



PIAMS Weekly News

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Printing & Imaging Association
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OSHA Violations Fined Per Employee

By John Holland, Assured Compliance Solutions (ACS)

Obama's "new OSHA" is aggressively stepping up its enforcement efforts, and they intend to issue more citations resulting in more fines and much more money paid to OSHA.

A U.S. federal appeals court recently made it easy for OSHA enforcement to receive much more in fine money than previously received for the exact same violations. For instance, if OSHA in 2007 issued a \$1,500.00 PPE category fine citation for 10 employees not wearing required personal protective equipment, in 2010 the exact same violation would likely be \$15,000.00 (for a non-repeat offending company). **OSHA is now allowed to multiply the fine by the total number of employees who are found to be in violation.** Repeat offenders are likely to pay up to \$7,000.00 times the total number of employees found to be violating the OSHA regulation!

Now is the time, if your company is not fully training all plant employees in all OSHA required safety programs and if you're not enforcing the requirements of that training, to complete the required safety training for all applicable employees and to enforce safety training compliance.

Please see below an April 30th article by Fred Hosier that gives more details on the Appeals Court case.

Posted in: [Latest News & Views](#), [Safety](#) e-newsletter, April 30, 2010 by Fred Hosier

If a company fails to provide safety training required by federal law to 11 employees, can the employer be fined just once or 11 times?

A federal court says the government can fine the company 11 times.

The decision comes in the case of employer Erik Ho. He hired 11 workers to renovate a building containing asbestos.

The Occupational Safety and Health Administration (OSHA) found Ho failed to train them about asbestos removal or provide them with respirators, two violations of federal safety regulations.

OSHA issued 22 citations to Ho. On appeal, the Occupational Safety and Health Review Commission, an independent appeals board, found that the existing regulations didn't allow OSHA to issue 22 separate citations. Instead, Ho faced just two fines.

In response, OSHA changed its regulations in late 2008 to allow for per-employee fines for lack of safety training and personal protective equipment.

That regulation was challenged by the National Association of Home Builders and other groups. They argued that OSHA had no authority to specify whether citations could be issued on a per-employee basis.

Now a federal court has ruled that OSHA is allowed to make such changes to federal workplace safety regulations.

What does that mean for employers? The maximum OSHA fine for one serious violation is \$70,000. Multiply that fine by 11 employees, and it becomes \$770,000.

Cite: [National Association of Home Builders v. OSHA](#), U.S. Court of Appeals, District of Columbia Circuit, No. 09-1053, 4/16/10.

On July 20th PIAMS will be holding an OSHA Seminar to help companies in our industry....

Make Your Plant Safer & "Ready" for an OSHA Audit presented by John Holland of ACS

Session attendees will learn:

The major causes of print industry accidents, especially "caught in, under or between"; The tie-in of OSHA's print industry amputation prevention with emphasis to the above; **Solutions to the above two points that OSHA demands printers effectively implement - effective guarding** of all nip, pinch, crush, cut, entanglement, and electrocution points in machinery, **Comprehensive Lockout/Tagout Training** for all plant personnel and **Well written Lockout/Tagout procedures posted** (and their implementation enforced) at each plant machine as well as information on the enforcement changes now starting to flow from the Obama Administration, and other key points of OSHA safety enforcement emphasis will also be covered.

The session will be held in the Eagle:xm classroom from 9:00 a.m – 12:30 p.m.

See complete information in the attached flyer

Welcome New Member

New Direction Partners
Breckenridge, Colorado



PIAMS will be Closed
Monday July 5th
to Celebrate
Independence Day

Have a Happy and Safe 4th of July

Great Advertising Opportunity for PIAMS Members

A great new advertising opportunity is now available for PIAMS members in *our* section of A&M Review, a local magazine that reaches advertisers and marketers throughout Colorado. Not only does it have the best outreach to potential clients throughout the state but advertising in our section is incredibly affordable. The next issue will be handed out at *SummerToast*, and the deadline is fast approaching. To find out how you can get your ad in contact Jennifer Janness at PIAMS 303.771.1578.

Unisource and Heidelberg USA Form Landmark Partnership

An innovative and ground-breaking partnership announced last week between Heidelberg USA, Inc. and Unisource Worldwide, Inc. combines Heidelberg's print media products, service and expertise with the paper and logistics knowledge of the Unisource organization for the benefit of printers in the United States.

