

- Menu
 - Goulash
 - Green Beans
 - Garlic Bread
 - Salad Bar
- Dessert:
 - Toffee Butterscotch Poke Cake
 - Cookies & Cream Brownies
- Drinks
 - Soda and Water

PLEASE

329555
SILENCE

YOUR CELL PHONE

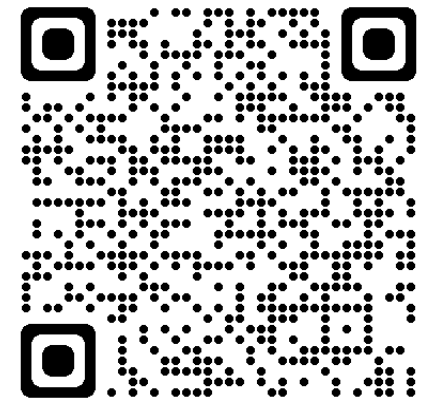




**Bureau of Workers'
Compensation**

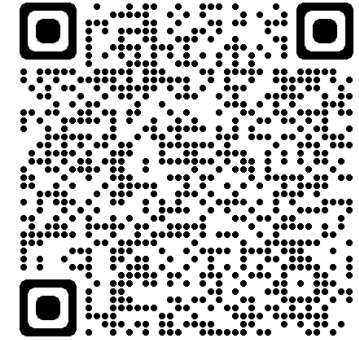
JANUARY SAFETY COUNCIL UPDATE

bwc.ohio.gov




MONTHLY LEARNING JANUARY 2025

Jan. 22-23 – OSHA 10: Construction safety basics
Edison State Community College



bwclearningcenter.com

Jan. 29-30– OSHA 10: Construction safety basics
Canton Service Office

 In-person classes and virtual training classes (VTC) qualify for Safety Council rebate external training credits.

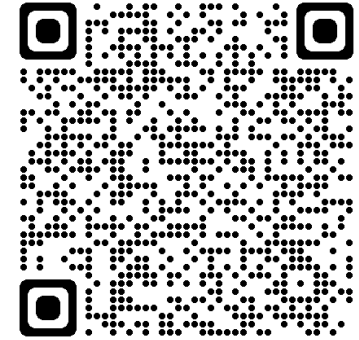
MONTHLY LEARNING FEBRUARY 2025

Feb. 4 – Emergency preparedness planning
Cambridge Service Office


Feb. 4 – Running effective safety meetings workshop
Cincinnati/Springdale Service Office

Feb. 4-5 – OSHA 10: Construction safety basics
Youngstown Service Office

Feb. 5 – Tree work essentials: Chainsaws, chippers and other safety concerns
Bowling Green State University



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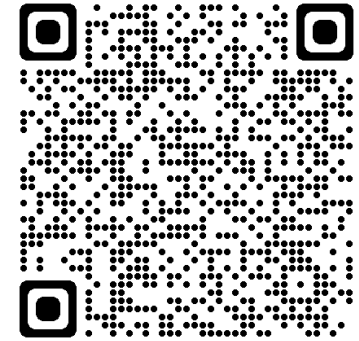
MONTHLY LEARNING FEBRUARY 2025 – CONT.

Feb. 6 – Electrical safety in the workplace through insight and implementation of NFPA 70E
Edison State Community College


Feb. 6 - OSHA recordkeeping half-day workshop
Mid- Ohio Conference Center (MOCC)

Feb. 10-15 – OSHA 10: Construction safety principles
Cincinnati/Springdale Service Office

Feb. 12 – First aid in the workplace
Canton Service Office



bwclearningcenter.com

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MONTHLY LEARNING FEBRUARY 2025 – CONT.

Feb. 13 – Lockout/tagout and safety-related work practices

Independent Electrical Contractors (IEC)

Feb. 18 – First aid in the workplace

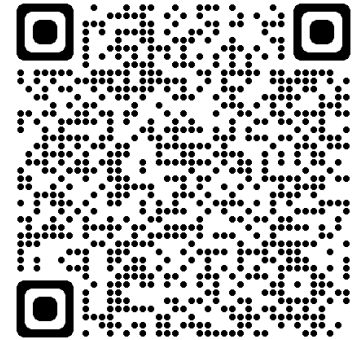
Edison State Community College

Feb. 25 – Tree work essentials: Chainsaws, chippers, and other safety concerns


Canton Service Office

Feb. 25 – First aid in the workplace

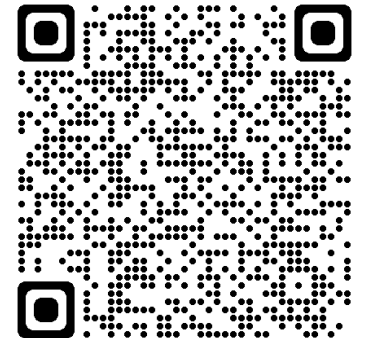
Newark – Matesich Distributing – Non-Catalog



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 In-person classes and virtual training classes (VTC) qualify for Safety Council rebate external training credits.

