

VIRGINIA WORKS

SUMMER 2002

SHEDDING LIGHT ON THE VIRGINIA APPRENTICESHIP PROGRAM

by Jennifer Nolen, Apprenticeship Program

Did you know that Apprenticeship is a proven, cost-effective system for training employees in a variety of occupations that require a wide range of skills and knowledge? It is.

Apprenticeship training requires both on-the-job work experience and related theoretical instruction. On-the-job work experiences are provided by the registered sponsor and are organized and systematic. Related Instruction is designed to provide the apprentice with the theory and technical knowledge related to his/her trade or craft. Local vocational technical schools, the sponsoring organization, or the local community college may provide related classroom instruction to apprentices. A registered apprentice completes a minimum of 2,000 hours of supervised on-the-job work experience in a specific trade or craft, and a recommended minimum of 144 hours of related instruction for each year of apprenticeship. Depending on the occupation, the length of apprenticeship varies between one and six years, with four years being the average length.

Apprentices receive a Certificate of Completion at the end of the required training and the designation of journeyman. When appropriate, the journeyman applies to the Department of Professional and Occupational Regulations, Tradesmen Certification Program for application for examination. After passing the licensing examination, the journeyman is known as a licensed journeyman.

Employers participate in the apprenticeship program by:

- Meeting with an apprenticeship field representative to develop a registered training program customized for their organization;
- Reviewing with an apprenticeship related instruction coordinator, the classroom instruction program required to meet trade standards and the needs of the organization;
- Identifying the employee(s) who will provide the on-the-job training and supervision and;
- Identifying the employee(s) who will be apprentices.

To register as an Apprenticeship Sponsor, call your local Department of Labor and Industry office and ask for an Apprenticeship Representative. •

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TREE FELLING AND LIMBING IN THE VOSH TIDEWATER REGION 1996-2002

by Martha Maurer-Jennis, VOSH Safety & Health Compliance

Logging and tree trimming industries are regulated by the General Industry standard, 29 CFR1910.266. This standard covers all logging operations and includes felling trees, bucking and limbing downed trees (as often happens in clean-up operations following storms or hurricanes). All of these types of work are considered logging, making it crucial that employers realize that any employee felling trees, for any reason, is covered by the Virginia Occupational Safety and Health (VOSH) logging standard.

In addition, if a company has to remove trees by mechanical or manual felling in preparation for construction work, such as building a road or clearing land to construct a building, the logging portion of the job falls under the General Industry logging regulations. The actual construction work is regulated by 29 CFR 1926 of the Construction Standards.

In the Tidewater Region of the Virginia Department of Labor and Industry within the last eight years, employers have been involved in multiple accidents including fatalities, which involve violations of the logging standard. A significant number of these injuries and deaths involved employers from other industries that were doing logging during the normal course of their everyday operations. The employers in these cases were all experienced in the industry, and could easily have avoided the incidents that led to the employees' deaths and injuries by providing the basic required training and equipment to individuals on their job sites.

For this reason, VOSH has developed a special emphasis program covering logging activities. This emphasis program allows VOSH inspectors to handle complaints, referrals and other activities involving any aspect of logging in an expedited manner, to ensure that all employees on these logging job sites are provided a safe and healthy workplace.

In addition, VOSH recommends the services of its Consultation Program to all employers. These consultants are available to employers without charge. Employers are encouraged to call the Safety or Health Consultants in any of the VOSH regions for assistance in logging sites or any other type of industrial, construction or agricultural job sites. For more information on logging, tree trimming or Consultation visit www.doli.state.va.us.•

Commissioner's Corner



Electricity is such a dependable, well established element in our everyday lives and workplaces that it is easy to forget about how dangerous it can be. No matter what industry or occupation you are working in, you are probably exposed to electrical hazards, ranging from changing light bulbs to repairing energized overhead power lines.

Electrocutions are the fifth leading cause of accidental death in the nation, and someone is electrocuted in the national workplace every 36 hours. Electrical injuries consist of four main types: electrocution, electric shock, burns, and falls caused as a result of contact with electrical energy. These injuries are most often caused by contact with power lines, lack of ground-fault protection, a missing or discontinuous path to ground, equipment not being used in the manner prescribed, or improper use of extension and flexible cords.

