



# AMERICAN SOCIETY OF SAFETY PROFESSIONALS

Quad Cities Chapter

### Next Meeting:

**TOPIC: Tour of Airfield**

**Presenter: Aero Carver & EAA (Experimental Aircraft Association)**

**When: Oct 14, 2020 @ 11:30**

**Where: Davenport Municipal Airport**

**9230 N Harrison St, Davenport, IA 52806**

### Update Contact Information

Contact Diana Gilbert @ [dlg1127@aol.com](mailto:dlg1127@aol.com) to up-date your e-mail address to receive the newsletter by e-mail, and emails from ASSE if you are not currently doing so.

We are always looking for input into the newsletter to better serve our members. Please send newsletter contributions to Diana Gilbert.

### New Members!!

The Quad City Chapter would like to welcome our newest members: Angel Mojica, Emily Jones, Matt Pojar, Ryan Sumner, Ryan Webster, and Scot Bahns

**Welcome!!**

If you know of someone who is interested in joining our chapter, refer them to the refer-a-member link on <http://www.assp.org/>

## WHAT DO YOU SEE?



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As a recap, local member Scott Hirstein from Tri-City Electric was awarded the 2019-2020 SPY (Safety Professional of the Year) for our Quad Cities Chapter. Way to go Scott! This was the first time (or in a long time) that our Chapter has recognized a SPY. <https://qc.assp.org/wp-content/uploads/sites/141/2020/09/SPY-WINNER.pdf>

QC ASSP Chapter award levels for 2018-2019 and 2019-2020:



On September 28<sup>th</sup> a technical webinar was hosted by BITCO and Index AR Solutions that showcased how augmented reality (AR) can be incorporated to improve safety for employees, both on the job and in the classroom. Also, examples of E-books and 3-D interactive hazard awareness videos were provided. This technology can help make workers safer, more capable, and more efficient. Index AR Solutions showed how AR technology has proven to significantly improve efficiency, greatly reduce errors made out in the field, and improve knowledge retention in the classroom.

Jason Schwartzhoff, QC ASSP President

## OSHA Issues Additional COVID-19 FAQs

The U.S. Department of Labor's OSHA on Sept. 30 published additional [frequently asked questions & answers](#) regarding the need to report employees' in-patient hospitalizations & fatalities resulting from work-related cases of the coronavirus.

OSHA's new FAQs provide information to help employers apply the agency's existing injury & illness recording & reporting requirements to the coronavirus. In particular, the FAQs provide guidance on how to calculate reporting deadlines for in-patient hospitalizations & fatalities & clarify the meaning of the term "incident" as it relates to work-related coronavirus in-patient hospitalizations & fatalities. These FAQs are the latest effort by OSHA to provide employers & employees with more information about how it will enforce its standards & regulations during the pandemic. The topics covered in these FAQs are:

- Reporting, Retaliation, Returning to Work, Testing for COVID-19, Training, Worker Protection Concerns

OSHA has also previously published [revised enforcement guidance](#) detailing how OSHA will enforce the recordkeeping requirements of 29 CFR 1904 for employee coronavirus illnesses for all employers.

Visit OSHA's [COVID-19 webpage](#) for further information & resources about the coronavirus.

## QC ASSP Membership Milestones

**25 Yrs:** Scott Jeffries  
Steven DeBoever

**20 Yrs:** Michael Tomsha

**15 Yrs:** Brian Hammer  
Jeffrey Budney  
Michael Shorten  
Richard Hollerauer

**10 Yrs:** Bill Skinner  
Ryan Brouwer

**5 Yrs:** Arlen Steines  
Kelly Bucholz  
Steven Paulsen

**Congratulations and thank you for your support!!**

## NSC Urges House to Consider Safety Implications of Cannabis Bill

By Guy Burdick Sep 30, 2020 [Special Topics in Safety Management](#)

The National Safety Council (NSC), the American College of Occupational and Environmental Medicine (ACOEM), and 20 other safety organizations [urged House members](#) to hold hearings on the workplace and public safety implications of the Marijuana Opportunity Reinvestment and Expungement (MORE) Act of 2019 ([H.R. 3884](#)).

The act would remove cannabis from the list of scheduled substances under the Controlled Substances Act, according to the Congressional Research Service, and eliminate criminal penalties for individuals who manufacture, distribute, or possess marijuana.

