



# St. Louis Chapter Newsletter



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## Monthly Meeting

### **April - Lunch Meeting**

Please join us for a Virtual Chapter Meeting! There is no cost to attend, but we do need you to register prior to the meeting. The St. Louis Chapter has purchased a Zoom subscription to allow a high quality experience.

When: **April 12th, 2021 12:00 PM Central Time**  
Speaker: **Mark Woodward, MEM, Senior Risk & Safety Trainer**  
Topic: **Work Comp Update: All things COVID**

<https://zoom.us/meeting/register/tJYtc-ihpjMsE9fNJQG8CRtLhUOYa7RIIPbO>

Please register to receive information about joining the meeting.



MONTHLY MEETING  
MONDAY  
APRIL 12th, 2021  
NOON TILL 1 PM

JOIN US!!!

# ZOOM WEBINAR

Double Down:  
WORKING to Make Conversations,  
Training and Safety STICK



**MeM**

**Mark Woodward**

Senior Safety & Risk Trainer  
Missouri Employers Mutual



See image below for details and click to register on the ASSP website.



**ASSP MEMBER APPRECIATION**

Thursday, May 13th, 2021 ~ 5 to 7 pm

Doubletree by Hilton  
Conference Center Ballroom  
16625 Swingley Ridge Road  
Chesterfield, MO 63017

. Cocktails .  
. Great Appetizers .  
. People (in person!) .

FREE for ASSP Members - CLICK **HERE** TO REGISTER

City of Chesterfield COVID Protocols Will be Followed

The poster features a background image of red wine being poured into a glass. On the left side, there is a small ASSP logo. The text is arranged in a clear, readable layout with various colors and fonts to highlight key information.

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## Scholarship Golf Outing

[Join us on June 11th at The Praries Golf Club](#)



**ASSP Scholarship  
Golf Tournament  
Fundraiser**

Protecting  
People  
Property  
and the  
Environment  
since 1911

The poster features a background image of a golf course with a pond. On the left side, there is a large ASSP logo. The text is arranged in a clear, readable layout with various colors and fonts to highlight key information.

## Calendar of Events

Your chapter officers and committee members are working hard to provide meaningful meeting topics for you throughout the year. Check out what's scheduled so far! If you have ideas on what should be covered, or want to share something yourself, please reach out to the chapter board and committee members (contacts at the end of this newsletter).



J. Bradley Young, Attorney  
Harris Dowell Fisher & Young L.C.

### Monthly Meeting – July 12th, Noon to 1 pm

Workers' Compensation Update"



Treasa Turnbeaugh, PhD  
Former CEO of BCSP

### Monthly Meeting – August 9th, Noon to 1 pm

"The benefits of acquiring a professional certification"



DIANE S. ROHLMAN, PhD  
Professor, Occupational and Environmental Health Director  
Healthier Workforce Center of the Midwest Endowed Chair  
in rural Safety & Health

### Monthly Meeting – September 13th, Noon to 1 pm

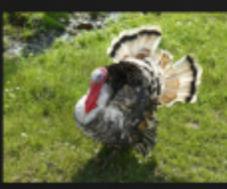
"TOTAL WORKER HEALTH: What it means for your bottom line."



NAME OF SPEAKER – TBD  
TITLE

### Monthly Meeting – October 11, Noon to 1 pm

"TOPIC HERE"



NAME OF SPEAKER – TBD  
TITLE

### Monthly Meeting – November 8, Noon to 1 pm

"TOPIC HERE"



Bill McDonald – OSHA Area Director – St. Louis  
or Maryanne Martin – OSHA Compliance Assistance  
Specialist – St. Louis



### Monthly Meeting – December 13th, Noon to 1 pm

OSHA Update – Discussed will be the OSHA fiscal year  
update and quick review of new/old initiatives.



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## Drainage – the Forgotten Element of an Eyewash Station

~Bill Kincaid, P.E., CSP, CIT

One of the stranger moments I remember from my OSHA days was visiting a university science lab and having my tour guide insist on proving the overhead safety shower in the lab was functional. This fixture was concealed above a plastered ceiling so only the shower head and the pull chain were visible. Thinking those valves aren't usually self-closing, for practical reasons, and noticing there wasn't a floor drain to be seen anywhere in the area, I told him not to show me. I said I trusted it worked. This guy was determined, though, and he pulled the chain. Water gushed out of the head in a rusty torrent. A pond quickly spread across the floor. After fruitlessly juggling the chain a while, the poor guy gave up and ran to get a maintenance person before the spill became a flood. The maintenance person had to hack a hole in the ceiling to shut it down.

