

Indiana Labor Insider

March/April 2012

Advancing the safety, health and prosperity of Hoosiers in the workplace

Mitchell E. Daniels Jr., Governor

Lori A. Torres, Commissioner of Labor

Our Indiana Coal Mines

Most people don't automatically think of underground coal mines as part of the Indiana Department of Labor. But the Indiana Bureau of Mines and Mine Safety is a division of IDOL and, together with the Indiana Mining Board, has responsibility for the prevention of mine accidents, the promotion of the technical efficiency of those working in the state's mines, the collection and indexing of active and inactive underground mine maps and providing both mine rescue training and mine rescue teams and equipment in the event of a mine emergency.

The Bureau of Mines is small; it's staffed by a director, a chief mine inspector and the Mining Board. Only underground mines are within the purview of the Bureau of Mines. Currently eight underground coal mines are operating in the state, all of which are located in southwest Indiana. Surface mines are regulated by the federal government and the Indiana Department of Natural Resources.

We have just published the 2011 Indiana Coal Report, which you can access [here](#). It will tell you more about the work of the bureau and our Indiana coal mines. Most often the content in this newsletter is about occupational health and safety. I wanted to draw attention to our underground mining industry and congratulate them for working safely, increasing clean coal production and powering Indiana with the coal of today and the future.



Lori A. Torres
Commissioner of Labor

To your health and wealth,

Lori Torres
Commissioner

Eight Honored with Governor's Workplace Safety Award

On March 14, 2012, eight Hoosier workplaces were recognized for their efforts to further advance the safety and health of Hoosiers in the workplace. The 2012 Governor's Workplace Safety Award recipients were honored at the annual award luncheon held in conjunction with the Indiana Safety and Health Conference & Expo.

Organizations were recognized in the following categories: education and outreach in construction industry, external education and outreach in general industry, innovations in construction industry, innovations in general industry, internal education and outreach in general industry and partnerships in general industry.

To learn more information about the 2012 Governor's Workplace Safety Award recipients, visit www.in.gov/dol/2381.htm. Prior years' recipients are also available on this webpage.

AbsorbTech, LLC of South Bend - *internal education and outreach in general industry by a small company*

ConAgra Foods, Rensselaer Plant of Rensselaer - *partnerships in general industry*

DSM Engineering Plastics Americas of Evansville - *innovations in general industry by a medium company*

Purdue University of West Lafayette - *innovations in general industry by a large company*

Steinberger Construction, Inc., of Logansport - *education and outreach in construction industry*

Superior Essex of Kendallville - *internal education and outreach in general industry by a medium company*

Tanners Creek Plant, Indiana Michigan Power of Lawrenceburg (two awards) - *external education and outreach in general industry; internal education and outreach in general industry by a medium company*

Turner Construction Company of Indiana, LLC of Indianapolis - *innovations in construction industry*



SAFETY ALERT:

Incident Scene Responders

Worker visibility is a major concern when incident scene responders are working either on or near roadways and streets. There are many environmental conditions, such as the glare from the sun in the photo above, that can jeopardize worker safety. (IOSHA photo submitted by Jeanne Hedge)

Police, fire personnel and rescue equipment, emergency medical technicians (EMTs) and maintenance and vehicle recovery (e.g. tow truck drivers) workers are just a few folks responding to incident scenes on Hoosier roadways. Because Indiana is an OSHA-approved state plan state, public sector workers such as police, firefighters—both career and—volunteer and other emergency workers—are protected by the same occupational safety and health standards as private industry workers.

Incident scene responders tend to automobile accidents involving the injury of motorists, passengers and pedestrians as well as hazardous material releases and many other emergencies that occur on the roadways. Responders and their equipment are invaluable contributors who safely and quickly respond to and clear an incident scene on the roadway. However, from visibility concerns and weather conditions to exposures to harmful chemicals and fatigue, incident scene responders are at risk for significant, and in extreme circumstances, fatal injuries.