VIRTUAL TRAINING JANUARY/FEBRUARY 2025



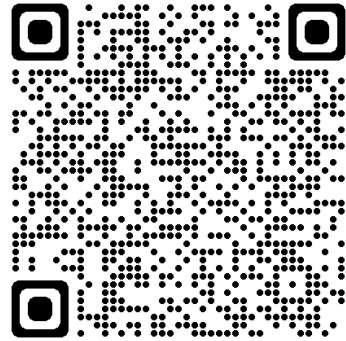
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- **Jan. 22** - Wellness in the workplace
- **Jan. 28** - High hazard emphasis inspections: Be prepared when PERRP shows up at your doorstep
- **Feb. 5** - Safety series workshop module 4: Walking working surfaces and emergency action plan basics
- **Feb. 11-12** – Ergonomics: Basic principles
- **Feb. 13** – Accident analysis half-day workshop


In-person classes and virtual training classes (VTC) qualify for Safety Council rebate external training credits.

VIRTUAL TRAINING JANUARY/FEBRUARY 2025- CONT.

- **Feb. 19-20** – Controlling workers compensation costs
- **Feb. 24-26** – Trenching and excavation
- **Feb. 26-28** – Construction health and safety technician (CHST) review
- **Feb. 27** – OSHA recordkeeping half-day workshop

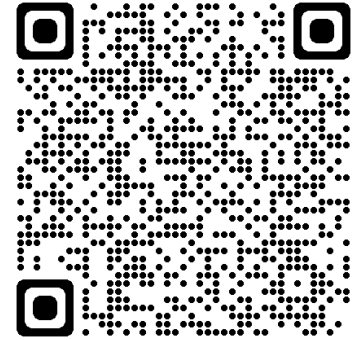


bwclearningcenter.com


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WEBINARS JANUARY/FEBRUARY 2025

- **Jan. 22** - Implementing a safety and health program
- **Feb. 12** – 3D printing and additive manufacturing safety



bwclearningcenter.com

 In-person classes and virtual training classes (VTC) qualify for Safety Council rebate external training credits.

PRIVATE EMPLOYER IMPORTANT DATES

- **Jan. 31** – PA Deductible program application deadline for July 1 start date
- **Jan. 31** – PA Group Retro application deadline for July 1 start date
- **Jan. 31** – PA Claim Impact Reduction Program (CIRP) application deadline for July 1 start date
- **Jan. 31** – PA Individual Retro application deadline for July 1 start date

- **Feb. 28** – Self-Insured assessment payment due – first half
- **Feb. 28** – Self-Insured SI-40 due

PUBLIC EMPLOYER IMPORTANT DATES

- **Jan. 1** – PEC payroll true-up period for PY 2024 begins
- **Jan. 1** – 2025 PEC policy year begins
- **Jan. 3** – PEC Early Payment Discount due date (must pay entire premium due)
- **Jan. 31** – PEC DFSP online safety management self-assessment (SH26) deadline
- **Jan. 31** – PEC DFSP accident analysis training deadline for Jan. 1 start date

PUBLIC EMPLOYER IMPORTANT DATES – CONT.

- **Feb. 1** – PERRP 300AP Summary of work-related injuries and illness submission deadline
- **Feb. 15** – PEC PY 2024 payroll true-up and payment due
- **Feb. 18** – PEC deadline to file settlement applications (C-240) to impact EM
- **Feb. 28** – PEC DFSP-5 deadline (advanced level only) for Jan. 1 start date

WINTER WEATHER IS UPON US!



It is a great time to remind your employees that weather related accidents can be prevented with a few tips to be mindful and prepare for the day's weather.

