individuals who care for animals found in zoos, animal refuges, and circuses. While treatment options vary with the size of the animal, treating animals comes with unique risks and hazards.

Hazards Associated with Veterinary Care

The hazards associated with the veterinary medical industry vary from radiation and chemical exposures to animal bites and attacks. A veterinary clinic's safety program could look markedly different from the safety program required to protect employees at an animal refuge or zoo. While it would be expected that each facility would have chemical exposures and exposures to animals, not all facilities would have exposures to larger, more dangerous animals such as tigers and other large predatory felines. Veterinary medical personnel who are exposed to animals that may carry disease such as rabies should receive a pre-exposure rabies vaccine.

Protective Measures for Contact with Animals

While engineering and administrative controls are preferable in minimizing employee exposures to workplace hazards, personal protective equipment (PPE) may also be used. Handling healthy animals may not constitute much of a threat to the veterinarian or support staff, other than animal bites or attacks. Personal protective equipment should always be worn when touching feces, body fluids, vomitus, exudates, and damaged skin. The following personal protective equipment are available for veterinary use:

- Gloves should be worn when individuals could come in contact with anything that could be contaminated such as blood, specimens, open wounds, and excrements.
- Eye and face protection such as safety glasses, goggles, and face shields when conducting dental and surgical procedures.
- Lab coats, disposable coveralls, and gowns when exposed to potentially contaminated fluids and tissue.

Radiation Safety

Radiation hazards exist when veterinary personnel x-ray animals for diagnostic purposes. The amount and duration of the radiation exposure will determine the severity of hazardousness to the x-ray technician. When

staff members are exposed to low level doses of radiation over an extended period of time, health hazards can be expected, including but not limited to cancer, benign tumors, cataracts, and/or potentially harmful genetic changes.

Only trained x-ray equipment operators should x-ray animals and no other employee should be in the room at the time that the equipment is in operation. It has been found that employees working in veterinary clinics may be required to hold the animals in order to x-ray them. Employees required to x-ray animals need to be protected by being behind a fixed protective barrier when operating x-ray equipment or utilizing personal protective equipment such as, lead aprons and gloves. Employees exposed to x-ray equipment should also be required to wear personal radiation monitoring devices such as film badges in order to determine how much radiation the employees are exposed to.

Developing a Safety Program for Veterinary Medical Facilities

The following program elements should be conducted when developing a safety program for a facility:

- Personal protective equipment hazard assessment to determine hazards present and types of personal protective equipment to protect individuals exposed to the hazards.
- Chemical inventory and hazard communication program, including training employees on the hazards of the chemicals to which they may be exposed.
- Radiation safety program which includes personal protective equipment to use while x-raying animals, training requirements, and personal radiation exposure monitoring devices.
- Emergency evacuation procedures should an emergency such as a fire or tornado occur.

Additional Information

For questions regarding veterinary safety and health practices in the workplace, please contact **INSafe** to speak with a safety or health consultant by calling (317) 232-2688 or email insafe@dol.in.gov. Free, confidential workplace safety and health consultation services, including sampling, are available to Hoosier employers and employees. Learn more about INSafe online at www.in.gov/dol/insafe. To initiate a request for services, please complete and submit the form available at www.in.gov/dol/insafeconsultation.

DRIVING IN A Winter Wonderland

CONTRIBUTOR
Maynard Evans, IV
INSafe Safety Consultant

Winter driving can be dangerous, and it's important to be prepared for inclement weather—not *wondering* what could happen while behind the wheel. Black ice, drifting snow, wind, slush, water, and reduced visibility are all hazards that commonly creep up during Hoosier winter travel. It's best to be ready for whatever lies ahead.

To keep yourself and others as safe as possible on wintry roads, you can remember the "Three P's Method:" **P**repare for the trip. **P**rotect yourself. **P**revent crashes on the road.

PREPARE

Inspect your vehicle. Make sure that your car battery is in good, working order. Check for corrosion and connectivity on the terminals. Check your tires for air and tread. If your tires appear "polished" and very smooth, you should replace them. Ensure that you have "no freeze" windshield fluid in the reservoir, and the proper amount of antifreeze. Professional auto workers can assist with any of these factors.

If you are towing a trailer, make sure the trailer's brakes work and understand the limitations and stopping distances.

Perhaps the most obvious—make sure that your car has a full tank of gas!