Indiana Move Over Law

The **Indiana Move Over law** requires motorists to move over to the adjacent lane in the event emergency service vehicles are present on the roadway. Emergency service vehicles include police cars, fire trucks and rescue equipment, ambulances, highway incident response and maintenance vehicles, vehicle recovery equipment and tow trucks. Utility service vehicles were also added to this list in an update to the law in 2010.

Also under the updated law, motorists are also required to reduce their speed by at least ten miles per hour under the posted speed limit if they are unable to move over to the adjacent lane. Violating the law can result in a fine and a suspended license of up to two years if a motorist inflicts

damage to emergency equipment or injures or kills an emergency worker.

Ensuring Incident Responder Visibility

While the Indiana Move Over law provides some protection for incident scene responders, many safety concerns remain. Workers are exposed to environmental conditions that pose threats to worker safety, including heavy rain, snow, sleet, hail, ice, wind, darkness present in early morning and evening and glare from the sun.

OSHA requires the use of personal protective equipment (PPE) to reduce employee exposure to hazards when engineering and administrative controls are not feasible or effective in reducing these exposures to acceptable levels. Employers are required to determine if or when PPE must be used through a written PPE hazard assessment verification. Employers are also responsible for providing training to their employees on how to properly put on, take off, adjust and wear PPE. Training provided to workers must also cover the limitations, proper care, storage, maintenance, useful life and appropriate disposal of the PPE.

To increase worker visibility, reflective vests may be appropriate PPE worn by these workers. The use of reflective vest may be found in OSHA's construction standards and applicable during roadway construction activities. For workers not involved in construction, but responding to an incident scene, OSHA's general duty clause may be applicable. The general duty clause requires an employer to control or eliminate known hazards in the workplace that are not covered by a specific OSHA standard.

Simply put, an employer must provide employees with reflective gear that meets standards. This reflective gear may help control the **known hazard** of worker visibility along a roadway.

Employers who do not provide employees with reflective

gear must demonstrate a hazard assessment was conducted and that the assessment demonstrates no protective clothing is required. For more information on OSHA's PPE requirements, please click [here](#).

In addition to PPE worn by incident responders, it is also important to advise motorists of the presence of an emergency scene and workers' presence on the roadway. This may be accomplished by the use of warning signs, traffic barriers, road cones and the emergency vehicles' safety and alert features such as vehicle strobe lights and sirens. These warning signs, lights and audible alarms provide an indication of a hazard that may not otherwise be readily apparent to motorists.

Worker Fatigue

The physical and mental demands associated with emergency responder operations can have an adverse impact upon the safety and health of the worker. When emergency responders become fatigued, their ability to operate safely is impaired. Workers who are not provided adequate rest are at increased risk for suffering an occupational-related illness or injury, and may inadvertently jeopardize the safety of others. For more information, please review the Federal Emergency Management Agency (FEMA) guide *Emergency Incident Rehabilitation* online by clicking [here](#).

Hazardous Material Clean-up Operations

When assisting with traffic incident clean-up involving a hazardous material, requirements vary depending on the type of incident, the severity of the spill and its location relative to damaged vehicles. Incident scene responders must also be familiar with all pertinent regulations covering the handling and disposal of the identified materials.

Because of the potentially harmful nature of these materials, safety regulations are in place to ensure that only those who are properly trained in the handling and disposal of the hazardous substances do so. OSHA's **Hazardous Waste Operations and Emergency Response** (HAZWOPER) standard describes how an employer must control or eliminate hazards to employees from hazardous substance exposures in the workplace. The standard provides an employer with the requirements regarding training, PPE (e.g. safety glasses, chemical-resistant gloves, etc.) and health screening. Emergency incident responders are likely to be exposed to spilled automotive fluids or other hazardous cargo during the course of up-righting over turned vehicles, moving vehicles out of roadways, collecting engine parts or fluid tanks of crashed vehicles or patching or plugging leaking saddle tanks and vehicles.