Employers Should:

- [Train Workers](#)
- [Provide Engineering Controls](#)
- [Implement Safe Work Practices](#)
- [Consider Protective Clothing that Provides Warmth](#)

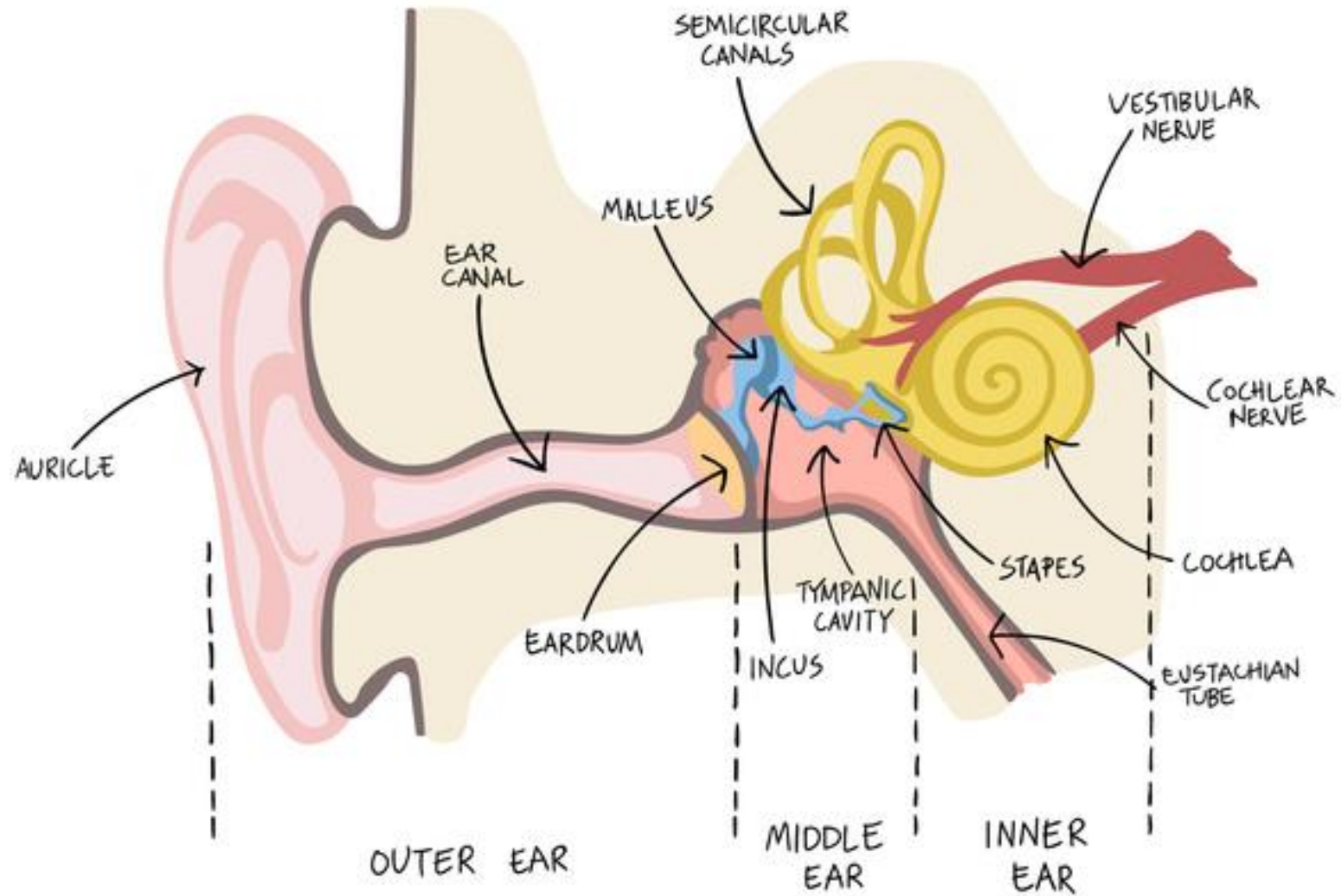
Resources:

- [Winter Weather - OSHA](#)
- [Winter Weather - Cold Stress](#)
- [Dressing Properly for the Cold](#)
- [Safety Tips for Workers](#)



[Winter Weather - Introduction | OSHA](#)

HEARING LOSS AND NOISE



DID YOU HEAR THE NEWS?

- Noise-induced hearing loss is one of the top occupational illnesses worldwide.
- Over 14% of people in the U.S. have hearing loss in one or both of their ears.
- Noise-induced hearing loss typically results in difficulty interpreting speech, making it more difficult to communicate in the workplace and at home with loved ones.



HOW LOUD IS TOO LOUD?



OSHA Table G-16 –
Permissible Noise Exposure

Allowable time, hrs./day	Sound Level, dBA
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
½	110
¼ or less	115

HOW CAN YOU PREVENT HEARING LOSS?

- Wear hearing protection correctly, every time you are in a noisy environment.
- Listen to music at the lowest setting that you can still hear and enjoy.
- Use NIOSH's Buy Quiet guide when replacing or purchasing new equipment and machinery.