That was an odd event I've only seen once. Evidently, nobody had ever tested that unit after installation, or even considered what would happen if they did. A more common story? An eyewash station tested less often than it should be and run for too short a time to clear the gunk out of the pipes, because testing it is such a pain for whomever has that duty. Instead, it sits there gathering dust in the basin while the water in the pipe becomes a dirty mess you wouldn't want on your hands, much less in your eyes.

Plumbed-in eyewash stations should be tested weekly, and run until clean, clear water comes out of the pipe. "Weekly" is an inconvenient frequency, since so many other typical safety inspection items are "monthly", but there's a good reason to do the weekly tests. The ANSI standard for eyewashes recognizes that water trapped in a pipe will become stagnant and, when trapped in an iron pipe, rusty. Microbes will accumulate in the pipe regardless if the eyewash is supplied by iron, plastic and copper pipes. When someone has an emergency need to rinse their eyes, they won't stand around waiting for the water to run clear. Instead, if the water hasn't been flushed in a while, the first blast into their eyes will be rusty and stagnant. The weekly test is an attempt to ensure there's always clean water in the pipe.

Maybe in the past, we didn't realize microbial growth could occur in a stagnant water pipe. But we know now. Imagine you just had battery acid splash on your face and desperately need to rinse your eyes with clear water, and instead getting a faceful of *Pseudomonas*, *Hartmannella*, *Vahlkampfia*, *Acanthamoeba*, *Cochliopodium amoebae* and *Legionella* bacteria. That's why we had to go to weekly tests. A nice long test means a lot of water coming out of the eyewash, depending on how long the "dead leg" of the eyewash supply line might be.

But how many plumbed eyewash stations have you seen without a drain pipe, where the water pours out of an opening a few inches off the floor, with no floor drain anywhere in sight? Pre-assembled eyewashes are usually equipped with an impractically low outlet opening. The opening usually is much too low to allow catching the water with a bucket, so it just runs out over the floor. At best, this weekly spill is a waste of time and a slipping hazard while cleaning it up. At worst, it discourages testing the unit.

Ideally, every plumbed eyewash unit should be provided with a plumbed drain or located over a working floor drain. But it isn't often possible. We don't have access to drainage in many of the places where we need to install an eyewash. For example, we might not want to have open floor drains in areas where corrosive liquids are used where an eyewash is required. That's for environmental reasons. It's also rare to have drains in floors near the most likely places to place forklift battery chargers, etc.

If there's no nearby drain, the water outlet at the bottom of the unit should be installed at least 45 cm (1.5 feet) above floor level and provided with a short extension to allow using a plastic bucket to catch drain water during weekly testing. It doesn't cost anything more to raise the point where the water pours out and install the eyewash right.

Looking at the eyewash devices advertised by major suppliers, I see the very low drain outlets are designed into the units. The ANSI standard evidently didn't tell them where to put the drain outlets for convenient collection. Some of them are only a few inches off the floor with standard equipment. Some, we've already installed, and we sure don't need to pay a plumber for a couple hours of revising what we already paid them once to install. But, thanks to a trait of water observed millennia ago by one of our earliest documented scientists, we have an easier answer to the too-low drain outlet. We can just articulate a drain pipe with a higher outlet, in a kind of S shape. Since water seeks a common level, as

Archimedes observed, once the water coming down from the basin reaches the height of the new, higher outlet, it will pour out of the new higher outlet. Sure, the down leg of the eyewash will always have a little water in it thereafter, but what's the harm in that? So does every sink in the building - they all have P-traps. Maybe twenty bucks for a few short sections of pre-threaded pipe and a few elbows, ten minutes to twist it all together, and we're done.

Go out and take a look at your eyewash stations and see what I mean. Improving the ease of testing by raising the drain outlet will make a tidy little safety project. And not only can new units be installed better but existing units can also be improved without professional help. It's not nice to tell people to test their eyewashes weekly and then expect them to mop up several quarts of water afterwards.

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## MISSOURI WORKERS COMPENSATION UPDATE

~ J. Bradley Young, Attorney, Harris Dowell Fisher & Young

In a decision from the Missouri Industrial Commission from March 23, 2021, the Commission denied the compensability of a claim due to the fact that the claimant's shoulder revealed only evidence of severe degenerative changes and no evidence of acute trauma.