Keep some emergency essentials stowed in your vehicle. Your emergency kit should include a flashlight, spare batteries, jumper cables, an ice scraper, snow brush, blankets, cat litter or sand, and a basic first aid kit. For long trips, consider packing food, water, and additional warm clothes.

Plan your route. Check various traffic and travel resources for forecasted congestion on roadways, accidents, and other potential issues. It's also a good practice to be prepared with an alternative route. Leave early and drive carefully. (Being early is better than not making it at all, right?) Allow yourself plenty of time to arrive at your destination safely.

Practice inclement driving. Refresh yourself on driving techniques including:

- Steering into a skid or slide
- Understand your brakes; antilock brakes should be pushed down hard and non-antilock brakes should be pumped
- Anticipate stopping distances will be elongated over water- or ice-covered areas

PROTECT

Rule number one: buckle up. The most important and underappreciated method of protecting yourself in accidents is to wear your seat belt. For small children, make sure that you are using the proper car seat. Learn more from online sources such as www.saferide4kids.com. Never place a rear-facing infant seat in front of an air bag, and children under age 12 are much safer riding in the back seat.

If for any reason at all you find yourself in an accident or on a road that is too dangerous to drive, you may have to wait out inclement weather on the side of the road. If possible, navigate very carefully to a less congested area and/or away from other vehicles and potential accidents. However, do not leave your vehicle unless absolutely urgent. It will be even more dangerous if you exit your vehicle near a hazardous area with other vehicles.

PREVENT

Everything you learned about driving should be amplified—your carefulness, your awareness of other cars, anticipation of any potential hazards, etc. Keep your speed on the slower side and increase the distance between yourself and other vehicles. Avoid any and all distractions such as eating, tuning the radio, talking on the phone, etc. (In general, you should avoid using mobile devices at all while driving.) Watch for stopped cars along the sides of roads as well as pedestrians.

Regardless of the weather conditions, drugs and alcohol never mix with driving. If you find yourself drinking alcohol at a holiday event, designate a sober driver or have an alternative plan in order to avoid getting behind the wheel. It's not an option.

IMPORTANT RESOURCES

The Indiana Department of Transportation has provided several helpful resources for both private citizens and working Hoosiers. **TrafficWise** is an interactive map and program that provides information about traffic conditions, road closures, traffic cameras, travel times, and message boards. You can visit the TrafficWise program at <http://pws.trafficwise.org/pws/>. The **INDOT CARS Program** is an interactive map which contains information about road conditions, closures, and width and weight restrictions. This beneficial map can be found at <http://indot.carsprogram.org/>. You may also call 1-800-261-ROAD (7623).

SILICA

SUMMARIZED

CONTRIBUTOR
Tony Kuritz
INSafe Health Consultant

Crystalline silica is a common mineral found in the Earth's crust. Materials containing crystalline silica include sand, stone, concrete, and mortar. Additionally, products and materials made using crystalline silica include glass, pottery, ceramics, bricks, and artificial stone.

Respirable crystalline silica is one of the greatest health concerns for workers interacting with any of the above materials and products. These tiny particles are at least 100 times smaller than ordinary sand, like that you might find at playgrounds. Respirable crystalline silica is created by cutting, sawing, grinding, drilling, and crushing of stone, rock, concrete, brick, block, and mortar.

Exposure

According to the Occupational Safety and Health Administration (OSHA), *approximately 2.3 million workers in the United States are exposed to silica at their respective workplaces routinely.* Some common causes of respirable silica could be work on stone countertops or ceramic products, stone crushing, industrial sand for foundry work and abrasive blasting, and hydraulic fracturing (fracking).

Exposure to respirable crystalline silica dust can result in several ailments and deadly conditions, including silicosis, lung cancer, chronic obstructive pulmonary disease (COPD), and kidney disease.

Construction 1926.1135 and General Industry 1910.1035

OSHA has issued two respirable crystalline silica standards, intended to protect American workers from exposure to this mineral. Construction 1926.1135 and General Industry 1910.1035 are occupational safety and health standards which require employers do the following:

- Assess employee exposure by operation or air sampling
- Limit exposure by controls to 50 µg/m³, averaged over an 8-hour day
- Provide respirators if limit cannot be met
- Develop and integrate an exposure control plan
- Maintain medical surveillance
- Practice housekeeping which does not create dust
- Train employees to follow requirements

Have Questions?