How to Wear Foam Earplugs

1. Roll



2. Pull



3. Hold



Images courtesy of NIOSH

OFFICE OF SAFETY SERVICES – WE ARE HERE TO HELP

On-Site Safety Consultations

Workplace Hazard Assessments

Ergonomics and Process Safety Reviews

Industrial hygiene testing

Training and Education Courses

Grant Opportunities for Safety Equipment





Bureau of Workers' Compensation

BWC.Ohio.gov

Questions

Please like and follow our Face Book Page

<https://www.facebook.com/profile.php?id=61570411467592>



UPCOMING TOPICS/SPEAKERS

- ✓ February, 18, 2025 – Injury Report Panel
 - ✓ March 18, 2025 – Fire Panel
 - ✓ April 15, 2025 – Heat Stress
- ✓ May 20, 2025 Finding Joy in the Workplace

Dates are also located on the Black Swamp Safety Council Website



James B. Yates, Esq., SHRM-SCP
JBates@eastmansmith.com
419.247.1830



Jim Yates is a Member of Eastman & Smith Ltd.'s Labor and Employment practice group and a SHRM Senior Certified Professional who has represented employers in employment and workplace safety matters for over 30 years. He represents employers in all facets of employment and workplace safety issues including workers' compensation matters, defending workplace intentional tort claims and defending employers in OSHA matters throughout the country. He regularly consults with safety professionals and human resource professionals regarding the drafting and implementation of employment and safety related policies and conducts supervisor training. Jim is a frequent speaker at seminars regarding numerous employment law and workplace safety topics. He serves on the Board of Directors for the Toledo Regional Chamber of Commerce and the Safety Council of Northwest Ohio and is an active member of many chambers of commerce, human resource associations, safety councils, and contractor associations.

Practical Approaches to Preventing Workplace Bullying

James Yates, Esq., SHRM-SCP

- I. Identifying why bullying is a problem in the workplace
 - a. Overview regarding statistics on the prevalence of workplace bullying
 - b. Possible theories of liability for bullying in the workplace
- II. Define bullying and identify bullying behaviors
- III. Discuss the “costs” of bullying
- IV. Recent legislative, judicial, and regulatory limitations addressing bullying in the workplace
- V. Overlap between bullying, harassment, workplace violence, and mental health
- VI. Social media and harassment and bullying
- VII. Effective means of preventing and addressing bullying and harassment
 - a. Policy updates
 - b. Investigation techniques
 - c. Obtaining C-suite buy-in

Addressing Bullying and Other Abusive Workplace Behaviors

Black Swamp Safety Council

January 28, 2025

James B. Yates, Esq., SHRM-SCP

jbyates@eastmansmith.com

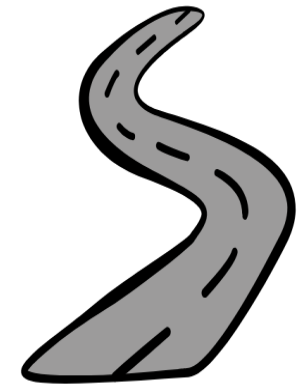
419-247-1830



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Roadmap

- Bullying definition and examples
- Prevalence of bullying in the workplace
- Relationship to discrimination, harassment and workplace violence
- Addressing workplace bullying



What is Bullying?

- “Conduct, with malice, taken against an employee that a reasonable person would find to be hostile, offensive or unrelated to the employee’s legitimate business interests.”
 - *Healthy Workplace Bill (NY)*
- “Repeated, health harming abusive conduct committed by bosses and co-workers”
- “Repeated, health-harming mistreatment by one or more employees of an employee: abusive conduct that takes the form of verbal abuse; or behaviors perceived as threatening, intimidating, or humiliating; work sabotage; or in some combination of the above.”
 - *Source: WBI*

Bullying Behaviors

Persistent, ongoing,
harsh and unjustified
criticism

Credit stealing

Malicious gossiping and
rumormongering

Impossible deadlines

False accusations
regarding work
performance

Yelling, shouting,
berating

Hostile glances,
gestures

Isolating employees
from opportunities,
information and
interaction with others

The Problem

- 32% of workers have experienced workplace bullying
- 70/30 ratio of male to female perpetrators
 - 51% of bullied targets are women
 - 59% of interactions are between the same gender
- Bullying “research” is based on “surveys” and “perceptions.”