So far this year, four Virginia workers have been electrocuted. All of these fatalities involved contact with overhead high voltage power lines and could have been prevented if proper safety procedures had been adhered to. Two incidents occurred without the required notification to the power company that work was to be performed in close proximity to power lines.

The Virginia Overhead High Voltage Line Safety Act prohibits work or activity within six feet of any overhead high voltage line, including tools such as ladders. In addition, no one can operate any covered equipment within ten feet of any overhead high voltage line. When someone wants to perform work in closer proximity, the power company or owner of the line must be notified at least 48 hours in advance, excluding weekends and holidays. Arrangements will then be made for placement of temporary barriers, temporary de-energization and grounding, relocation or raising of the lines, or other appropriate measures to neutralize the power line hazard. Notifications to Dominion Virginia Power can be made by calling 1-888-667-3000. Anyone digging into the ground must call Miss Utility 48 hours in advance to determine the location of underground power lines. For work in the counties of Accomack, Clarke, Fauquier, Frederick, Loudoun, Northampton, Prince William, Stafford, Shenandoah and Warren, call 1-800-257-7777. In all other Virginia counties, call 1-800-552-7001.

DOLI has a local emphasis program for overhead high voltage power lines to increase construction and general industry awareness of hazards and decrease injuries and fatalities associated with them. Compliance officers are on the lookout for activities close to overhead power lines. If violations or unsafe conditions are observed in plain view, an inspection will be conducted. No inspection will be done if there are no visible violations of any VOSH standards governing general industry or construction operations.

Electrical hazards are dangerous and demand our respect and attention. Ignoring electrical hazards or taking short cuts with electrical work can result in serious injury and loss of life. I encourage you to visit www.osha.gov (OSHA), www.cdc.gov/niosh (NIOSH), and www.nesf.org (National Electrical Safety Foundation), where you can obtain electrical safety information for your industry. If you would like to have additional information about Virginia's Overhead High Voltage Line Safety Act, please visit www.doli.state.va.us or call the regional office nearest you.

C. Ray Davenport
Commissioner

2002 GENERAL ASSEMBLY LEGISLATION

by Bonnie Hopkins, Administrative Specialist

The following bills were passed by the General Assembly and approved by the Governor during the 2002 session of the General Assembly. All of these bills became effective on July 1, 2002. The Virginia Code section affected by the change is listed at the end of the bill description.

HB 186 (Chapter 321, Acts of Assembly) Wages; time of payment for highly compensated employees. Permits employers to pay monthly any hourly employee who earns more than 150 percent of the average weekly wage of the Commonwealth, with the agreement of the affected employee. (§ 40.1-29 of the Code of Virginia)

HB 668 (Chapter 537, Acts of Assembly) Civil immunity; employees reporting threats. Immunizes an employee from civil liability that might result from his truthfully reporting a co-employee's threatening conduct. Threatening conduct is defined as conduct that would place a person in reasonable apprehension of death or bodily injury. (§ 40.1-51.4:5 of the Code of Virginia)

HB 814 (Chapter 422, Acts of Assembly) Labor unions; abstention requirement. Prohibits employers from requiring a person to abstain or refrain from holding office in a labor union or labor organization as a condition of gaining or continuing employment. (§ 40.1-61 of the Code of Virginia)

HB 816 (Chapter 423, Acts of Assembly) Employee court appearances. Expands the statutory protections currently available to employees who are summoned or subpoenaed to court to include persons "who, having appeared, are required in writing by the court to appear at any future hearing." People in this category would then have the protections of the current statute, which provides that an employer who discharges, takes adverse personnel action, or requires the use of sick leave or vacation time regarding an employee who has given the employer notice of the court appearance is guilty of a Class 3 misdemeanor. (§ 18.2-465.1 of the Code of Virginia)

