



**LAW OFFICE OF
ADELE L. ABRAMS P.C.**

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**“OSHA’s VPP Program
“Recalibration” Under Way”
By: Adele L. Abrams, Esq., CMSP**

For years, the DOL has viewed joint employment as existing “when an employee is employed by two (or more) employers such that the employers are responsible, both individually and jointly, to the employee for compliance with a statute.” Joint employment of the type addressed by the now-rejected guidance is common in the construction, agricultural, janitorial, warehousing/logistics, staffing and hospitality industries. It also significantly affects franchise operations where the franchisor maintains significant control over the operations, HR policies and safety requirements for its franchise holders.

The Occupational Safety and Health Administration (OSHA) now seeks to recalibrate the program, so it “remains a brand synonymous with safety and health excellence, leverages partner resources, further recognizes the successes of long-term participants, and supports smart program growth.” There will be a second stakeholder meeting on August 28, 2017, in New Orleans, LA, and interested parties can also submit comments on the VPP initiative to OSHA through September 15, 2017 (reference Docket OSHA-2017-0009).

There are several types of Voluntary Protection Programs (VPP), which OSHA uses to promote effective worksite-based safety and health. In VPP, management, labor, and OSHA work cooperatively and proactively to prevent fatalities, injuries, and illnesses through a system focused on: hazard prevention and control; worksite analysis; training; and management commitment and worker involvement.

Approval into VPP is OSHA’s official recognition of the outstanding efforts of

employers and employees who have achieved exemplary occupational safety and health. OSHA designates qualified sites to one of three programs:

- **Star:** Recognition for employers and employees who demonstrate exemplary achievement in: prevention and control of occupational safety and health hazards, development, implementation and continuous improvement of their safety and health management system .

- **Merit:** Recognition for employers and employees who have developed and implemented good safety and health management systems but who must take additional steps to reach Star quality.

- **Demonstration:** Recognition for employers and employees who operate effective safety and health management systems that differ from current VPP requirements. This program enables OSHA to test the efficacy of different approaches.

To participate, employers must submit an application to OSHA and undergo a rigorous onsite evaluation by a team of safety and health professionals. Union support is required for applicants represented by a bargaining unit. VPP participants are re-evaluated every three to five years to remain in the programs. VPP participants are exempt from OSHA programmed inspections while they maintain their VPP status. It is a major undertaking to demonstrate the commitment to safety that is required to achieve VPP status, but investment in proactive safety and health management systems does pay off. The average VPP worksite has 54% fewer injuries than non-participating companies.

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OSHA's VPP Program, cont

At OSHA's July 2017 VPP meeting, Acting Deputy Assistant Secretary Tom Galassi greeted participants, but called the current VPP program "unsustainable" given available resources. He supported VPP as a way of encouraging a culture of compliance, while also giving an exemption from programmed inspections that frees up OSHA resources to focus on high-risk establishments. VPP sites can still be inspected if they report a severe injury or fatality, have an employee hazard complaint or professional referral, or have a plain view imminent danger situation. Douglas Kalinowski, OSHA's director of the office with jurisdiction alliances and partnerships, is the point person for VPP at the agency.

Key VPP issues were addressed by a panel of representatives from major employers who are VPP participants, employer trade associations, labor unions, OSHA agencies (which administer the VPP programs in their OSHA state plan states), and individuals from safety organizations including the American Society of Safety Engineers, the American Industrial Hygiene Association, and the Voluntary Protection Program Participants' Association (VPPPA). In addition, public comments were accepted from the more than 100 persons attending.

The participants considered the following issues, which OSHA is also asking the public to address through written comments:

- (1) How can the agency increase participation while maintaining the integrity of VPP and operating within the available resources?
- (2) How can the agency recalibrate VPP to optimize the engagement of long-term VPP participants?
- (3) How might the agency recalibrate Corporate VPP for greater effectiveness?
- (4) How can the agency further leverage participant resources such as the "Special Government Employees" (SGEs, who work within companies but are safety subject matter experts, and participating in auditing compliance with VPP requirements)?
- (5) What other ideas are there to enhance and improve VPP moving forward?