By the Numbers

- Over 52 million workers have experienced direct bullying
 - 22 million employees reportedly experienced bullying in the last year
- Over 22 million workers have witnessed workplace bullying
- Over 1 million employees self-reported as a workplace bully in 2024

Cyberbullying and Social Media

Increasing possibility of cyberbullying through rise of social media and remote work

51% of hybrid employees reportedly experienced bullying

- 32% of fully remote workers experienced bullying

Different than in-person bullying

- Victim may not know the bully
- The bully can be anonymous
- Easier to be cruel because no face-to-face connection
- Bullying can go viral in seconds making it impossible to erase

Addressing Cyberbullying

- Rules re: off-duty conduct
- Rules re: use of Company equipment for professional purposes
- No expectation of employee privacy
- Supervisors “friending” colleagues, co-workers, or direct reports on social media

Obstacles to Addressing Bullying

- Bullying by boss (55%) reduces employee ability to confront and remedy abusive behavior
- Studies show co-workers don't help much (about 30% either blame the target or refuse to act)
- Perception that nothing will be done if reported
- Lack of clear policies and training

Bullying vs. Harassment

- Harassment = based upon a protected classification
- Ever expanding possibilities of protected classifications
 - Same sex harassment
 - Harassment based on gender identity or sexual orientation

Examples of Harassing Conduct Per Recent EEOC Guidance

Epithets regarding sexual orientation or gender identity

Physical assault

“Outing”

Harassing conduct because an individual does not present in a manner that would stereotypically be associated with that person’s sex

Intentional misgendering

Denying access to a bathroom or other sex-segregated facility consistent with the individual’s gender identity

Harassment and Discrimination Cases Often Include Bullying

- Recent rulings against Harvard
- Allegations of anti-semitism including bullying behavior
- Harvard maintained Anti-Bullying and Non-Discrimination policies
- Judge denied Harvard's motion to dismiss and several cases settled



Workplace Violence

- In 2021-2022, of the 5,190 fatal workplace injuries that occurred in the United States, 524 were workplace homicides.
- According to the CDC, homicide is the leading cause of death for women in the workplace.
- Nearly 2 million American workers report having been victims of workplace violence each year.

Workplace Violence Prevention Policies

- Purpose: provide safe workplace for all employees
- Scope: applies to all employees (and others)
- Prohibited conduct examples: no threats or violent activities
 - No causing or threats of physical harm
 - No threatening remarks
 - No aggressive or hostile behavior that creates a reasonable fear of injury to another
 - No intentional damage to employer property or property of another
 - No possession of weapon on premises or while on business (be consistent with state laws)

Workplace Violence Prevention Policies

- Reporting procedures (immediate report)
- Risk reduction measures
- Guidelines for addressing violent situations
- Support for victims of violence
- Emergency/security plan
 - Training
 - Evaluation

Recent Initiatives

- New York (signed by Gov. Hochul September, 2024)
 - The Retail Worker Safety Act requires retailers to develop workplace violence prevention plans and train their employees on safety procedures
 - The Workplace Violence Prevention Law was amended to include public school employers
- California's Senate Bill 553 (signed by Gov. Newsom in 2023)
 - Employers must implement effective workplace violence prevention plans

OSHA And Workplace Violence

- Workplace violence includes threats, verbal abuse, physical assaults
- Workplace may require hazard assessment and site-specific workplace violence prevention program and training
- OSHA has and will cite employers under General Duty Clause for workplace violence incidents
- OSHA continues to develop rules for health care employees

Mental Health Trends

- 2022 survey showed 18.2% of adults experienced symptoms of anxiety and 21.4% of adults experienced symptoms of depression **in the previous 2 weeks**
- 2024 survey shows 43% of adults say they feel more anxious than prior year (increases of 5% or more from 2023, 2022)

Mental Health Legislation

- Mental Health Parity Act of 2008
- Recent federal mental health parity rules and legal challenges
- Rule states mental health benefits should match medical and surgical coverage
- Recent studies show in-network provider shortages for mental health and unjustified exclusions for Autism therapy, nutritional counseling, and medication-assisted treatment for opioid disorders

Preventing and Addressing Workplace Bullying

- Make a decision regarding stand alone bullying policy v. inclusion in other policies
- **Commitment from top management to address bullying**
- Include specific examples of bullying/not bullying (à la harassment policy)
- Roadmap for complaint, investigation, and resolution in policy

Preventing and Addressing Workplace Bullying

- Prohibit retaliation (and mean it!)
- Address customer/client bullying
- Address bullying in use of employer equipment/social media policies
- EAP or other appropriate avenues for employees to obtain needed assistance
- Include bullying training as subject in EEO and harassment training (at a minimum) or have stand alone bullying training (attended by ALL!)

Questions?

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EASTMAN & SMITH

Addressing Bullying and Other Abusive Workplace Behaviors

Black Swamp Safety Council

January 28, 2025

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