### BRIEF FACTS

Claimant alleged he injured his shoulder at work, and he also had a prior history of shoulder surgery almost 10 years prior to the alleged work accident. Claimant testified at trial that after he recovered from his prior injury, he had: *"no problem with his left shoulder until his recent injury (at work)."*

However, the defense found medical records between the date of the first injury and the date of the alleged work injury, demonstrating that claimant had ongoing issues with his shoulder. Furthermore, diagnostic imaging 2 weeks after the alleged accident revealed nothing but degenerative changes at the shoulder level.

### HOLDING

The Commission denied the compensability of the claim for 2 reasons:

- First, the Commission did not believe the claimant's testimony: *"We expressly find not credible or persuasive claimant's testimony that he had no pain or issues with his left shoulder during the time after his recovery from his (first surgery) until the January 30, 2017 injury."*
- Second, the Commission found that there was no new injury: *"The January 30, 2017 incident did not create a new compensable injury, but aggravated a preexisting problem. In fact, the history, physical examination, MRI, operative report and review of medical records indicate the pathology is gradual deterioration caused by aging, hereditary, previous trauma and normal activities."*

### TILLOTSON

Under the Tillotson standard, Employers are often stuck providing medical care for pre-existing degenerative conditions (like knee replacement surgeries or spine fusion surgeries) in cases where the work injury aggravates a pre-existing condition. Here, though, the ALJ and the Commission found that there was no actual injury from the alleged work accident, so Tillotson did not apply.

### PRACTICE POINTS

First, this case demonstrates the importance of investigating prior injuries that claimants may have experienced to the body part that is the focus of a workers compensation claim. Here, that investigation into the claimant's medical history made the difference between a compensable and a non-compensable claim.

Unfortunately, this decision could be overturned by the Missouri Court of Appeals because the Tillotson doctrine continues to force Employers to pay for medical care to repair pre-existing degenerative conditions that are not medically-causally related to work accidents. That is why I have been working closely with the Missouri Chamber of Commerce and Industry to introduce legislation in Missouri to overturn Tillotson.

**HB 1265 is a bill that was introduced in the Missouri House of Representatives this term. This bill would overturn Tillotson and would ensure that Employers are only responsible to pay for medical care pertaining to work-related injuries, NOT pre-existing and/or degenerative conditions.** I will keep you updated as this bill moves through the Legislature.

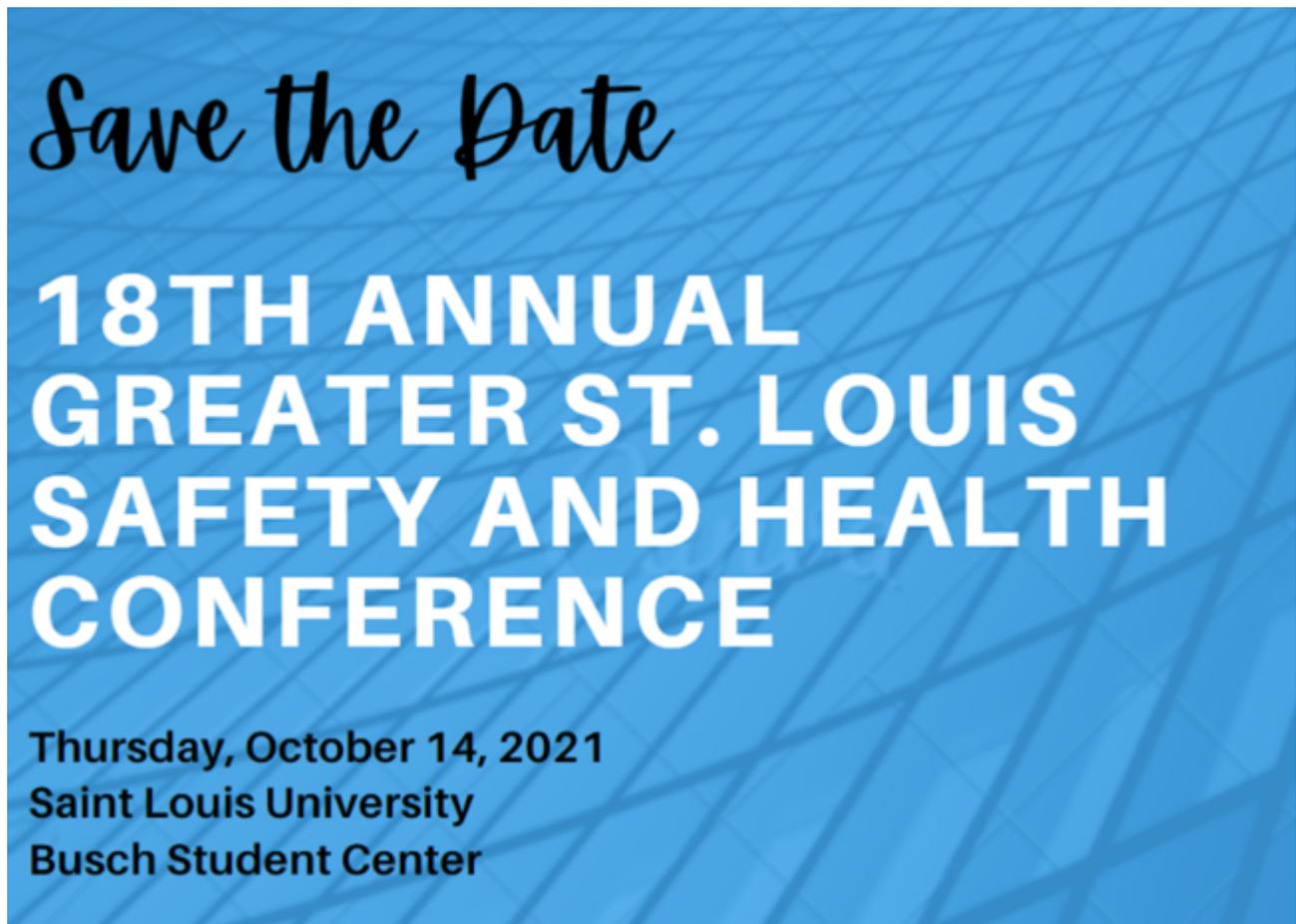
If you have any questions or would like to discuss either the decision from the Missouri Industrial Commission or HB 1265, please let me know.