While there is a desire to increase VPP participation in the future, many participants urged caution in "lowering the bar" to allow companies in, noting that

this could reduce the integrity of the program and it would be better to bring more consistency into VPP qualification across the OSHA regional offices. One state agency representative observed that the goal is to have more programs be "VPP ready" even if the employer opts not to go through the rigorous VPP approval process. Some opined that VPP has lost momentum due to lack of support in recent years by the agency as well as because it is no longer the "new thing." Others said that multi-national companies choose to benchmark their programs to International Organization for Standardization (ISO) and other safety management systems, rather than appear "US-centric" by gearing programs to somewhat outdated VPP criteria.

The role of the SGEs and industry representatives was discussed, with general support for greater use of these individuals to conduct re-certification audits for VPP sites. Union representatives were more critical of using federal resources, through VPP, to assist large companies that have the resources to do this work themselves, while ignoring small and medium sized companies that could benefit from involvement and mentoring. The VPP program is open to both large and smaller employers, but often small companies find the prerequisites too challenging to tackle under the current program. The head of the VPPPA noted, however, that 40 percent of current VPP worksites are small businesses. There was also concern about diverting resources from enforcement in order to bolster VPP and compliance assistance programs.

Other discussions suggested that long-standing VPP companies should "graduate" from the program and no longer receive a pass on OSHA inspections, but that they could be used to mentor other employers who wish to enter the program. The resource issue could be addressed by charging VPP participants a fee for applications, screening, and on-site approvals.

MSHA Addresses New Workplace Examination Rule During Quarterly Training Call

By: Joshua Schultz, Esq., MSP

During a July 18, 2017, Quarterly Training Call, the Mine Safety and Health Administration (MSHA) affirmed its commitment to providing compliance outreach before the new Workplace Examination Rule takes effect. MSHA has now published proposed rules delaying the implementation of the final rule twice, first from May 23rd to July 24th, and most recently to October 2, 2017.

Deputy Assistant Secretary for Operations, Patricia W. Silvey, assured the audience that the agency would

Workplace Examination Rule, cont.

conduct extensive compliance outreach before the new rule is implemented. Ms. Silvey also responded to an audience question regarding current enforcement of the new rule by noting that inspectors have no authority to enforce the new Workplace Examination Rule until it is officially implemented.

MSHA also brought attention to its Coal Training Assistance Initiative during this Quarterly Training Call. MSHA launched this training assistance initiative on June 19, 2017, to reach out to coal miners who have one year or less experience at a mine and/or have been working in their occupation for one year or less. In eight of the nine coal mine fatalities in 2017, the victim had one year or less experience at the mine; in seven of the nine 2017 coal fatalities, the victim had been working at their occupation for one year or less. MSHA compliance assistance personnel and educational field services specialists are visiting coal mines specifically to speak with miners who meet this criteria. They are observing miners' work practices and evaluating operators training programs.

MSHA compliance assistance personnel and educational field services specialists do not generally issue citations, however, if they make recommendations or observe alleged hazards that are not corrected, they have effectively put the mine on notice of these conditions. If an MSHA inspector returns to the site and finds these conditions have not been corrected, they likely will issue 104(d) citations and orders alleging an unwarrantable failure to comply with MSHA regulations.

Finally, MSHA promoted its October 10-12, 2017 Training Resources Applied to Mining (TRAM) Conference at their headquarters in Beaver, WV. The agency encouraged presenters to submit presentations topics by Friday, August 4, 2017. The conference is free to attend and this year's theme is "Tune Up Your Training with Modern Technologies."

Court of Appeals Allows MSHA Access to Personnel Records in 105 (c) Investigation

By: Gary L. Visscher, Esq.

In a 2-1 decision, a panel of the Sixth Circuit Court of Appeals upheld MSHA's authority to demand an employer turn over personnel records in a 105(c) investigation, even though the miner's complaint and MSHA investigation did not specify what "protected activity" engaged in by the miner precipitated the request for the records.

The case, *Hopkins County Coal v. Sec. of Labor*, began in 2009 when the miner was terminated from employment with the company, allegedly for insubordination (refusing to conduct a pre-shift examination without additional pay). The miner then filed a complaint with MSHA, in which he described his employment termination for refusing to "do more than regular job duties" without extra pay, but did not mention having engaged in any protected activity.

An MSHA investigator interviewed the miner and then sent a letter requesting interviews with 5 of the company's management officials. The company responded by refusing to arrange the interviews unless MSHA identified the alleged protected activity. Rather than provide a response, MSHA demanded written documents, including the personnel file of the complainant and the personnel files of all employees at the mine who were disciplined, reprimanded, or terminated over the previous five-year period for engaging in the conduct that led to the miner's termination.

