



## St. Louis Chapter Newsletter



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### Important Links

- [Chapter Website](#)
- [Chapter Documents](#)
- [Current Job Postings](#)
- [Like Us on Facebook](#)
- [Follow us on Twitter](#)
- [Connect on LinkedIn](#)

Be sure to check out this month's [job openings](#)! Several new jobs in insurance, field safety, and management available!

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### Next Chapter Meeting - Monday November 13

**Topic: Electrical Safety is not just for Electricians**

**Speaker: Mike Toledo, Electrical Services Specialist at Guarantee Electric**

**Where:** Syberg's, 2430 Old Dorsett Rd, Maryland Heights, MO 63043

**When:** Registration @11, Lunch @11:30, Presentation @12

**Register for Meeting:** <https://stl.assp.org/events/november-lunch-meeting/>

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### Chapter Meeting - Monday December 11

**Topic: Annual OSHA Update**

**Speaker: Maryanne Martin & Bill McDonald**

Learn about the latest trends Nationally, Locally, and in Region 7.

**Where:** Syberg's, 2430 Old Dorsett Rd, Maryland Heights, MO 63043

**When:** Registration @11, Lunch @11:30, Presentation @12

**Register for Meeting:**

## **We still need YOU**

~Dan Bembower, Newsletter Editor

Thanks to Mark Woodward for providing a safety article to us -- be sure to read it below!

However, we still need your thoughts, pet peeves, wisdom, passion, or hard-earned experience. Please take a moment to consider what you can share with this group. You *do not* have to commit to writing a monthly safety article for 30 years. You *do not* have to provide silver bullets, peer-reviewed research, or grand insights. But what you *do* have is an opportunity to share something meaningful with your profession.

Thanks - Dan

[dan.bembower@usi.com](mailto:dan.bembower@usi.com)

**In Case You Missed It:** Bill Kincaid is winding down many of his professional obligations and commitments, one of which is the monthly safety topic he shared via this newsletter. I will be re-sharing previous articles from Bill along with articles from YOU, the STL ASSP community, going forward.

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## **Last Month**

We had an outstanding presentation at our [American Society of Safety Professionals \(ASSP\)](#) St. Louis Chapter meeting. Our new honorary member and favorite [COCL](#) Fire Department Captain [Garon Patrick Mosby](#) educated us on fire safety. He is an excellent and brilliant speaker and we are so grateful that he shared his time and expertise with us. Thanks again Captain!!!



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## **Women in Safety and Health**

The WISH Chapter of WISE had a great time learning and playing at our last event. We were honored to have Caitlin McNeese of Walking Each Other Home Wellness, LLC give an informative and beneficial

discussion on *Anxiety in the Workforce with a side of Imposter Syndrome*. Following the fascinating interactive discussion, Host Domini Montgomery surprised us with a Zoo Railroad trip followed by a Carousel ride. We are very appreciative to our host and speaker!



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### [Calendar of Events](#)

**Take a look at what's coming up! Mark your calendar now.**



# ASSP ST. LOUIS CHAPTER EVENTS 2023



**Sybergs on Dorsett (unless otherwise stated)**  
**Networking: 11:00-11:30 - Lunch: 11:30-12:00**  
**Announcements & Speaker: 12:00-1:00**



Sharida Mitchell – Territory Account Manager  
Mallory Safety & Supply

**Monthly Meeting – April 10th, 2023 11:00 am to 1 pm**  
**Building a Safety Culture – Getting the "Buy-In"**



Dr. Hobbs, (L) St. Louis Orthopedic and Sports Medicine  
Dr. Minges (R) Orthopedic Spine Surgery – Joint Presentation  
**Monthly Meeting – May 8th, 11:00 am to 1 pm**  
**"Neck/Shoulder Syndrome in the Workplace"**



**Annual Golf Tournament – June 9th, 2023 – 7 am to 3 pm**  
**St. Peters Golf Club, 200 Salt Lick Rd, Saint Peters, Missouri 63376**



Chris Archer, Attorney at Law – Archer & Lassa, LLC.  
**Monthly Meeting – July 10th, 2023 – 11:00 am to 1 pm**  
**"Is this compensable?" Test your knowledge and judgement on real fact patterns decided recently by the courts.**



**AB Tour!!! – No Meeting! – August 10th, 2023 – 3 PM to 5 PM**  
**Happy Hour w/Food & Beer – 5 PM to 7 PM**  
**Must Register – \$20.00/person (non-refundable)**