In a letter to Representative Jerry Nadler (D-N.Y.), the bill's sponsor, the NSC and its partners noted that cannabis use impairs psychomotor skills and negatively impacts attention and decision-making and that this impairment poses a significant risk to workers, coworkers, customers, and the public. The groups expressed concern about the implications for workplace health and safety that the MORE Act could have.

"Employers have an obligation to maintain safe workplaces, and without a better understanding of the impact on workplace safety, these changes will affect the safety of workers, their co-workers, and the general public," Lorraine M. Martin, the NSC's president and CEO, said in a statement. Worker impairment due to drug use has remained a top employer concern in repeated polls conducted by the NSC.

Marijuana can impair judgment and performance much like alcohol, the groups said in the letter. However, there are no generally available functional marijuana sobriety or impairment tests or scientifically established cutoff levels for impairment. The groups voiced concerns about crane, forklift, or train operators and bus or truck drivers "driving under the influence" of decriminalized cannabis.

The groups urged Nadler to hold workers in safety-sensitive positions to a higher standard until a scientifically valid method to identify impairment has been developed. They also pointed out that the states that have legalized the adult recreational use of cannabis have failed to form a consensus on what occupations are considered safety-sensitive positions and when employers may conduct drug testing or institute a zero-tolerance drug policy for those positions.

They asked that House members hold hearings on the workplace and public safety implications of legalizing cannabis without any mechanism to determine legal impairment.

The NSC last year adopted a [policy position](#) stating that the "legalization or decriminalization of cannabis may increase vehicle crash rates, hospitalizations, and other public health indicators." The NSC's policy position is that "there is no level of cannabis use that is safe or acceptable for employees who work in safety sensitive positions."

The NSC has cited National Institute on Drug Abuse research showing that employees who tested positive for cannabis had 55% more industrial incidents, 85% more injuries, and 75% greater absenteeism compared with those who tested negative. Quest Diagnostics last year reported that marijuana positivity increased by more than 33% between 2015 and 2017.

Groups signing onto the letter along with the ACOEM and the NSC included industry groups like the American Public Gas Association, American Trucking Associations, Associated General Contractors, and Association of American Railroads.

## **OSHA releases employer injury, illness data for 2016-2018**

OSHA collects work-related injury and illness data from employers within specific industry and employment size specifications. Detailed information on this data collection is available on the [Injury Tracking Application webpage](#).

Recording or reporting a work-related injury, illness, or fatality does not mean that the employer or employee was at fault, that an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.

- [CY 2016](#)
- [CY 2017](#)
- [CY 2018](#)
- [Data Dictionary](#)

## IL Supreme Court Lowers Employees' Burden of Proof for "Arising Out Of" Element of Worker's Compensation Act

2020 IL 124848,

IN THE SUPREME COURT OF THE STATE OF ILLINOIS

KEVIN McALLISTER, Appellant, v. THE ILLINOIS WORKERS' COMPENSATION COMMISSION et al. (North Pond, Appellee).

Opinion filed September 24, 2020.

Argued by: Jason D. Kolecke

Hennessy & Roach

The Supreme Court of Illinois recently rendered a decision greatly affecting an employer's ability to defend a worker's compensation claim.

As you are likely aware, in order for a claim to be compensable under the Illinois Worker's Compensation Act, it must be found to have "arisen out of" and "in the course of" one's employment.

The Supreme Court in McAllister appears to have removed the requirement that an accident has to have "arisen out of" one's employment. The facts of the case were clear and undisputed. The claimant was going from a kneeling to a standing position. While performing this act, the claimant was not carrying anything or exposed to a risk, such as a wet floor or confined space. The claimant testified, that it was no different than someone looking for a lost item under one's bed. An act people perform every day. The claimant simply was standing up and his knee popped.

Despite the fact, the Illinois Worker's Compensation Commission and all five justice of the Appellate Court found unanimously in favor of the employer, finding the employee was not exposed to a risk distinctly associated with his employment nor exposed to a neutral risk to a greater degree of the general public, the Supreme Court reversed that finding.

In doing so, the Supreme Court focused on the "act" the claimant was performing at the time of the accident and not the "risk" he was exposed to while performing the act. The Supreme Court found that the claimant was performing an "act" that would have been reasonable and foreseeable by the employer to be performed in furtherance of his work duties. It completely ignores the fact that the act being performed was not accompanied by a risk that was distinctly associated with the employment. There is nothing about the act of going from a kneeling to a standing position to be distinctly related to the duties of a sous chef. The Supreme Court, throughout the decision, uses the words, "act" and "risk" interchangeably as if the meanings are identical.

