



AMERICAN SOCIETY OF
SAFETY PROFESSIONALS

Utah Chapter

September Newsletter

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MESSAGE FROM THE BOARD

Following up from last month's Message from the Board, I wanted to talk about the Member Survey and what we plan to do with the information received.

As a Board we want to make sure that we are providing Chapter members with the most useful and meaningful content possible. Whether it be when you're taking time out of your day to attend a monthly meeting or just to read the newsletter, we want it to be with you awhile!

We are going to use the information gathered to assist in planning the monthly chapter meetings, so the topics align with the information you as members want to know more about. We will also plan additional events throughout the year and provide articles in the newsletter that align with requests of the members.

We welcome your input so as always, please feel free to reach out to the board with any comments or suggestions!

Sarah Galvez, OHST

MEMBERSHIP UPDATES

New Members

Please welcome the following new members:

Andrew Peedle, West Jordon

Samantha Denison, Salt Lake City

Tasha Page, Brigham City

Emma Montague, Provo

Karly Anderson, Provo

Member Spotlight

Name: Oren Shaw

Where do you work? Swire Coca Cola, USA

How many years in Safety & Health? 10

Education: B.S. Environmental Policy & Management -Purdue

Certification(s): CSHO

Why did you become a safety professional? I started my safety career while serving as a chemical, biological, radiation, and nuclear non-commissioned officer in the Army. I learned the value of being able to see safe practices put in place that save lives while operating and working and chose to pursue the trade into my civilian careers.

What do you like most about your profession? I appreciate the fact that we as safety professionals are able to help employees have the tools and

training necessary to accomplish their job so they can go home safe to their families at the end of the day.

What are you most proud of in your career? I am most proud of helping others who work in various job roles remain safe while they are working so they can healthily excel in their careers.

If you could be anything other than a safety professional what would you be? If I was not working in EHS, I would pursue a career in the fish and wildlife service as a conservation officer.

What do you like to do when you're not working? I am very passionate about spending time outdoors with my family. Being able to appreciate our nations natural resources and beauty is something I always want my children to understand and appreciate as they grow.

Thank you Oren for sharing your career story.

UPCOMING EVENTS

October Family & Friends Picnic

(Rescheduled from 9/11)

Bring your family to our annual picnic to meet your safety community.

There will be games, socializing and relaxation.

BBQ dinners, individually boxed, will be provided.

No cost to ASSP members and their families.

When: Saturday, October 2 starting at 4:00 PM, with dinner served at 5pm

Where: Sandy Bicentennial Park, 530 E 8680 S, Sandy, UT

RSVP required:

<https://utah.assp.org/events/2021-member-family-and-friends-picnic/>



Annual Fall Conference on Industrial Hygiene & Safety

October 13-15

News & Articles

ASP/CSP Study Question of the Month

George W. is a maintenance technician with ABC manufacturing. He was assigned a task to change overhead lamps that require working from a scissor lift. When the safety manager observed George on the lift at about 5ft. off the floor without a safety harness, he instructed George to get off the lift until he donned his fall protection. George argued that he was not required to wear a safety harness while on the scissor lift. Was the safety manager correct?

- A. Yes, fall protection is required in general industry whenever a worker is more than four feet above floor level.
- B. Yes, the "cage" on a scissor lift is not adequate fall protection.
- C. No, scissor lifts do not require fall protection in the form of harnesses, lanyards, etc.
- D. No, fall protection is only required if the worker is more than six feet from the ground or floor level.

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Technical Article

COVID-19 and the ADA

The US Equal Employment Opportunity Commission (EEOC) enforces workplace anti-discrimination laws. The Americans with Disabilities Act (ADA) ensures reasonable accommodation and protection against discrimination based on disability or health conditions . These laws apply to private employers with 15 or more employees, state and local government employers, employment agencies, and labor unions. However, the pandemic has necessitated changes to some of the restrictions on when and how much medical information an employer may request from any applicant or employee. For example, under normal conditions, measuring an employee's body temperature is considered a medical examination and is not permitted, but because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may measure employees' body temperature. This article will briefly go over some more things you should know about how the pandemic affected the ADA.

During the pandemic, all employers are required to rely on the CDC and other public health authorities and are free to choose questions to ask employees to determine whether they would pose a direct threat to health in the workplace. The CDC states that

employees who become ill with symptoms of COVID-19 should leave the workplace. The ADA does not prevent employers from following this guidance. This also means that employers may ask all employees who will be physically entering the workplace if they have COVID-19 or symptoms associated with it, and ask if they have been tested. When employees return to work, the ADA does allow employers to require a doctor's note certifying fitness for duty. One thing to note would be that the ADA requires that any mandatory medical test of employees must be "job related and consistent with business necessity."

An employer may exclude those with COVID-19 or symptoms associated with COVID-19 from the workplace because their presence would pose a direct threat to the health or safety of others. However, for those employees who are teleworking and are not physically interacting with coworkers or others, the employer is generally not permitted to ask these questions.

The manager may also ask only one employee—as opposed to asking all employees—questions designed to determine if they have COVID-19. However, ADA requires the employer to have a reasonable belief based on objective evidence that the person may have the disease before asking. So, it is important for the employer to consider why it wishes to take these actions regarding this particular employee, such as a display of COVID-19 symptoms. An employer may also ask an employee who is physically coming into the workplace whether they have family members who have COVID-19 or symptoms associated with COVID-19. According to the Genetic Information Nondiscrimination Act (GINA), they may ask employees whether they have had contact with anyone diagnosed with COVID-19.

If an employee refuses to permit the employer to take their temperature or refuses to answer questions about whether they have COVID-19, have symptoms associated with COVID-19, or have been tested for COVID-19, the ADA allows an employer to bar an employee from physical presence in the workplace. An employer may also ask employees who work on-site and report feeling ill or who call in sick questions about their symptoms as part of workplace screening for COVID-19. Employers may also ask why employees have been absent from work. An employer is always entitled to know why an employee has not reported for work.

When an employee returns from travel during a pandemic, the employer does not need to wait until the employee develops COVID-19 symptoms to ask questions about where the person has traveled. If the CDC or state or local public health officials recommend that people who visit specified locations remain at home for a certain period of time, an employer may ask whether employees are returning from these locations, even if the travel was personal.

More details can be found here:

<https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws>

Submitted by Nicole Issac, a student of Public Health at Brigham Young University.

Job Opportunities

There are currently 5 jobs posted on the ASSP Utah Chapter website. Click on this link for more information. <https://utah.assp.org/current-openings/>

ASP/CSP Study Question Solution

In general industry, some form of fall protection is required for any open-sided platform or hole that is more than four feet above the working surface below.

In construction, fall protection is required whenever work is done six feet or more from the working surface.

Cages on all lifts, including scissor lifts, come from the factory with safety rails that meet regulatory requirements for fall protection.

Oddly enough, scissor lifts are regulated as moving platforms, the same as scaffolding. Unlike "boom" lifts, there is no requirement for personal fall protection while on a scissor lift. However, most companies write policies that require personal fall protection on all lift devices. In the absence of such a company policy, George is correct.

The correct solution is C.

Newsletter Contributions

ASSP Utah Chapter Newsletter is published monthly. Contributions or comments regarding the newsletter can be sent to edhenkels401@gmail.com. Include "ASSP Newsletter" in the subject line. Deadline for contributions is the 15th of the month for publication in the next month's newsletter.

Thank You to all those who contributed to this month's newsletter.

Ed Henkels, Newsletter Editor



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