For employers, managers, safety and health directors, or other working Hoosiers, INSafe—a division of the Indiana Department of Labor—offers consultation services to Indiana's workplaces at no cost to employers. To schedule a free, on-site consultation, visit www.in.gov/dol/insafeconsultation. For questions and other assistance, please feel free to call our staff at (317) 232-2688 or email insafe@dol.in.gov.

For more about OSHA requirements for silica, please visit www.osha.gov/dsg/topics/silicacrystalline.

February

Tuesday

Wednesday

Thursday

Friday

OSHA
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REMEMBER TO POST LAST
YEAR'S OSHA LOGS FROM
FEBRUARY 1ST TO APRIL 30TH!

Got recordkeeping questions? Contact INSafe today!
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Frequently Asked Questions Overtime and Minimum Wage

Q: Is my employer required to pay minimum wage or overtime?

A: It depends. Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the federal Fair Labor Standards Act (FLSA). However, those not covered under federal law may still be covered by the Indiana Minimum Wage Law.

Q: What is the overtime law?

A: Both the federal FLSA and the Indiana Minimum Wage Law generally require employers to pay employees 1½ times their regular rate of pay ("overtime compensation") when employees work more than forty (40) hours in a work week. However, there are many exceptions to the overtime pay requirements of both federal and state law.

Q: Can my employer force me to work overtime?

A: Generally, yes. Absent a collective bargaining agreement or contract that states otherwise, employers in Indiana may set their work hours at their own discretion. The employee may be required to work longer or later hours. In general, there are no laws that define how much notice must be given to the employee or how many hours an employee may work in one shift. Some industries, such as transportation and trucking, may have different safety rules that would require hour limits.

Q: Do I get paid overtime if I work more than 8 hours in a day?

A: Typically, no. Federal and state overtime laws only require payment of overtime for a work week of more than 40 hours. Some collective bargaining agreements and/or contracts will, however, state that the employee must be paid one and one half times his/her regular rate of pay when working more than 8 hours in a day. This is set on a company-by-company basis, but is not a requirement under state or federal law.

Q: Can minors (under 18 years of age) be paid less than minimum wage?

A: Employees under 20 years of age may be paid a "training wage" of no less than \$4.25 per hour for the first 90 consecutive days of work. After 90 days, the minor must be paid minimum wage. It is unlawful to terminate a minor's employment to avoid having to pay the full minimum wage.

Overtime claims should be made directly to the federal U.S. Department of Labor, Wage and Hour Division at the nearest regional office, or at the Indianapolis District Office. If you have specific questions, contact the U.S. Department of Labor at (317) 226-6801 or the Indiana Department of Labor at (317) 232-2655.

Upcoming Safety Training & Seminars

Course	Date(s)	Location	More Information
OSHA 7505 Introduction to Incident Investigation	January 4, 2019	Vincennes	CLICK HERE
OSHA 511 General Industry	January 8 - 11, 2019	Vincennes	CLICK HERE
OSHA Recordkeeping Training Webinar	January 22, 2019	WEBINAR	CLICK HERE
OSHA 510 Construction	January 22-25, 2019	Vincennes	CLICK HERE

Additional training and seminar opportunities are listed on the Indiana Department of Labor's website, www.in.gov/dol/2383.htm. If you would like to list your company or organization's training and invite other Hoosier workers, please contact us at insafe@dol.in.gov.

IN MEMORIAM

Maynard Benjamin Evans, IV

1967 - 2018



On November 26, 2018, INSafe lost a great team member and friend, Maynard "Ben" Evans. A veteran of the United States Marine Corps, a children's pastor and a youth sports coach, Ben's contributions to his family, friends and country were numerous. His selflessness and positivity touched the lives of all those around him. He is dearly missed. From all of us at the Indiana Department of Labor, we offer our sincerest condolences to Ben's family and friends.



**We're your partner in
workplace safety and health.**



INSAFE

SAFETY AND HEALTH CONSULTATION

www.in.gov/dol/insafeconsultation

The ***Indiana Labor Insider*** is a free, electronic newsletter of the Indiana Department of Labor's onsite workplace safety and health consultation division, INSafe.

Learn more about INSafe online at www.in.gov/dol/insafe.htm or email INSafe with questions, suggestions or comments at insafe@dol.in.gov.

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