

PENALTY WARNING

By Douglas Boyer



This fall, companies cited for failing to comply with OSHA regulations will receive heavier fines

May 2016 - The Bipartisan Budget Act of 2015, the budget deal passed last November, includes such provisions as Section 701: The Federal Civil Penalties Inflation Adjustment Act Improvement Act of 2015. Section 701 requires the Occupational Safety and Health Administration and other federal agencies to implement inflation-adjusted civil penalty increases. Previously, OSHA was not allowed to adjust penalties, which means fines haven't increased in 25 years. Because of catch-up provisions in the Act, some experts say OSHA civil penalty amounts will rise by at least 50 percent; others project increases approaching 80 percent, which more closely matches the estimated rate of inflation since 1990, according to the Consumer Price Index. The rule means that the statutory maximum penalty—currently \$70,000 for willful and repeat violations and \$7,000 for serious and other-than-serious violations—could increase to \$124,710 and \$12,471, respectively.

OSHA is required to publish its plan for inflation adjustment by July 1, 2016, and the fines will become effective one month later. After that, fines will continue to be raised annually to keep pace with inflation.

Follow standards

To avoid possible violations, work sites should re-evaluate the safety of their operations, especially those facilities with press brakes and other potentially dangerous equipment.

When using a press brake, employees often are working with small pieces and placing their fingers right next to the dies. Without safeguards in place, it's easy to injure or lose a finger. In fact, point-of-operation injuries are the most common type of injury associated with press brakes. Causes of amputation include:

Inadvertently activating the foot controls while the operator's hand is in the point of operation.

Catching body parts in pinch points created between the stock and the press brake frame while producing a bend.

Bypassing the controls of a single-operator press, e.g., a co-worker activates the controls while the operator positions or aligns stock, repairs or troubleshoots the press.

Failing to properly lockout/ tag out presses during necessary tasks, such as making adjustments, clearing jams, performing maintenance, installing or aligning dies, or cleaning the machine.

The ANSI B11.3 standard discusses power press brake safety in particular, and could become an OSHA requirement in the future. In fact, many press brake manufacturers are incorporating the standard as safety features into their new models.

ANSI B11.3 recommends a three-position foot pedal be installed on all press brakes. This safety pedal controls hazardous movement using four contacts to handle normal operation and one safety switch to provide an emergency opening feature. If an operator gets caught between the part or in the press brake, he can push down hard on the pedal to activate the safety switch, which opens the punch and die releasing the operator from the hazard.

Safety system choices

Another option for companies with two-speed hydraulic press brakes is a close proximity point of operation AOPD. This is a safeguarding device that protects from crushing hazards with a sensing field located within the forming tools point of operation and a real time closed loop system to monitor and control press brake movement. Devices such as block lasers and camera systems provide optical protection while the tools are closing, and then, once the bending process starts, the press brake is released because all safety conditions have been met.

Press brake laser safety systems consist of a laser transmitter and laser receiver. The transmitter emits powerful laser beams that strike the receiver detectors which are comprised of several smaller elements called pixels. Each pixel evaluates a small sector of the laser beam to determine frequency and amplitude. If the sensing pixel loses laser light because the emitting beam meets an object, such as a hand, finger or metal sheet inside the working field, this low light level will cause the machines ram to stop all movement. OSHA considers laser safety systems to be an acceptable form of guarding device for hydraulic press brakes under 29 CFR 1910.211.

Finally, companies can install a traditional light curtain, which can prevent a body part from being pinched between the tools of the press brake and the inserted metal sheet. Light curtains need to be set back from the punch and die a minimum of 4 inches to prevent injury but they don't monitor the press brake and safety can be totally controlled by the operator. Light curtains also use invisible light beams making them difficult to setup, adjust and can compromise an operator safety in certain reflective lighting conditions. Rams can also be set to only open 1/4-in. from the punch to the top of the metal sheet. With the laser safety systems and block laser and camera systems, operators can work as close as 1/2 in from the punch and die.

Proper safety solutions are application driven. The equipment that will be most effective in an operation depends on the type of press brakes in a facility and a company's specific bending requirements. Regardless, it's important to install safety devices. It is a necessary investment that will save money if OSHA inspects and finds violations, because corresponding fines would be lower than without such features.

Conduct periodic reviews of all safety equipment to ensure it's turned on, properly working and being used by employees because, often, OSHA inspectors will ask to see a demonstration of the equipment to ensure it's performing properly. **FFJ**

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