



ILA-USMX JOINT SAFETY COMMITTEE

OSH ALERT 2020-05 [10 March 2020]

More on the Novel Coronavirus

The ILA~USMX Joint Safety Committee (JSC) continues to receive inquiries regarding the manner in which industry labor and management constituents may become aware of any potential risks posed by Coronavirus-infected crewmembers/passengers that may be present within the shipboard workplace.

As a threshold matter, all of us should understand that ***in the event of any crew member/passenger death or illness***, U.S. law and regulation require ship Masters to provide advance notice to the relevant U.S. Centers for Disease Control & Prevention quarantine station, Penalties for failing to report are sizable. The regulation appears in this form:

§ 71.21 Report of death or illness.

(a) The master of a ship destined for a U.S. port shall report immediately to the quarantine station at or nearest the port at which the ship will arrive, the occurrence, on board, of any death or any ill person among passengers or crew (including those who have disembarked or have been removed) during the 15-day period preceding the date of expected arrival or during the period since departure from a U.S. port (whichever period of time is shorter).

Notwithstanding; out of an abundance of caution, the JSC recommends the following:

- 1).** That ILA workers and members of management avoid close contact (closer than 6 feet) with any crewmembers or passengers who appear to be ill (coughing, sneezing, etc.); *and*
- 2).** That those ILA and management workers obliged to serve aboard passenger vessels be provided with properly fitted NIOSH-approved filtering facemasks and impermeable gloves;

Consistent with previous advice, we continue to provide extremely informative links to the relevant CDC and WHO websites. They provide excellent guidance:

Centers for Disease Control & Prevention (CDC):

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

World Health Organization (WHO)

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

Got a question about this particular subject? Write to the JSC at: blueoceana@optonline.net

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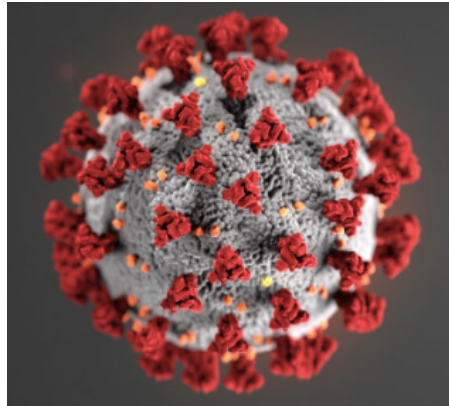
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ILA-USMX JOINT SAFETY COMMITTEE

OSH ALERT 2020-04 [25 February 2020]

The “Novel Coronavirus” Update



Since the publication of ILA~USMX Joint Safety Committee OSH Alert 2020-03 (27 January 2020), the U.S. experience with the Novel Coronavirus has not changed in any substantial way. Currently (as of yesterday; reported by the U.S. Centers for Disease Control and Prevention), there have been **14** confirmed cases documented in the U.S. On review, none of those cases have any connection to commercial or passenger ocean shipping. And while that’s relatively good news, our sense is that we’re not out of the woods just yet.

For that reason, we continue to actively monitor all available resources in our ongoing assessment of potential risk to our labor and management constituents.

Two important resources we use (of many), are the U.S. Centers for Disease Control and the World Health Organization. Both organizations have webpages that are exclusively devoted to provide accurate and timely information to those seeking to maintain a protective, up-to-date posture.

We’d like to share access to those websites with all persons and organizations receiving our OSH Alerts, and for that purpose provide the relevant links here:

Centers for Disease Control & Prevention (CDC):
<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

World Health Organization (WHO)
<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

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ILA-USMX JOINT SAFETY COMMITTEE

OSH ALERT 2020-03 [27 January 2020]

The “Novel Coronavirus”



Countries with Confirmed Cases to Date

As the ILA~USMX Joint Safety Committee begins to develop this OSH Alert, we are aware of five (5) confirmed cases of the Coronavirus presently on U.S. soil. We are also aware of the situation on the ground at Wuhan Province, China (inclusive of Wuhan port), wherein thousands of confirmed cases have been established. The situation there is extremely serious.