Exposure to gasoline, diesel and other automotive fluids is covered by the HAZWOPER standard, unless the employer can demonstrate that the operation does not involve employee exposure to or potential exposure to safety or health hazards. Answers to many frequently asked questions about HAZWOPER are available online by clicking [here](#).

OSHA Consultation

Free OSHA compliance assistance is also provided by the Indiana Department of Labor's consultation division, INSafe. INSafe Consultants work with employers to identify and eliminate workplace safety and health hazards. To learn more about INSafe, please visit www.in.gov/dol/insafe, email insafe@dol.in.gov or phone (317) 232-2688.



It Happened Here: Madison County

Background: Incident scene responders are at risk for suffering serious, and in some instances fatal, work-related injuries from a number of causes.

Event: At approximately 9:30 p.m. in Madison County, a city employee was dispatched to clean debris from the roadway. The employee drove his personal vehicle, not the on-call work truck, to the scene where the debris was to be cleaned. The worker was wearing a reflective vest; however, the vehicle was not equipped with strobing lights, nor were there posted signs, cones or barricades to advise motorists of a worker in the roadway. The worker was fatally struck by a motor vehicle.

Lessons Learned: To reduce the likelihood of and prevent similar incidents from occurring in the future, employers and employees should:

- Ensure workers are provided with, trained on and wear

personal protective equipment (PPE), which may include safety glasses or goggles, high-visibility and reflective vests and steel-toe shoes.

- Utilize the safety features on work trucks and emergency vehicles. These features may include strobe or flashing lights and audible alarms.
- Utilize additional safety signage including caution signs, barricades and cones to advise motorists well in advance of workers in the roadway.
- Train employees to recognize the safety and health hazards associated with each job, task and worksite. Employees should also have knowledge of how and to whom to report occupational safety and health concerns.
- Investigate all near-miss incidents, as well as perform root cause analysis (RCA) to prevent recurrence.
- Foster a culture of workplace safety and health, and hold yourself accountable for your employees' understanding and following of all written safety and health policies, rules, procedures and regulations.



You Asked, We Answered - Personal Protective Equipment

How do I know if I should require the use of personal protective equipment on my jobsite?

Employers are responsible for conducting a workplace or jobsite safety and health assessment to determine if hazards are present that require the use of personal protective equipment (PPE). If such hazards are present, employers must select protective equipment and require workers to use it. The employer is also responsible to communicate the protective equipment selection decisions to workers and select PPE that properly fits the workers.

Is my employer required to provide prescription safety glasses to employees who need them?

OSHA standard 29 CFR 1910.132(h)(2) states that employers are not required to pay for non-specialty prescription safety glasses. Regular street glasses are not considered acceptable safety glasses, even with side shields. Side shields must fit the glasses for which they are made, and must be approved by the American National Standards Institute (ANSI). Employers are required to ensure employees are provided the appropriate PPE as per 29 CFR 1910.132(b).

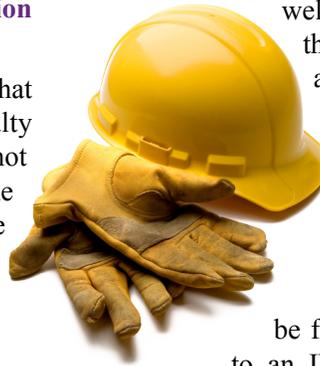
Are hard hats required on all construction jobsites?

While there is no specific requirement for all employees working on a construction jobsite to wear a hard hat,

employers must ensure that their employees wear head protection if any of the following apply:

- Objects might fall from above and strike them on the head;
- They might bump their heads against fixed objects, such as exposed pipes or beams; or
- There is a possibility of accidental head contact with electrical hazards.

Some examples of occupations in which employees should be required to wear head protection include construction workers, carpenters, electricians, linemen, plumbers and pipefitters, timber and log cutters and welders, among many others. Whenever there is a danger of objects falling from above, such as working below others who are using tools or working under a conveyor belt, head protection must be worn. Hard hats must be worn with the bill forward to protect employees properly.