HB 825 (Chapter 719, Acts of Assembly) Public bodies to accept payments by commercially acceptable means. Authorizes all public bodies to accept payments, except those assessed under § 19.2-353.3, by any commercially acceptable means and to levy a service charge in the lesser amount of: 1. the amount charged to the public body if it incurs a charge for accepting that method of payment, or 2. the amount negotiated and agreed to by contract. Commercially acceptable means include checks, credit cards, debit cards, and electronic fund transfers. If a check or other method of payment is returned for insufficient funds, the bill authorizes public bodies to assess a service charge in the amount of the costs assessed to it or \$25, whichever is greater. The bill also provides that state public bodies must waive additional charges, except for those associated with bounced checks, if the use of this means of payment reduces its processing costs and losses due to bad checks or other receivable costs by an amount equal to or greater than the additional charge. (§ 2.2-614.1 of the Code of Virginia)

SJ 66 Study; lead-poisoning prevention. Continues the Joint Subcommittee Studying Lead-Poisoning Prevention. The joint subcommittee is directed to (i) continue working on a blueprint for consumers regarding lead programs; (ii) stimulate the development of a needed secure system for patient data sharing between relevant state agencies in order to ameliorate concerns about compliance

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TEENAGE EMPLOYMENT: KNOW THE RULES

by Ellen Marie Hess, Employment and Labor Law

Each year the Virginia Department of Labor and Industry issues approximately 20,000 employment certificates to teenagers. Most of those certificates are issued during the summer months when school is not in session. The following are common questions and answers concerning teenage employment.

1. At what age can a minor child be legally employed in Virginia?

Generally, a child must be at least 14 years of age in order to work in Virginia.

2. What are the primary requirements for minors, over the age of 14, who want to work?

Minors 14 or 15 years of age:

- must have a work permit
- have limited work hours
- are prohibited from working certain jobs

Minors 16 and 17 do not have to obtain work permits and do not have limited hours, but are barred from working in certain hazardous jobs.

3. Where can a work permit be obtained?

Work permits can be obtained at most public middle schools and high schools and some private schools; ask for the Child Labor Work Permit Issuing Officer.

4. What hours can a 14 or 15 year old work?

A 14 or 15 year old may work:

- not more than 3 hours per day on school days
- not more than 18 hours per week in a school week
- not more than 8 hours per day on a non-school day
- not more than 40 hours per week in a non-school week
- not before 7 AM or after 7 PM., except between June 1st and Labor Day, when they may work as late as 9 PM
- not work during school hours unless enrolled in a school work-training program

A 14 or 15 year old must be given a 30 minute rest or meal period after 5 hours of continuous work.

5. What jobs are minors prohibited from working?

Minors under the age of 16 are prohibited from working in several occupations that are considered unhealthy, unwholesome or dangerous. Minors aged 16 or 17 are barred from working a shorter list of particularly hazardous occupations.

A list of hazardous occupations that minors are barred from working may be found by visiting the Department of Labor and Industry website at www.doli.state.va.us and following the links to labor and employment and frequently asked questions. •

SEVENTH ANNUAL OCCUPATIONAL SAFETY AND HEALTH CONFERENCE A SUCCESS

by Jeannette Coleman, VOSH Public Relations

It's all a memory now but just a short while ago, the Hotel Roanoke and Conference Center was filled with the many participants and vendors who attended the Seventh Annual Virginia Occupational Safety and Health Conference sponsored by the Virginia Department of Labor and Industry.

While the conference is important for many reasons, one particular reason is the ability to reach owners and employees of small businesses that may not have other training opportunities during the year. This year, participants took advantage of 29 concurrent sessions ranging in topics from Occupational Toxicology to Fire Safety. Participants also had the opportunity to visit with the more than 40 vendors on-hand with the latest in occupational safety and health goods and services. Another highlight was keynote speaker, Scott Gellar, whose dynamic discussion kicked off the conference.

If you did not attend this year, don't worry. The Eighth Annual Virginia Occupational Safety and Health Conference will be held at the Portsmouth Renaissance Hotel and Conference Center, June 4-6, 2003. For more information, visit our Web site at www.doli.state.va.us. Details will be published as they become available. See you next year! •

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with certain new federal regulations; and (iii) provide written support for the state grant application efforts, as appropriate. The joint subcommittee must submit its report to the Governor and the 2003 Session of the General Assembly.

