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Special Report for HR

Professionals September 5, 2008
Number 487

The Management Advantage, Inc., PO Box 3708, Walnut Creek, CA 94598
www.hrwebstore.com newsletter@management-advantage.com 925-671-0404

OSHA PROPOSES RULE ON PENALTIES FOR PERSONAL PROTECTIVE EQUIP VIOLATIONS

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The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has announced that it would like public comments on a new rule it proposes for penalizing employers that violate its requirement for providing personal protective equipment (PPE) to certain employees. The proposal clarifies that when an OSHA standard requires an employer to provide PPE, such as respirators, or training to employees, the employer must do so for each employee subject to the requirement. **Each employee not protected may be considered a separate violation for penalty purposes.**

The proposed rule affects OSHA's general industry, construction, and maritime standards. In many cases, OSHA combines separate violations of a single requirement in a standard into a single penalty. However, under the instance-by-instance penalty policy, OSHA may propose a separate penalty for each specific violation where the employer demonstrates a flagrant disregard for safety and health.

The proposed rule makes clear that failure to provide appropriate PPE or training may result in per-instance penalties in appropriate cases. **The proposed rule does not add new compliance obligations, nor are employers required to provide any new type of PPE or training.** The amendments merely clarify that a separate penalty may be assessed for each employee not provided the required PPE or training.

The agency will accept public comments on the proposed rule until September 18, 2008. Interested parties may submit comments electronically at <http://www.regulations.gov> (the Federal eRulemaking Portal), by sending three copies to the OSHA Docket Office, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, Room N-2625, Washington, DC 20210, or by FAX at 202-693-1678 if the comments and attachments do not exceed ten pages. Comments must include the Agency name (OSHA) and Docket Number for this rulemaking (Docket Number OSHA-2008-0031).

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HR WEB STORE OFFERS MANY FREE RESOURCES

Have you ever wondered what your document retention requirements are? How about the posting requirements for labor law notices? Do you know the long list of laws you are subject to obeying as an employer?

These and other questions are answered in numerous “Free Reports” at <http://www.management-advantage.com/products/FREEstuff.html>

Once there you will find document titles such as:

- What's in a Personnel File? (And What Should Not Be)
- Should You Use E-Verify?
- Records Retention Requirements
- OFCCP's Compensation Analysis
- Questions You Can and Can't Ask a Job Applicant
- Federal and California Posting Requirements
- Make It or Break It: The First 90 Days At Work

There are other numerous reports having to do with California's unique labor laws and payroll requirements. You will also find numerous federal documents like “Standards for Privacy of Individually Identifiable Health Information: Final Rule,” the current “Uniform Guidelines on Employee Selection Procedures,” and “Questions and Answers concerning the Uniform Guidelines on Employee Selection Procedures.” Shop around and download any of these documents you would like to add to your own reference library.

OSHA from page 1

“We want employers to understand the importance of complying with OSHA's PPE rule for each and every one of their employees,” said Assistant Secretary of Labor for OSHA Edwin G. Foulke, Jr. “Without question, providing PPE for all employees will reduce costs, save money and, most importantly, save lives.”

The announcement was made in the Federal Register on August 19, 2008, (Volume 73, Number 161) Pages 48335 – 48350 under “Proposed Rules.” The rule will affect 29 CFR Parts 1910, 1915, 1917, 1918, and 1926. It is titled, “Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees.”

Federal Register: <http://www.gpoaccess.gov/fr/>

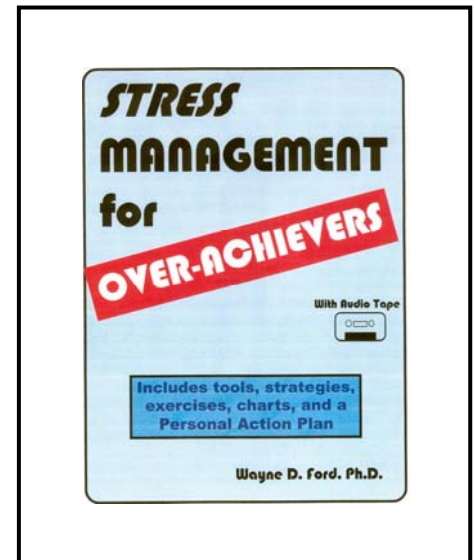
24 Free Reports
and six critical
federal
government
documents
available at
HRWebStore.com

*You may file a comment
until September 18,
2008.*

Stress Management for Over Achievers

Stress Management for Over Achievers recognizes that over-achieving too often leads to over-stressing for people who have had successes in life beyond the standard or expected level. Taking positive action to reduce stress fits with the achievement goals of many who achieve beyond expectations. This book takes the reader on a journey of understanding, coping and overcoming excess stress. Comes with an audio cassette containing a variety of relaxation exercises.

<http://www.management-advantage.com/products/achievestress-book.htm>



IS MUNCHAUSEN AT WORK IN YOUR WORKPLACE?

Ever hear of the Munchausen Syndrome? According to Wikipedia it “involves a caregiver who feigns or induces an illness in another person, usually to gain power and control over the victim as well as attention or sympathy from others.”

http://en.wikipedia.org/wiki/Munchausen_Syndrome

Baron Munchausen (1720-1797) reportedly gained fame by telling many fantastical and impossible adventures about himself. This psychological disorder named for him can be found in our workplaces today in the form of people who create problems, so they can solve them and become heroes.

The syndrome was proposed in 1977 by the pediatrician Roy Meadow. In 2007 it was related to the American workplace by Georgia Tech management professor Nathan Bennett.

http://harvardbusinessonline.hbsp.harvard.edu/b02/en/common/item_detail.jhtml;jsessionid=KQ3ZMOOOG5DWCAKRGWDSELQBKE0YIISW?referral=7855&id=F0711A&_requestid=82177 He suggests that people inflate their involvement in solving problems, actually create problems, and lie about situations to make themselves look better to their management.

A security guard who plants a bomb, only to be the one who “finds” it and saves the day... A CEO who undermines his named successor, only to swoop in and save the day to show how indispensable he is... A customer service clerk who exaggerates the behavior of a customer, explaining how she calmed the situation and saved the day ... All are Munchausen Syndrome examples.

[Go to Munchausen on page 4](#)

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Munchausen Syndrome is being identified in American workplaces

Munchausen from page 3

Professor Bennett gives the example of a manager in a Fortune 100 professional services firm that had a reputation for getting people to work together. To reaffirm that status, he'd purposely drive people apart only to bring them back together. Bennett offers a few questions managers should ask to try to identify people with "MAW:"

- Is the employee disproportionately involved in identifying and fighting fires?
- Is the employee unusually resistant to offers of help in addressing problems he or she has identified?
- Does the employee deflect management's efforts to understand a problem's underlying cause?
- Are the facts and coworkers' accounts at odds with the employee's claims about a problem's existence or severity?
- Are problems with a project a customer, or a process, or between colleagues, frequently resolved in the employee's absence?

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PO Box 3708
Walnut Creek, CA 94598
925-671-0404

www.hrwebstore.com

Editor: William H. Truesdell, SPHR

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