In this, case the Supreme Court has provided a ruling that performing one's work duties somehow automatically exposes an employee to an employment related risk. The decision completely removes the burden of proof that the employee must show he/she was exposed to a "risk."

This decision erodes the two elements of the two prong test that for a claim to be compensable it has to have "arising out of" and "in the course of" one's employment. I believe this decision opens up employers to a plethora of new exposure for accidents sustained while performing common mundane acts such as reaching, walking, traversing staircases, kneeling and standing, etc.

The burden of proof once placed on the employee to prove the accident was sustained and occurred as a result of being exposed to an employment related risk is gone. This decision now allows an employee to prevail by simply proving he/she was at work and doing something work related when injured.

This decision will clearly make it more difficult to defend claims and the importance of developing a strong and concise defense strategy are more important now more than ever.

## HELP WANTED

To view the job listing please place cursor on the job title and then control + click.

[HSE Specialist, Davenport IA](#)  
[Safety Manager, Davenport, IA](#)  
[Safety Specialist, Davenport IA](#)  
[Safety Management Development Assoc, Davenport IA](#)  
[Safety & Environmental Manager, Clinton IA](#)  
[Product Safety Specialist, Clinton IA](#)  
[Safety Coach, Dubuque IA](#)  
[EHS Coordinator, Maquoketa IA](#)  
[Senior Safety Manager, Cedar Rapids IA](#)  
[Safety & Training Coordinator, Iowa City IA](#)  
[Occupational Safety Compliance Specialist, Iowa City IA](#)  
[Safety Professional, Iowa City](#)  
[EHS Manager, Coralville IA](#)  
[Process Safety Management Coordinator, West Liberty IA](#)  
[Safety Manager, Muscatine IA](#)  
[EHS Coordinator, Muscatine IA](#)  
[Safety Manager, Wilton IA](#)  
[Safety Advisor, Lisbon IA](#)  
[Safety Director, Brooklyn IA](#)  
[Field Safety Specialist, Quad Cities Springfield/Decatur/Peoria IL](#)  
[HSE Coordinator, Rock Island IL](#)  
[HSE Coordinator, Rock Island IL](#)  
[EHS Specialist, Moline IL](#)  
[EHS Specialist, Peoria IL](#)  
[Safety Technician, Peoria IL](#)  
[Health & Safety Sr Engineer, Ottawa IL](#)  
[Safety Coordinator, Galesburg IL](#)  
[Safety Manager, Galesburg IA](#)  
[Safety Technician, Oglesby IL](#)  
[EHS Manager, Princeton IL](#)  
[Lean & Safety Manager, Princeton IL](#)  
[EHS Manager, Rockford IL](#)  
[Safety Coordinator, Rockford IL](#)

See more job listings like these on the members' only page located at <https://jobs.assp.org/> or <http://qc.assp.org/jobs/>

## Upcoming Chapter Meetings

November "virtual" meeting – Human Operational Performance (HOP) 11/2/2020 @ noon

December "virtual" meeting – Special Guest Panel: ASSP's BISE Common Interest Group 12/7/2020 @ noon

# SafetyFOCUS

Immersive Education for Safety Professionals

## Event Series – Oct, Nov, Jan & March Events

Occupational safety and health professionals facing the challenges of shrinking travel budgets and widespread social distancing can stay current on best practices through a new series of virtual education events from the American Society of Safety Professionals (ASSP). The immersive events – offshoots of the Society's annual SafetyFOCUS conference – will conveniently connect safety professionals with industry experts who will share the latest knowledge and strategies through a safe continuing education platform. [Click to learn more](#)



**February 8 -12 & 15 -19, 2021**

Due to the progression of the COVID-19 pandemic and its cascading effects on safety and health, work, travel and large gatherings, SafetyFOCUS will shift from an in-person event to a live virtual experience in 2021. Our hope is that this format will make SafetyFOCUS more accessible while offering the same networking opportunities and high-quality education you expect from ASSP.

**SafetyFOCUS 2021, presented as a live virtual experience for the first time, will take place from Feb 8-12 and Feb 15-19. Registration will open mid-October.**

**ASSP – QUAD CITIES CHAPTER -- BOARD of DIRECTORS 2019 -2021**

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**Check us out on our website  
 for current updates and  
 activities.**

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