More information about PPE may be found online by clicking [here](#). To speak to an INSafe Consultant about PPE or other workplace safety and health concerns, phone (317) 232-2688 or email insafe@dol.in.gov.

Working Safely with Nail Guns

Nail guns are used every day on many jobsites—especially in residential construction activities. These handy tools help boost worker productivity. However, from double fires and unintended nail discharge to ricocheting and nail penetrations through work pieces, nail guns can also present a number of worker safety hazards.

Employers and employees can help reduce the likelihood of these injuries by following some simple safety steps. At a minimum, full sequential trigger nailers should be provided for placement work—where the lumber needs to be held in place by hand. Examples of this type of work include, but are not limited, to building walls, fastening studs to plates and blocks to studs and installing trusses.

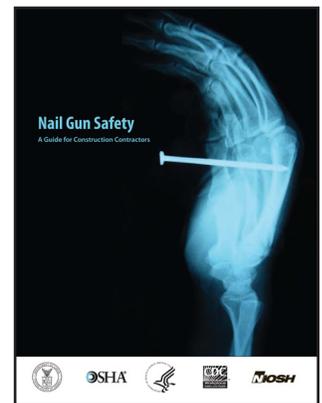
Employees must also receive adequate training to be able to use this equipment safely. Both new and experienced workers will benefit from learning about the causes of nail gun injuries and specific steps needed to reduce them. Training should be provided in a clear manner that employees can easily understand and include practical hands-on demonstrations. Additionally, employers should develop their own nail gun work rules, policies and procedures to

address risk factors to make the workplace as safe as possible.

Work rules and practices should encourage the reporting of all nail gun-related injuries as well as near-misses. Reporting this information helps best ensure employees receive medical attention as well as helps identify unrecognized hazards associated with a jobsite or condition.

Personal protective equipment (PPE) will help reduce the likelihood of nail gun-related injuries as well. This PPE may include articles such as safety shoes, safety glasses or goggles and hard hats.

Federal OSHA and the National Institute for Occupational Safety and Health (NIOSH) recently released a nail gun safety guide. This document may be accessed online by clicking [here](#).



SPOTLIGHTING BEST PRACTICES

“The Sixth ‘S’”

Located in Angola, Indiana, Univertical Corporation, has served the worldwide plating industry since 1938. The site achieved status in the Indiana Department of Labor's exemplary occupational safety and health program, Indiana Safety and Health Achievement Recognition Program (INSHARP), in 2009. To learn more about Univertical Corporation, please visit www.univertical.com/.

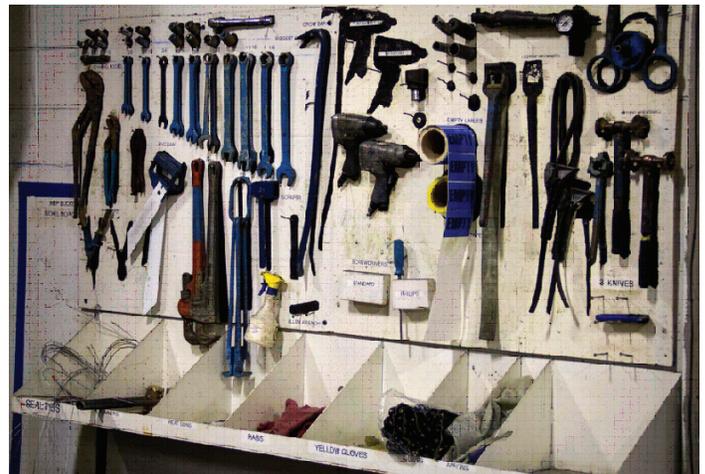
Contributed by Rob Green, Engineering Manager for Univertical Corporation

Founded by Charlie T. Walker in Detroit in 1938, **Univertical Corporation** serves the metal and chemical needs of the plating industry. During World War II, Univertical also began supplying wartime production needs and the U.S. auto industry.