The revolutionary partnership is focused on creating game-changing business practices that will enable printers to run their businesses more efficiently. Among the benefits the Heidelberg and Unisource alliance is expected to offer the industry are:

- A partnership that provides enhanced service, products, and technical expertise to the print community. Access to the Unisource nationwide distribution network and Heidelberg's full product and consumable offering provides printers an opportunity to achieve pressroom and operational efficiencies.
- The ability and opportunity for a printer to reduce costs and achieve economies of scale by managing all equipment, consumables and paper purchases in the form of exclusive bundled products and services.
- An agreement that calls for Unisource to deliver the full line of Heidelberg premium Saphira-branded consumables to printers across the U.S.

"When two best-in-class companies align to offer their customers the benefit of their combined expertise, printers win hands down," said Jim Dunn, president of Heidelberg USA. "Supplier accountability is key. Printers not only will gain access to the best products, consumables and paper, but also will enjoy the security and peace of mind that come from knowing where to turn for prompt support."

"This alliance between two market-leading brands, Unisource and Heidelberg, offers printers the best of both worlds, including convenient access to top-quality products, combined with world-class logistics, distribution and service," said Al Dragone, CEO of Unisource Worldwide. "Both companies are focused on providing greater efficiencies and tangible value to the printer community."

On The HR Front - Feds Issue Interim Ruling

An interim proposed regulation on rules for grandfathered health plans under the new health care law was issued in mid June. Under the regulation's own estimates 51% of firms will lose their grandfather status by 2013. The high estimate is 69% for all firms (80% for small firms, 64% for large firms). Factors which would lead to losing grandfather status include cutting or reducing benefits, raising co-insurance charges,

significantly raising co-payment charges, significantly raising deductibles, significantly lowering employer contributions, adding or tightening an annual limit on what the insurer pays, or changing insurance companies.

Check Out the CBS4 Interview

This past Saturday, June 26th, former PIAMS president Kathy Lauerman and Egan Printing Company's Ken Zetye were interviewed on the air as part of the station's Project Green series. A link should soon be available which will be placed on the PIAMS website. CBS4's Kris Rhodes handled the interview that helped to give a more environmentally friendly view of the printing industry. As Ken Zetye stated "printing is a very sustainable practice, whereas it doesn't necessarily have that reputation". When Kathy Lauerman was asked to give a little background on the PIAMS involvement in the process she commented that the association's Green Member Program has helped in a verifiable manner to show what is "truly green vs. just saying you are green".

If you missed the live interview and would like to see it before the link is up on the PIAMS website – the video can be found at www.cbs4denver.com. There are also links to PIAMS and Egan Printing Company on the links & info section of the CBS4 site.

The Case for Outside Directors

The idea that it is easier to be private than publicly owned has changed somewhat of late. Although private companies are not required to comply with the onerous provisions of the Sarbanes-Oxley Act, secondary effects from lenders, insurance companies, suppliers and others is changing the way private companies must do business. When lenders see public companies doing things differently, they begin to expect private companies to do them differently as well.

So, what should private companies be doing? One area where there is general consensus is that private company boards should have outside directors. Objectives of adding outside directors are twofold: a) bring business expertise and insight, b) hold top management accountable, and some would argue that a third benefit is to provide good corporate governance and a decision making structure for succession planning. Many forward looking graphic communications companies, and size is not the

determinant criteria, have taken this path. As a result, United Insurance Company has developed a management liability package, called **UIC-EXEC-PROTECT**.

The product was designed to provide a level of comfort to potential outside directors, lending institutions and others. It also protects the personal wealth of the company's officers and inside directors, who usually have substantial portions of their personal wealth at risk, along with the well being of the company, against suits from family shareholders, employees, lending institutions and many others.

UIC-EXEC-PROTECT consists of Employment Practices Liability Insurance to which can be added Director's & Officers Liability and Fiduciary Liability coverage's. The package is designed to be flexible and offers options to make premium costs reasonable for even small companies in the industry.

For more information visit United's web site at uic-bermuda.bm or contact Jennifer Janness at (303)771-1578.