The company refused to provide the personnel files without MSHA providing notice of the alleged protected activity engaged in by the miner. Instead MSHA issued a citation for failing to produce the records, under section 103 of the Mine Act. When the company did not produce the records, MSHA issued a withdrawal order under section 104(b), and then a citation for operating despite a withdrawal order, under section 110 of the Mine Act. The stand-off was eventually resolved when Hopkins agreed to provide the personnel file of the complainant and redacted files for the other miners.

Ironically, MSHA eventually found no basis for discrimination and declined to file a complaint under section 105(c).

Hopkins Coal contested the citations and withdrawal order it received for refusing to turn over the documents without being told what "protected activity" by the miner was alleged. A divided Commission found that section 103 of the Mine Act authorized MSHA's request "because investigating discrimination claims is a function of the Secretary, [and] information relevant to assessing the merits of those claims is "reasonably required" and therefore covered by section 103(h)." The Commission rejected the company's claim that the document request should not be allowed because it was simply "a fishing expedition."

MSHA Access to Personnel Records, cont.

Hopkins Coal appealed to the Court of Appeals, which affirmed MSHA's very broad authority under section 103(h). The Sixth Circuit cited decisions by the Seventh Circuit, in *Big Ridge, Inc. v. FMSHRC* ("section 103(h) requires mines to provide MSHA with records, reports, and information beyond what mines are otherwise required to maintain") and the DC Circuit, in *Energy West Mining Co.*, (section 103(h) "contains little limitation on the type of information to be provided.") First, in response to the company's argument that a 105(c) case requires an alleged "protected activity," and since MSHA had never disclosed what the specific protected activity was, "there was no possibility of any viable discrimination claim," the Court of Appeals said that that was a factual question, and found there was enough evidence in the record to allow a finding that the miner "may have engaged" in protected activities.

The Court of Appeals also rejected the company's argument that its rights under the Fourth Amendment were violated by MSHA's demands (and imposition of penalties) for the personnel records. The Court of Appeals largely based its decision on the Supreme Court's decision in *Donovan v. Dewey*, 452 U.S. 594 (1981), which held that as a "pervasively regulated industry," coal mining may be subject to warrantless searches. The Court of Appeals said that for warrantless inspection of a pervasively regulated industry to be reasonable, three criteria must be met: (1) substantial governmental interest behind the regulatory scheme under which the inspection is made, (2) the inspection must be necessary to further the regulatory scheme, and (3) the "statute's inspection program, in terms of the certainty and regularity of its application, must provide a constitutionally adequate substitute for a warrant."

The Court of Appeals held that "the 103(h) requests in this case were sufficiently limited in time, place, and scope as part of the Mine Act's regulatory inspection system for conducting discrimination investigations and did not violate the company's Fourth Amendment rights. The Court held out hope that there are limits to what MSHA may demand: "we do not hold that mine operators must blindly comply with every administrative request to inspect private company records...Nor do we hold that every request for private company documents by MSHA comports with the Fourth Amendment merely because a vague discrimination complaint was filed by a miner."

Still, the Court's decision may lead to more requests by MSHA to search the employers' records to find

evidence of discrimination, even where the miner's complaint does not allege a basis for finding that his or her rights were violated.

Update on Changes to Overtime Exemption

By: Gary L. Visscher, Esq.

In 2016, the U.S. Department of Labor (DOL) issued a rule which revised eligibility for exemption from overtime requirements for employees who qualify as "executive," "administrative," or "professional" employees. The revision increased the minimum salary that a person would have to make to be exempt, from \$455 per week, or about \$23,660 per year, to \$913 per week, or \$47,476 per year. The minimum salary level would also be automatically adjusted every 3 years. The DOL estimated that the initial increase in the minimum salary level for the exemption would make 4.2 million more workers eligible for overtime.

The change was scheduled to take effect on December 1, 2016. Many employers took steps in preparation for the change in the regulation – in some cases adjusting salary levels in order for employees to remain exempt, in other cases changing employees' status to non-exempt and monitoring and restricting any work hours over 40 hours in a workweek by employees who had previously been exempt from overtime requirements.

However, in November 2016, a federal district court in Texas imposed a nationwide injunction against the rule taking effect. The basis for judge's decision was surprising, even for those hopeful that the judge would find the DOL's rule was overreaching and unlawful: the judge found that DOL did not have authority to set *any* minimum salary level under the so-called "white collar" exemption. The judge also found that DOL did not have authority for the automatic increases in the minimum salary as included in the 2016 rule.