Today, Univertical produces products commonly found in many industries such as plating-on-plastics, printed circuit boards, general metal finishing, photovoltaic cells, gravure plating, coinage, electronics and many more. With the intention of combining the company's metal and chemical operations under one roof in 1995, Univertical made the move to its current location in Angola, Indiana.

The pride employees feel for the company, products and culture can be felt throughout the facility. One of the aspects of Univertical's culture that sets it apart from other companies is the effort to constantly improve and grow its safety program. The company's family-like atmosphere places an emphasis on worker safety and awareness by attempting to get all employees involved in its worker safety and health efforts. Employees conduct safety walk-throughs of different departments each week, taking pictures of safety concerns, which are then reviewed by the company's safety committee. These findings are then forwarded to the maintenance department for attention. If there are no lost time accidents for the previous month, company employees gather to discuss safety topics and company news and enjoy a meal together. This has proven to be a great asset in covering topics pertaining to all of our employees. These safety lunches are used to address many other topics as well. Safety suggestions are always welcome from employees, and every effort is taken to implement these suggestions.

To help overcome the dangers of the tasks commonly associated with a copper foundry and chemical manufacturer, Univertical has incorporated a rigorous and proactive training program and has ensured that the most effective personal protective equipment (PPE) is provided to its employees. The company maintains the best quality PPE and teaches employees how to properly use it. Quality PPE



Three years ago, Univertical Corporation, rolled out its “6S” program as an approach to worker safety and health. (Submitted photo)

is more comfortable so employees aren't hesitant to wear it.

In 2009, Univertical rolled out its **6S program**. The program stands for **sort, set in order, shine, standardize and sustain**. In search of a way to make these everyday production practices our own and emphasize the importance on safety, the sixth “S” was added for safety, making it the **Univertical 6S Program**. Since the implementation of this program and its processes, Univertical has become stronger in the areas of organization and cleanliness, which in turn has helped keep employees safe. The awareness has been raised with the implementation of weekly audits by out-of-department 6S committee members, who are more apt to see a hazard than someone who has worked in an area for multiple years.

Programs like 6S, combined with the hard work of all employees, have lead Univertical to an excellent safety record. At one point, the company achieved 1,279 days without a lost work time incident. Univertical has also earned multiple awards, including **INSHARP certification** in 2010, the **Governor's Workplace Safety Award** in 2011, **Indiana Business Magazine 50 Companies to Watch** in 2008, as well as other industry safety awards and certificates of achievement from the company's insurance carriers.

Indiana Legislature Passes Laws Affecting Hoosier Workplaces

Contributed by Rick J. Ruble, Deputy Commissioner and General Counsel

This article below is intended for general information and does not constitute legal advice. Nothing herein should be considered a legal opinion. The reader is encouraged to consult with legal counsel to determine how laws, rules, regulations or information contained or referenced in this communication may apply to the reader's specific circumstances.

The second regular session of the 117th General Assembly concluded in March 2012. The following is a brief summary of some new Indiana laws that employers may want to know about.

Right-to-Work

On February 1, 2012, Governor Daniels signed House Enrolled Act (HEA) 1001, making Indiana the 23rd state in the nation with a **Right-to-Work** law. Indiana's Right-to-Work law took effect immediately, but does not apply to or invalidate existing contracts. The law applies to contracts that are entered into, modified, renewed or extended after March 14, 2012.

Under Indiana's Right-to-Work law, an individual cannot be forced to join a union or pay union dues in order to obtain or maintain a job. The law applies to most private-sector employers. The law does not apply to federal, state or local government employees or workers employed on property over which the United States government has exclusive jurisdiction or employment covered by the federal Railway Labor Act.

An employee may file a complaint with the Indiana Attorney General, the Indiana Department of Labor or the prosecuting attorney in the county where the individual is employed. An individual who suffers an injury as the result of a violation or threatened violation of the law may also bring a civil action and recover actual damages, liquidated damages, attorney's fees, etc. The Indiana Department of Labor adopted emergency rules to carry out its responsibilities under the Right-to-Work law, and those rules are posted on

the Indiana Department of Labor website. These emergency rules may be accessed online at www.in.gov/dol/2784.htm.

