



OUR NEXT TWO (2) MEETINGS:

AIHA QUARTERLY MEETING ASSE IS INVITED

March 10, 2015 Time: 5:30 PM

Christiana Hotel, 511 Continental Drive
Newark, Delaware –

Cost: \$15ASSE & AIHA Members, \$25 Non-Members, and \$10 Students.

“The Washington Buzz”, Aaron Tripler, Director of AIHA Governmental Affairs. He will share the political agenda and its impact on Health and Safety. Check your email for the detailed announcement.

PLANT TOUR:

March 19, 2015, 5:30 PM

At: Voight and Schweitzer Hot Dip Galvanizing
511 Carroll Drive, New Castle, Delaware

We have been invited to tour Voight and Schweitzer’s Hot Dip Galvanizing Plant in New Castle. This will be a joint meeting with the AIHA Delaware Section. A light fare will be served. A Andrew Marchioni ASSE member and company safety manager will be accompanying us. **Bring PPE:**

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BRAKING NEWS:

According to USA Today, Feb 24, 2015, Alaska has legalized marijuana effective Tuesday February 23rd. It permits marijuana use by adults in private places based on a voter referendum last November that cleared up, “40 years of conflicting laws and court rulings”. Alaska is now the third state in the union legalizing recreational marijuana, joining Washington and Colorado. For more information search the Internet for “Alaska marijuana legalization”.

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CHAIR’S MESSAGE

I recently attended fall protection training at one of the major equipment manufacturers. What I saw at their plant initially surprised me but as I thought about it more, the less it did. It was very well organized into different work product areas but what surprised me was the age of the sewing machines they used to stitch the fall protection harnesses and lanyards. Some of the machines were from the 30’s and 40’s. Seeing those machines reminded me that not everything that is old requires replacement in the workplace. Some of these machines were difficult to replace and newer machines were often not robust enough to handle the job.

Similarly many “Boomers” are retiring or being “downsized” now and are being replaced by younger employees that may not prepared for what companies are asking of them. For the younger generations working in Safety, they must prepare themselves with extra effort to handle a workload often shouldered by multiple people in the past. They must prove a.k.a. Happy Trails)

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Bring PPE:

PPE that will be required includes:

- o Steel toe safety shoes,
- o Safety glasses,
- o Hard hat,
- o Safety vest.

V&S will have extra safety vests and hard hats. There is no charge for the meeting.

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Medical Marijuana in the Delaware Workplace, an Update

by: Anthony DelCollo, Cooch and Taylor Attorneys at Law, Wilmington, Delaware

The New Medical Marijuana Law enacted in Delaware approximately three years prior to the penning of this article should be of concern for all Delaware employers and safety professionals.

The first ‘Compassionate Care Center’ is set to begin operation sometime later this year, located right in the heart of New Castle County. The law, appropriately, provides protection for workers who are issued a medical marijuana card, and use medical marijuana, from discriminatory actions by their employers. Indeed, no employer may take any negative employment action against a protected individual unless they can demonstrate that marijuana was used on the job, or that the worker attempted to render services while manifestly impaired. Negative employment actions could be construed to mean termination, transfer, change in job duties, a change in shift times, or a disciplinary write up, among other possibilities. Additionally, an employer may take negative employment action against a worker if their use of medical marijuana breaches the terms of a federal contract or federal benefit.

The anti-discrimination provisions of the law provide little clarity with regards to what the threshold for manifest impairment should be. On the other hand, employers are well counseled to enact policies to ensure drug free workplaces for the purpose of protecting their workers and the public from significant exposure related to on the job accidents.

Until additional clarity is forthcoming, employers should be cautious in addressing situations where their applicants possess a medical marijuana card, or where a worker already employed obtains one. In such a situation, employers must walk a tightrope between liability for discrimination and liability for physical injury and loss of life. The most prudent thing for an employer to do when confronted with such a question is to retain the advice of legal counsel early, so that liability may be minimized, and so that accommodations that are fair to both the protected worker, his or her coworkers, and the public at large may be implemented.

It has been observed that many individuals who qualify for the issuance of a card would generally not be in jobs that present a high risk of injury to others. This observation offers little panacea because the law contemplates the use of medical marijuana for conditions causing chronic pain, an expansive classification. Furthermore, the potential for increasing the size of the population that receives medical marijuana is built into the law as a sort of self-executing measure. Members of the public may submit requests to the regulatory agency that will oversee the administration of the state licensed centers and marijuana card holders to expand the list of qualifying conditions. Medical marijuana, and other treatments, should be employed in a safe and accessible manner so that those who may benefit from their use may freely obtain this sort of care. However, efforts should always be made to balance those laudable concerns with other, equally valid concerns: namely, the safety of the public and reasonableness towards employers and coworkers. ”

Disclaimer: This article is meant for educational purposes only and is not to be construed as the offering of legal advice. No attorney/client relationship should be construed as a result of reliance upon this article. Laws and regulations change at a rapid pace. Conduct research and consult an attorney prior to taking any action regarding any legal matter, regardless of the contents of this article.

Anthony N. Delcollo, Esq. As a life-long resident of the First State, Anthony is a Fellow Associate Attorney at Cooch & Taylor, PA, where he focuses his practice on the areas of employment, commercial, and constitutional law.