To review, under the FLSA regulations, there are 3 conditions necessary to qualify for the exemption: (1) the employee must be paid on a salary rather than hourly basis, (2) the employee's job duties must meet the duties requirements for an administrative, executive, or professional employee, and (3) the employee's salary must meet or exceed the minimum salary level in the regulations. According to the district court, only the first two of these conditions may be used to define eligibility for the exemption.

The DOL appealed the district court's decision to the Fifth Circuit Court of Appeals. In a brief recently filed

Overtime Exemption, cont.

with the Court of Appeals, the DOL said that it planned to issue a new rule which would revise the minimum salary level from that in the 2016 regulation. But the Department also asked the Court of Appeals to overturn the district court’s ruling that the Department did not have authority to set *any* minimum salary level. In late July, DOL published a Request for Information (RFI), seeking comments on a number of issues related to the exemption. The RFI is the first step in rulemaking to revise the minimum salary level set in the 2016 rule. Written comments to the RFI are due on or before September 25, 2017.

Adding to the uncertainty for employers, is the fact that the Fair Labor Standards Act (FLSA) (and many state laws which follow the FLSA), authorize employee lawsuits as well as DOL enforcement. Thus, depending on the court of appeals decision and the timing of any new rule by DOL, employees could be subject to actions to enforce the 2016 minimum salary level even if DOL delays its enforcement.

Please let us know if you have questions as the legal situation surrounding the exemption evolves.

California Supreme Court Ruling May Signal Shift in Liability for “Take-Home” Exposure to Toxins By: Joshua Schultz, Esq., MSP

The California Supreme Court recently issued an opinion noting that employers and landowners owe a duty of care to prevent secondary exposure to asbestos, specifically noting the hazards when a worker who is directly exposed to a toxin carries it home via his body or clothing, and a household member is exposed through proximity or contact with that employee or the employee's clothing.

In *Kesner v. Superior Court*, the Supreme Court of California found that a brake shoe manufacturer may be held liable for a plaintiff's asbestos exposure which he claimed occurred when he stayed overnight at his uncle’s house while his uncle worked at the defendant's plant. The court based this opinion on the premise that California law imposes a general duty of care “to take ordinary care in the conduct of one’s activities.”

Although this case involved the specific toxin of asbestos, it may signal an expansion in the realm of take-home liability. It is also notable as it contradicts

decisions in other jurisdictions and federal policy. Courts ultimately may view this issue based on the toxicity of substances involved. There is history for take-home contamination from asbestos, most notably a vermiculite mine in Libby, Montana in which family members of miners suffered asbestosis from exposure to dust carried home on clothing.

OSHA addressed take-home hazards in its new silica rule, “Occupational Exposure to Respirable Crystalline Silica,” published March 25, 2016. OSHA modified this final rule to eliminate provisions requiring the use of protective clothing, change rooms, shower facilities, lunch rooms, and hygiene-specific housekeeping requirements to address exposure to respirable crystalline silica.

In the proposed OSHA silica rule, employers would have been required to ensure that clothing was removed or cleaned upon exiting a regulated area when there was potential for employees’ clothing to become “grossly contaminated” by fine particles of crystalline silica that could become airborne and inhaled. In the preamble to the final rule, OSHA noted comments stating that silica is not recognized as either a take-home or dermal (impacted through the skin) hazard, and used these comments as justification for excluding the protective clothing provision from the final rule.

**ADELE L. ABRAMS RECEIVES
“SAFETY PROFESSIONAL OF THE YEAR 2017”
AWARD FROM AMERICAN SOCIETY
OF SAFETY ENGINEERS (ASSE)
MINING PRACTICE SPECIALTY



ASSE Safety Professionals Conference, Denver, CO June 2017

TSCA Section 8(a) Nanomaterials Rule Takes Effect August 14, 2017

By: Tina Stanczewski, Esq., MSP

On January 12, 2017, the U.S. Environmental Protection Agency (EPA) issued a final rule under Section 8(a) of the Toxic Substances Control Act (TSCA) related to substances manufactured or processed at the nanoscale (82 Fed. Reg. 3641). The effective date for the rule has changed several times, but currently takes effect August 14, 2017. The rule establishes one-time reporting guidelines for 1) existing and 2) new discrete forms of nanoscale materials.