The constitutionality of Indiana's Right-to-Work law is presently being challenged in two lawsuits filed in the U.S. District Court for the Northern District of Indiana and in Lake County Superior Court, respectively.

Smoking Ban

Indiana's new **statewide smoking ban** prohibits smoking in the enclosed areas of most places of employment and within eight feet of a public entrance to most places of employment.

The smoking ban law requires employers to remove ashtrays and smoking paraphernalia from the place of employment and post conspicuous signs at each public entrance that read "State Law Prohibits Smoking Within 8 Feet of this Entrance" or other similar language. The law still permits smoking in several types of establishments, including: (1) horse racing facilities, (2) riverboats and associated structures, (3) certain gambling facilities, (4) off-track-betting facilities, (5) cigar and hookah bars, (6) not-for-profit fraternal organizations, (7) retail tobacco stores, (8) bars and taverns, (9) cigar manufacturing facilities, (10) cigar specialty stores and (11) a business that is operated out of the owner's private residence if the only employees are the owner and residents of the dwelling.

Additional questions about Indiana's new smoking ban law should be directed to the **Indiana Alcohol and Tobacco Commission**. To learn more about the Indiana Alcohol and Tobacco Commission, please visit their website at www.in.gov/atc/.

Outdoor Stage Safety Committee

Senate Enrolled Act (SEA) 273 created the **Outdoor Stage Safety Committee** to study the regulation of outdoor stage equipment and recommend legislation to protect the safety of individuals who attend outdoor performances. The law requires the Indiana State Fair Commission or any other agency to submit to the Committee reports from the independent engineering firms hired to investigate the state fair stage collapse that occurred in August 2011.

The law also requires the fire prevention and building safety commission to adopt rules for outdoor stage equipment to protect the safety of persons at outdoor performances.



Indiana Occupational Safety and Health

HEA 1173 allows the **name and identifying information of an employee who files a written safety and health complaint with the Indiana Occupational Safety and Health Administration (IOSHA)** as well as the **name and identifying information of employees who are interviewed** during an IOSHA investigation to be kept confidential. Forty-seven (47) other states have similar confidentiality provisions for employee complaints and witness statements.

The Indiana law also limits Indiana Department of Labor employees from being subpoenaed to testify about IOSHA investigations in proceedings not related to the IOSHA investigation. With this change, Indiana joins thirty-five (35) other states that already have laws limiting the testimony of OSHA investigators in civil matters such as personal injury or wrongful death cases. This limited immunity can be waived by the Commissioner of Labor or overcome if a court finds that: (1) the information sought is essential to the underlying case, (2) there are no reasonable alternative means for acquiring the information and (3) a significant injustice would occur if the requested testimony was not available.

Mine Electrician Certification

HEA 1018 provides for **certification of mine electricians**. Applicants for a mine electrician certificate

must have sufficient electrical work experience and prove to the Mining Board that they have a thorough knowledge of Indiana coal mining laws, MSHA regulations, A.C. and D.C. theory and application, and electrical circuits and equipment in coal mines. The purpose of this change in law is to provide for more qualified mechanics and electricians to support Indiana's growing coal mining industry. More information about the Indiana Bureau of Mines and Mine Safety is available online at www.in.gov/dol/mines.htm.

Additional Information

For further information on these and other bills passed during the 2012 legislative session, please visit the Indiana General Assembly's website at www.in.gov/iga. For the status of bills sent to the Governor, please review the information available online by clicking [here](#).



Safety and Health Alliance Works to Prevent Worker Injuries and Fatalities from Late-Night Retail Violence

A strategic occupational safety and health alliance was signed between the Indiana Department of Labor and the **Indiana Petroleum Marketers & Convenience Store Association (IPCA)**. The alliance between the two parties is specifically aimed at reducing worker injuries and fatalities from late-night retail establishment violence.