~ Brad

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### [Greater St. Louis Safety and Health Conference - Oct 14, 2021](#)

~ shared by Mary Beth Proost



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### **St. Louis Chapter Executive Board Contacts**

**President** - Steve Williams - [swilliams@frenchgerleman.com](mailto:swilliams@frenchgerleman.com)

**Vice President** - Dennis Pivin - DPivin@aegion.com  
**Secretary** - Nate Richardson - nate.richardson.safety@gmail.com  
**Treasurer** - Mae Patrick - stlassptreas20@att.net  
**Past President** - Rick Reams - ricky\_reams@hotmail.com

## Mid-Missouri Section Officers

**President** - Mark Woodward - mwoodwar@mem-ins.com  
**Vice President** - Paul Krewson - paul@peakergo.com  
**Secretary/Treasurer** - David Attebery - david.attebery@labor.mo.gov

## Chapter Committee Chairs

**Website** – Dave Callies – dcallies@kelpe.com  
Maintains website with updated news, chapter events, and job postings

**PDC Chair** – Dennis Pivin – DPivin@aegion.com  
Coordinates logistics of professional development activities

**Membership** – Dianne Gibbs – dianne@ideasftp.com  
Ensures new members are recognized & introduced at membership meetings

**Public Relations** – Steve Williams – swilliams@bellelectrical.com  
Promotes chapter activities to the general public. Coordinates poster contest

**Newsletter** – Dan Bembower – dan.bembower@usi.com  
Publishes and distributes the chapter newsletter to all chapter members

**Awards & Honors** – Bill Kincaid – billkincaid@yahoo.com  
Recognizes member achievement through chapter awards

**Scholarship** – Rob Miller – robertmiller91@yahoo.com  
Promotes student scholarships & continuing education scholarships for members

**Golf Scholarship**  
Sydney White – sydney.white@wwt.com  
Nick Zahner – nzahner@murphynet.com  
Organizes and runs the annual golf tournament supporting local safety focused students

**Programs** – Tim Michel – tmichel@keeleycompanies.com  
Plans the program time and needs for presentations & coordinates schedule

**Social Media** – JaNola Rigsby – jrigsby@qualsafesolutions.com  
Maintains Face book & Twitter accounts promoting discussion with local membership

**Women In Safety & Health (WISH)**  
JaNola Rigsby – jrigsby@qualsafesolutions.com  
Patte Ackermann, PT – ackermap@ssm-select.com  
Organizes the WISH events to promote the community of women in Safety & Health

Please contact a board member or committee chair with comments or if you would like to participate in any of the chapter activities.



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