The EPA is requiring 1) recordkeeping and 2) reporting requirements for certain new discrete forms of the chemical substances. The rule requires information “known to or reasonably ascertainable” by the person reporting, such as manufacturers and processors, or persons who intend to manufacture or process new discrete forms that have not been reported to EPA in the past. Specifically, information on health effects, methods of manufacture and processing, specific chemical identity, production volume, and such need reporting.

To date, the EPA has published a draft guidance document to assist with compliance: “Guidance on EPA’s Section 8(a) Information Gathering Rule on Nanomaterials in Commerce.” The comment period for the document closed on June 15, 2017.

The guidance answers specific questions about the rule including, who must report, what chemicals are reportable, when is the reporting period, and what information is reportable.

What Chemical are Reportable?

The definition of reportable chemical substance considers the 1) particle size and the 2) unique and novel properties of the chemical. This includes a chemical substance that is a solid at 25 degrees Celsius and “standard atmospheric pressure, that is manufactured or processed in a form where any particles, including aggregates and agglomerates, are in the size range of 1-100nm in at least one dimension, and that is manufactured or processed to exhibit unique and novel properties because of its size.” This means that size is not the only factor, the chemical must have a property different from those larger than 100nm. The underlying reason for the substance being that form or size is a contributing factor to whether it is reportable.

Who Must Report

The draft guidance confirms that the definition of manufacture includes importers. However, the May 16, 2017, Federal Register notice listed the North American Industrial Classification System (NAICS) codes to help categorize those subject to the rule. It includes:

- Chemical Manufacturing or Processing (NAICS Code 325);
- Synthetic Dye and Pigment Manufacturing (NAICS Code 325130);
- Other Basic Inorganic Chemical Manufacturing (NAICS Code 325180);
- Rolled Steel Shape Manufacturing (NAICS Code 331221);
- Semiconductor and Related Device Manufacturing (NAICS Code 334413);
- Carbon and Graphite Product Manufacturing (NAICS Code 335991);
- Home Furnishing Merchant Wholesalers (NAICS Code 423220);
- Roofing, Sliding, and Insulation Material Merchant Wholesalers (NAICS Code 423330); and
- Metal Service Centers and Other Metal Merchant Wholesalers (NAICS Code 423510).

What Information is Reportable?

EPA is defining the “known to or reasonably ascertainable by” language to include “all information in a person’s possession or control, plus all information that a reasonable person similarly situated might be expected to possess, control, or know.” This will include what is known about the use, processing, and manufacturing, and known to the organization, not just managerial or supervisory personnel.

When is Reporting Period?

The EPA has suggested a 135-day review period, but clarified that this timeline is based on its experience with submitters intent, it is not a formal timeline. Generally, EPA expects companies will know their intent to manufacture about 135 days before actual manufacturing or processing begins. If the intent is not formed 135 days prior, then the company must report within 30 days of forming its intent to manufacture or process. However, the

TSCA Rule, cont.

company does not have to wait 135 days after reporting to manufacture or process.

The guidance provides some concrete examples of how the EPA expects to enforce the rule. However, it expands upon the rule itself, leaving companies with guidelines, but greater burdens. If you require assistance on how to comply with this rule, please contact the Law Office.

More Action on “Joint Employment”

By: Gary L. Visscher, Esq.,

The previous newsletter (June 2017) discussed the recent action by the U.S. Department of Labor to withdraw two guidance documents on “joint employment” and independent contractors. The guidance documents pertained to DOL’s enforcement under the Fair Labor Standards Act (FLSA) and the Migrant and Seasonal Agricultural Workers Protection Act (MSPA).

In withdrawing the guidance documents, DOL stressed that the withdrawal of the guidance documents does not change the law, as reflected in statute, regulations, and case law. As if to emphasize that point, a recent decision by the Fourth Circuit Court of Appeals, *Salinas v. Commercial Ventures* (4th Cir., 1/25/2017), adopted a new test in determining whether employers may be treated as joint employers. The Fourth Circuit’s test states that where two employers (such as a contractor and subcontractor) “share, agree to allocate responsibility for, or otherwise codetermine – formally or informally, directly or indirectly – the essential terms and conditions of a worker’s employment,” the employers are jointly liable for wage and hour compliance.