Through its alliance program, the Indiana Department of Labor works with groups who are committed to positively impacting Hoosier worker safety and health. These groups may include businesses, trade or professional organizations, labor unions and educational institutions. The department's alliances seek to appropriately leverage resources and expertise to ultimately develop compliance assistance tools and to share these tools and information with employers and employees.

The alliance between the two parties was one of the first of several objectives established by the Late-night Retail Establishment Working Group. The working group was put into action by Indiana Department of Labor Commissioner Lori Torres this past January.



In the group's second meeting, held in February, Torres also created an oversight committee to ensure the accomplishment of the objectives and the production of the final report, and to monitor any activities beyond the final report. The final report is expected to be released by the Indiana Department of Labor in May 2012.

In addition to the alliance, the Indiana Department of Labor's OSHA consultation division, INSafe, also exhibited at the Mid-west Petroleum and Convenience Tradeshow (M-PACT) in Indianapolis. The purpose of participating in this event was to provide occupational safety and health resources and materials to owners, operators, managers and workers in these late-night retail establishments. M-PACT hosts a tradeshow in Indianapolis annually.

To learn more about the IPCA, please visit the association's website at www.ipca.org/. More information about the Indiana Department of Labor's strategic occupational safety and health alliances and partnerships is available online at www.in.gov/dol/2387.htm.

IDOL Deputy Commissioner Honored with Safety Award

Indiana Department of Labor Deputy Commissioner **Jeffrey S. Carter** was recently presented the **Burnie McGinnis** award by the [Metro Indianapolis Coalition for Construction Safety](#) (MICCS). The award recognizes individuals for outstanding service and occupational safety-related contributions to both the MICCS organization and the construction industry as a whole. The Burnie McGinnis award is the most prestigious award presented to a person by MICCS.

In his current role, Deputy Commissioner Carter has responsibility for day-to-day operations of the Indiana Occupational Safety and Health Administration (IOSHA) with the Indiana Department of Labor. A career environmental safety and health professional, Carter, worked in various occupational safety and health roles in private sector. Carter is a graduate of Purdue University and studied with the Carnegie Mellon Graduate Engineering program in the green engineering arena, while leading a corporate green design team in the private sector.

Carter has also served on the [Indiana Board of Safety](#)

[Review](#) and, as chairman of the Michigan Wetlands Review and the Indiana Solid Waste Management Boards as well as on a number of charitable boards including Habitat for Humanity International and Girls, Inc. He also served three terms on the Carmel Clay School Board in various leadership roles, including president. Carter is also a past recipient of the **Sagamore of the Wabash** for his humanitarian service to the citizens of Indiana and Guatemala, awarded by late Indiana Governor Frank O'Bannon.



Jeffrey S. Carter
Deputy Commissioner

Governed by a Board of Directors, MICCS is dedicated to the elimination of construction and facilities maintenance jobsite injuries and illnesses. For more information about MICCS or the Burnie McGinnis award, please visit the organization's website at www.miccs.org.

OSHA Seeks Comments to Prevent Worker Injuries and Death

Federal OSHA recently announced that it is accepting comments about ways to protect workers engaged in reinforcing concrete activities in the construction industry as well as the prevention of worker backover fatalities. Tasks associated with reinforcing concrete activities involve potentially life-threatening hazards including impalement, collapsed walls and slips, trips and falls.

Workers also face fatal injuries when struck by vehicles backing up or when caught between backing vehicles and objects, such as loading docks. OSHA found that about 360 workers died from backover incidents between 2005 and 2010. OSHA's request for information is



consistent with other agencies' regulatory actions, including the **National Highway Traffic Safety Administration**, which issued a Notice of Proposed Rulemaking requiring cameras in certain vehicles under 10,000 pounds to prevent people from getting backed over. For more information on backover fatalities, read the Indiana Department of Labor's 2009 annual publication, *IN Review*, by clicking [here](#).

Those interested in submitting comments may do so online using the Federal eRulemaking Portal available online at www.regulations.gov. Comments may also be submitted by mail or fax. See the Federal Register notice for additional details. Comments must be submitted by June 27, 2012.