CALENDAR OF EVENTS, 2015

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for details and onsite PPE requirements.

SUSPENSION TRAUMA, Dr. Norman Wood

April 9, 2015, 6:30 PM Business and Networking
7:30 PM Technical Presentation
TecSolv, 130 Executive Drive, Newark, DE 19702,
contact Marcus Suhr (302) 824-1695

When a fall is successful and stopped with the proper
use of a full body harness, a person will feel the
obvious elation of still being alive. But if immediate
recovery back to a standing position is not possible,
another less known lethal danger must be addressed
very quickly; and it is called Suspension Trauma.

BLUE ROCKS JOINT SOCIAL WITH AIHA, DELAWARE

June 25, 2015, Social: 5:30 PM Game: 6:05 PM

Fawley Stadium, 801 Shipyard Drive, Wilmington,
DE

Picnic with Barbeque. We are seeking sponsors to
mitigate this cost. The Blue Rocks (Kansas City
Royals) will be playing the Potomac Nationals
(Washington Nationals).



Wilmington Station and the Acela

Events Planned for fall, 2015

INTRODUCING ERIN PATTERSON, THE NEW OSHA AREA DIRECTOR FOR DELAWARE,

Date: September 15 or 17, 2015

Time: To be Determined

Location: To be Determined

Please send us your suggestion for topics you
would like Ms. Patterson to address.

More to come on this meeting.

ASSE/AIHA 4 HOUR JOINT SEMINAR

Date: October /November

Time: To be Determined

Location: To Be Determined

Topics and Speakers: To Be Determined

More to come on this-.

Please share ideas and interests that can be
candidate topics and speakers for this seminar.



Please submit ideas and
suggestions for programs and
events to our ASSE Program
Chair Marie H. Wright,
Safety Manager

Worth and Company, her Cell is, 267 884-6158

Email: mwright@worthandcompany.com

CHAIR’S MESSAGE

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to flourish in the economy of 2015. Professional
development in the form of advanced
coursework, certifications, presenting, training
delivery, and presenting a professional
appearance are all areas that I have personally
noticed the youngest generation is not generally
passing muster.

Risk averse travels (a.k.a. Happy Trails)

Marcus Suhr, CSP, CHMM

News from the Source:

OSHA - Stand Tall, Stand Proud and Stand-Down for Fall Safety! OSHA will host second-annual Construction Fall Safety Stand-Down, May 4-15, 2015. Tens of thousands of employers and more than a million workers across the country joined OSHA in 2014 for a weeklong Fall Safety Stand-Down, the largest occupational safety event ever held. Falls are the leading cause of death in the construction industry as thousands of other workers suffer from catastrophic debilitating injuries. Yet the lack of fall protection or ignoring other related OSHA fall protection rules are the most frequently cited violation. To reverse this trend, OSHA calls on employers and workers to stand down for safety in fall protection during this year's Fall Safety Stand-Down from May 4-15, 2015. What is a Safety Stand-Down? A Safety Stand-Down is a voluntary event for employers to talk directly to employees about safety. Stand-Downs focus on "Fall Hazards" and reinforcing the importance of "Fall Prevention". Read more at <http://OSHA.gov>.

NIOSH - Protecting the health and safety of response workers by preventing diseases, injuries, and fatalities is a NIOSH Emergency Preparedness and Response Program priority. This can be accomplished by ensuring that responder safety and health is addressed systemically during all phases (pre-, during-, and post-deployment) to make certain only qualified, trained, and properly equipped personnel are deployed. On-line training now available to address responder safety and health with emphasis on addressing the role of fatigue as an underlying cause of responder injury or illness. The intended audience for this training is emergency responders who may need to work longer than normal day shifts. This training program was developed for emergency workers who deploy to work at disaster sites caused by weather, earthquakes, epidemics, and other catastrophic events. This training gives strategies to reduce risks from fatigue due to the need to work long day shifts during the emergency response and recovery operations.

EPA's Blog - EPA employees to log into "GreenSpark", their internal online employee engagement platform, and share stories of the innovative and collaborative work that they are leading to take action on toxics and chemical safety. For all of their beneficial uses, chemicals can also pose potential risks: manufacturing them can create emissions and waste, and exposure to them can impact our health and the environment. Office of Research and Development reports they are Taking Action on Toxics and Chemical Safety. Read more at <http://EPA.gov>

DoT FAA - The Federal Aviation Administration highlights three efforts that support their enduring mission to ensure that the United States has the safest, most efficient aerospace system in the world. First, the FAA issued a rule that requires helicopter operators, including air ambulances, to have stricter flight rules and procedures, improved communications, training, and additional on-board safety equipment.

Second, the FAA continues to modernize the airspace system by implementing "NextGen" – our major initiative to make flying more efficient and greener, while ensuring that all safety needs are met. "NextGen" includes our "Metroplex" initiative, an effort to reduce air traffic congestion in the nation's busiest metropolitan areas.

Third, the FAA continues to make strides toward safely integrating unmanned aircraft into the nation's airspace system. Unmanned aircraft are a burgeoning technology, and the application of the technology is limited only by our imagination.

Read more at, <http://www.dot.gov/fastlane>

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