Additional information on any of these bills or resolutions as well as other legislation considered during the 2002 session of the General Assembly can be found at the General Assembly web site – <http://legis.state.va.us>. •

UPCOMING MEETINGS

Interagency Migrant Worker Policy Committee

Tuesday, September 10, 2002, 10:00 AM., Mezz. Conf. Room, Powers-Taylor Bldg.

Migrant and Seasonal Farmworkers Board

Wednesday, October 23, 2002, 10:00 AM., House Room 1, State Capitol

UPCOMING TRAINING OPPORTUNITIES

- The National Resource Center for OSHA Training, a Consortium of Building and Construction Trades Department, AFL-CIO/ The Center to Protect Workers' Rights, George Meany Center for Labor Studies, Inc., and West Virginia University Safety and Health Extension, 111 Massachusetts Avenue, N.W., 5th Floor, Washington, DC 20001, provided the following schedule of classes. Call (800) 367-6724 or (202) 962-8930 for additional information.

DATES:	COURSE:	LOCATION:
Aug 19 - 22	Electrical Standards	Silver Spring, MD
Aug 19 - 22	Teaching Techniques Course	Morgantown, WV
Aug 26 - 26	Construction Industry Safety & Health Standards Trainer Course	Silver Spring, MD
Sep 3 - 6	Construction Industry Safety & Health Standards Trainer Course	Morgantown, WV
Sep 9 - 11	Update for Construction Outreach Trainers	Silver Spring, MD
Sep 16 - 19	Fall Arrest Systems	Silver Spring, MD
Sep 16 - 19	Principles of Ergonomics Applied to Work-Related Musculoskeletal and Nerve Disorders	Silver Spring, MD
Sep 17 - 20	General Industry Safety & Health Standards Trainer Course	Richmond, VA
Sep 23 - 26	General Industry Safety & Health Standards Trainer Course	Silver Spring, MD

- DHRM – Office of Workers’ Compensation Scheduled Safety Training

October 7-11 OSHA General Industry Outreach – 30 Hour
 8:30 a.m. – 4:30 p.m. M-Th; End 12:00 Noon Fri
 Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA
 ** Free to Virginia State Government \$450.00 Local Government or Private Employers

This course is based upon a national curriculum developed by the US Department of Labor – OSHA and specially adapted for the needs of employees of the Commonwealth of Virginia. It is a 30-hour course that will be offered over a 4 ½ day period. Emphasis will be placed on learning how to read, understand, and implement OSHA requirements at the agency level. Topics range from a discussion of how the Virginia OSHA program (VOSH) regulates state agencies to technical topics of interest in a variety of work situations. Attendees will also receive a copy of the OSHA General Industry Standards.

October 17 Accident Investigation
 8:30 a.m. – 11:30 a.m.
 James Monroe Building, 101 N. 14th Street, Richmond, VA
 ** Free to Virginia State Government \$50.00 Local Government or Private Employers

This course is designed to help representatives conduct thorough accident investigations and appropriately document the results. We will cover the basic analysis of accident data contained in the OSHA 300 log and the Employers’ Accident Report. Topics include: types of accidents, when and how to conduct an audit, interviewing techniques, methods of data analysis (including trend analysis), lost workday index, and accident rates.

October 24 Safety Training Methods: Train the Trainer
 8:30 a.m. – 4:30 p.m.
 Department of Agriculture, 2449 Princess Anne Rd, Building 14, Virginia Beach, VA
 ** Free to Virginia State Government \$50.00 Local Government or Private Employers

This full day course is designed for representatives that have responsibility for occupational safety and health training for employees. The course will start by reviewing training requirements found in the OSHA standards and discussing how to determine if these or other training is needed. Other topics will include: adult learning theory, developing learning activities, conducting and evaluating the effectiveness of safety training.

How to Register: Register on-line at <http://www.dhrm.state.va.us/training/courses/regisonline.htm> or fill out the registration form and fax to Kevin Gresham at 804-786-9127. Local government and private employers should bring a check to class made payable to “Treasurer of Virginia”.

DISCLAIMER: DOLI does not verify professional qualifications or recommend any individuals, firms or their products. The mention of individuals or company names does not constitute endorsement by the agency.

For additional training in Virginia, visit the National Safety Council at www.nsc.org