At present, the U.S. Centers for Disease Control (CDC) has implemented detection activities (passenger screening) at several U.S. airports. That's wise, inasmuch as the threat of importation there is quite significant in terms of numbers. As yet, similar measures have not yet been implemented at U.S. seaports where the importation threat is less numerically severe.

The U.S. Maritime Administration and local Port Authorities are, however, monitoring unfolding circumstances very carefully.

At present we would like to provide our management and labor stakeholders with access to CDC's increasingly active Coronavirus webpage, which provides an amazingly complete amount of information about this threat:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Our best (conservative) advice: Continue to monitor the CDC webpage for updates. Also, port workers/managers obliged to interact with ship's personnel aboard a vessel that called at Wuhan port, China recently, should wear a simple filtration facemask (in line with manufacturer's recommendations) during that interaction and avoid direct (skin to skin) contact.

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ILA-USMX JOINT SAFETY COMMITTEE

OSH ALERT 2020-02 [14 January 2020]

OSHA Civil Fines On The Rise



In tomorrow's edition of the **FEDERAL REGISTER**, we expect that the U.S. Department of Labor will publish a notice that will announce the annual increase of civil fines associated with violations of standards and regulations promulgated by the various administrative agencies of that executive department.

This annual event is brought about by the operation of the Federal Civil Penalties Inflation Adjustment Improvements Act of 2015 (Inflation Adjustment Act), which requires all monetary fine-collecting Federal agencies to automatically increase the amounts of fines imposed, tied to a cost of living formula enshrined in that law.

Among those administrative agencies affected is the Occupational Safety & Health Administration (OSHA). The table below illustrates the increases being imposed, respectively, by the relevant categories/subjects of citations issued by that agency.

Paragraph	Remove	Add
§ 1903.15(d) introductory text	January 23, 2019	January 15, 2020
§ 1903.15(d)(1)	\$9,472	\$9,639
§ 1903.15(d)(1)	\$132,598	\$134,937
§ 1903.15(d)(2)	\$132,598	\$134,937
§ 1903.15(d)(3)	\$13,260	\$13,494
§ 1903.15(d)(4)	\$13,260	\$13,494
§ 1903.15(d)(5)	\$13,260	\$13,494
§ 1903.15(d)(6)	\$13,260	\$13,494

The sections/paragraphs appearing in the left most column are better identified through this link: <https://www.osha.gov/laws-regs/regulations/standardnumber/1903/1903.15>

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ILA-USMX JOINT SAFETY COMMITTEE

OSH ALERT 2020-01 [02 January 2020]

OSHA & Audio Head/Earphones



Recently, OSHA made public an interpretation which clarified the agency's position with regard to worker use of certain audio devices meant to entertain/pass the time.

In sum, the agency's interpretation holds that the use of such devices may be allowed... but that employers who do permit their use should be cautioned that, under certain circumstances, audio head/earphones could serve as distractions and create a seriously unsafe workplace. In that event, OSHA would be free to cite the employer under the OSH Act's General Duty Clause. Here's a link to that section of the law:

https://www.osha.gov/laws-regs/oshact/section_5

While the interpretation was provided in response to an inquiry originating from a construction industry employer, the basis, logic and application of OSHA's interpretation would unquestionably hold true for those of us in the marine cargo handling industry. Here's a link to the interpretation:

<https://www.osha.gov/laws-regs/standardinterpretations/2019-09-06-0>

The ILA-USMX Joint Safety Committee appreciates how popular these devices have become at many marine terminals (particularly during late night shifts). Notwithstanding, we are obliged to recognize the wisdom of this recent interpretation and caution employers and employees about the existence of this interpretation and of the logic that forms its basis. We do so in this OSH Alert.

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