NLRA Employer Posting Requirement Update

The National Labor Relations Board's regulation that was to take effect April 30, 2012, requiring most private sector employers to post a notice advising employees of their rights under the National Labor Relations Act (NLRA) is on hold again. The U.S. Court of Appeals for the D.C. Circuit recently issued an injunction temporarily prohibiting enforcement of the rule. The D.C. Circuit Court ruling comes just about a week after a South Carolina

federal court invalidated the NLRB posting requirement. Thus, it seems implementation of the posting requirement is on hold until the courts sort the matter out.

For more information about the NLRB, please visit their website at www.nlrb.gov/. Downloadable copies of the poster, in both English and Spanish, are available on the NLRB website.

Upcoming Training Opportunities

Special Note about Child Labor Law Teleconferences: There are many opportunities for you to participate in our training, which we offer via teleconference so you don't lose productive time and can keep your employees onsite. These training opportunities are provided free of charge, though registration is required. To register for an upcoming teleconference, email childlabor@dol.in.gov. Please include your name, email address and the date and time of the training in which you wish to participate. If enrolling a group of individuals, please list the name of each attendee.

Special Note about Mid-America OSHA Education Center sponsored training: The Indiana Department of Labor has signed a strategic occupational safety and health alliance with the Mid-America OSHA Education Center. For more information about Mid-America OSHA Education Center, please visit www.midamericaosha.org/courses.html. Course fees are established by Mid-America OSHA Education Center and are available on their website. For additional questions about courses or registration, please contact Lacey Cole by email at lacey@ovabc.org.

Date	Sponsor	Class*	Location	Time
April 30, 2012	Mid-America OSHA Education Center	OSHA 7005: Public & Industrial Warehousing & Storage	Indianapolis	8 a.m. - 5 p.m. EST
May 3, 2012	IDOL Bureau of Child Labor	Child Labor Laws	Teleconference	10:00 a.m. EST
May 7-10, 2012	Mid-America OSHA Education Center	OSHA 503: Update for General Industry Outreach Trainers	Indianapolis	8 a.m. - 5 p.m. EST
May 14-17, 2012	Mid-America OSHA Education Center	OSHA 2045: Machinery & Machine Standards	Indianapolis	8 a.m. - 5 p.m. EST
May 15, 2012	IDOL Bureau of Child Labor	Child Labor Laws	Teleconference	10:00 a.m. EST
May 22, 2012	Mid-America OSHA Education Center	7105: Evacuation & Emergency Planning	Indianapolis	8 a.m. - 5 p.m. EST
May 23, 2012	Mid-America OSHA Education Center	OSHA 7410: Managing Excavation Hazards	Indianapolis	8 a.m. - 5 p.m. EST
June 7, 2012	IDOL Bureau of Child Labor	Child Labor Laws	Teleconference	10:00 a.m. EST
June 12, 2012	IDOL Bureau of Child Labor	Child Labor Laws	Teleconference	10:00 a.m. EST

Recognizing Excellence

Recognizing Excellence spotlights Hoosier employers and their employees for their efforts in achieving status in either the Indiana Voluntary Protection Program (VPP) or Indiana Safety and Health Achievement Recognition Program (INSHARP). The Indiana Department of Labor congratulates the following employers and employees for their efforts to ensure Hoosier occupational safety and health. Additional information on INSHARP and VPP may be found online at www.in.gov/dol.

INSHARP

New: Summit Brands (Fort Wayne, IN)
 Recertified: None



VPP

New: Nucor Fasteners (St. Joe, IN)
 Best Home Furnishings (Cannelton, IN)

Recertified: DSM NeoResins (Frankfort, IN)
 Geocel Corporation (Elkhart, IN)
 IR VonDuprin (Indianapolis, IN)
 Monsanto (Windfall, IN)
 Monsanto (Lebanon, IN)
 BAE (Fort Wayne, IN)



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Scan the QR Code with your smart phone to link to the IDOL website!