Another venue where “joint employment” has been an issue is the National Labor Relations Board. The Board’s 2015 decision in *Browning-Ferris Industries* significantly broadened the Board’s definition of joint employment, to allow a joint employer to have indirect as well as direct control over the employees, and allowing joint employment based on an employer possessing such control, regardless of whether the control is exercised. The Board referred to changes in the workplace and the increased use of and reliance on contract and temporary workers in its decision.

The Board’s decision in *Browning-Ferris Industries* is currently on appeal before the Court of Appeals for the D.C. Circuit. Oral argument in the case was held in March

2017 and a decision could be issued at any time. In addition, new appointees to the NLRB are expected to be confirmed soon, which may result in the Board revisiting the joint employer test announced in *Browning-Ferris Industries*, if or when a new case raising the issue of joint employment comes before the Board.

The issue has also moved to Congress. Legislation was recently introduced in the House of Representatives to codify a definition of joint employer under the National Labor Relations Act and the Fair Labor Standards Act. The bill, H.R. 3441, was introduced on July 27, with 29 co-sponsors.

Whether any of these changes will affect enforcement under the OSH Act remains unclear. In the past few years, OSHA initiated a number of measures aimed at protection of temporary workers, including establishing a temporary worker page on its website, and issuing bulletins outlining the respective responsibilities of the host employer and staffing agency/contractor for training, injury and illness recordkeeping, and provision of personal protective equipment, and other aspects of the relationship between the two employers.

“Placeholder” Regulatory Agenda Issued For OSHA/MSHA

By: Adele L. Abrams, Esq., CMSP

On July 20, 2017, the US Department of Labor released its first Regulatory Agenda, and most of the active items carried over from the Obama Administration are missing in action or deceased. Among the items formally withdrawn by OSHA and MSHA, some of which had been classified as high priority previously, are the following: Combustible Dust, Injury/Illness Prevention Program (I2P2), Proximity Detection requirements for heavy equipment (to prevent backover accidents in construction), improved protections against noise in construction, initiatives to update OSHA’s permissible exposure limits for hazardous chemicals, and changes to MSHA’s civil penalty structure and citation format.

A second part of the agenda lists the current regulatory initiatives that may still have some life left, with future actions “to be determined.” These include: OSHA’s crane and process safety management updates, infectious disease control and MSHA’s diesel exhaust and proximity detection initiatives. Rules now in litigation (silica, beryllium and e-recordkeeping) are also being reexamined.

SPEAKING SCHEDULE**ADELE ABRAMS**

08/03/17 NWPCA Safety Summit, OSHA Enforcement Emphasis Areas, Chicago, IL,
08/04/17 Artex Safety Training, Burlington, VT
08/14/17 Chesapeake Regional Safety Council, OSHA Silica Rule, Baltimore, MD
08/15/17 EIA, Seminar on Crystalline Silica Issues and the new OSHA Standard, Greensboro, NC
08/17/17 BLR Webinar on Effective Document Management
08/18/17 ASSE Construction Practice Specialty Webinar, OSHA Update
08/31/17 Clearlaw Webinar on OSHA Electronic Recordkeeping & Injury Reporting Rules
09/13/17 Northern White Sands Conference, OSHA/MSHA Regulation of Crystalline Silica, Denver, CO
09/21/17 BLR Webinar on Legally Effective Accident Reporting
09/22/17 ASSE Region VI PDC, speak on OSHA/MSHA Update: Will Safety Be Trumped?
09/25/17 NSC Annual Congress, Multi-Generational Workforce Training Issues Indianapolis, IN
09/26/17 NSC Annual Congress, OSHA's Electronic Recordkeeping Rule & Anti-Retaliation Requirements, Indianapolis, IN
10/02/17 Progressive Business Conferences webinar on Confined Spaces for General Industry
10/11/17 Chesapeake Region Safety Council Annual Conference, OSHA's Crystalline Silica Rule Update Laurel, MD

DIANA SCHROEHER

09/13/17 Penn State Delaware Mine Safety Seminar, Woodside, DE

TINA STANCZEWSKI

09/19/17 North Carolina Law Seminar, NC Mine Safety & Health Law School, Castle Hayne, NC
10/18/17 California Joint Technical Symposium, "Environmental Law Update" The Carson Center, Carson, CA

MICHAEL PEELISH

08/14/17 Chesapeake Regional Safety Council, OSHA Silica Rule, Baltimore, MD

JOSHUA SCHULTZ

10/10/17 BLR Cal/OSHA Summit, "Multi-State Worksites: Mastering Safety Compliance Across State Lines,"
Costa Mesa, CA