Stacie Zellin, Community Education Coordinator  
Prevent+Ed  
**Monthly Meeting – September 11th, 2023 – 11:00 am to 1 pm**  
**"Navigating Conversations around Substance Use"**



In honor of Fire Prevention Month the City of St. Louis Fire Department will be here  
**Monthly Meeting – October 9th, 2023 – 11:00 am to 1 pm**  
**"Fire prevention at work and at home"**



Mike Toledo, Electrical Services Specialist  
Guarantee Electric  
**Monthly Meeting – November 13th, 2023 – 11:00 am to 1 pm**  
**"Electrical Safety is not just for Electricians"**



Maryanne Heuer Martin, CSP. Compliance Assistance Specialist (L)  
Bill McDonald, Area Director, OSHA – St. Louis Area Office (R)  
**Monthly Meeting – December 11th, 2023 – 11:00 am to 1 pm**  
**Annual OSHA Update**



<https://stl.assp.org/event/>



Always find the latest events at <https://stl.assp.org/>

**The Mid Missouri section provides networking and training opportunities for the professionals working in and around Jefferson City and Columbia.**

Meet up at the October lunch and mark your calendars for Nov and Dec.

- 11/15/23 Tour of [DANA Inc.](#) Columbia, MO facility, lunch included, members plus one guest
- 12/13/23 at D Rowes, "The Ineffective Safety Program: Complacency Built In" — Presentation by Mark Woodward, Sr. Safety & Risk Trainer @ MO Employers Mutual

If you are interested in participating in these meetings or joining the Mid-MO mailing list, please reach out to [Paul Krewson](#) or opt-in here: <https://mailchi.mp/b33f8ed3f931/assp-midmo>

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**Missouri DOL Training - November 9**

**Call or email today to reserve your spot!**

The Missouri Department of Labor's last free training of the year is a virtual option, and covers all the topics you need to develop a fully functional safety and health management program. Reserve your spot today. Learn more at <https://labor.mo.gov/dls/onsite>

The advertisement features a light blue background with technical drawings of gears and pipes. On the left, the text reads "SAFETY AND HEALTH MANAGEMENT SYSTEMS" in large, bold, blue letters, with "Provided by Missouri On-Site Safety & Health Consultation Program" in smaller text below. On the right, there is a logo for "ON-SITE" with a magnifying glass over a gear, and the text "Safety & Health Consultation Missouri Department of Labor & Industrial Relations" below it. A horizontal orange and white striped bar separates the header from the main content. The main content is divided into two columns. The left column has a dark blue background with white text: "FREE (VIRTUAL) TRAINING!", "November 9", "9 a.m. - 3:30 p.m.", "Space is limited, so reserve your seat today!", "573-522-SAFE (7233)", and "Email: Sharon.Denny@labor.mo.gov". The right column has a light blue background with dark blue text: "Topics include:", "Workplace Analysis", "Management Leadership and Employee Involvement", "Hazard Prevention & Control", "Safety & Health Training", "OSHA Site-Specific Programs", and "Hazard Identification". At the bottom, a dark blue bar contains the website "WWW.LABOR.MO.GOV/SAFE" in white text.

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**Missouri Common Ground Alliance - Summit & Rodeo**

Register today to attend the 2023 MOCGA Summit on December 6<sup>th</sup> and 7<sup>th</sup>, 2023 at the Springfield Ozark Empire Fairgrounds!

**Register here:** <https://www.eventleaf.com/e/mocgasummit>

Get more information from MO Common Ground: <https://mocommonground.org/> for the Summit, or go here for the Locate Rodeo: <https://locaterodeo.net/>

# 2 DAYS 2 BIG EVENTS



DECEMBER 6-7 2023  
OZARK EMPIRE FAIRGROUNDS, SPRINGFIELD, MO

## REGISTER NOW!

[LOCATERODEO.NET](http://LOCATERODEO.NET)

[MOCOMMONGROUND.ORG](http://MOCOMMONGROUND.ORG)



MISSOURI  
COMMON GROUND  
ALLIANCE

### What Constitutes Properly Administered Safety Rules? W C M & E

~Mark Woodward, Sr. Safety and Risk Trainer @ Missouri Employers Mutual

To prevent injuries, it's recommended that employers develop safety rules that are written, communicated, monitored, and enforced. Even when a business hasn't experienced an injury, safety rules will continue to

keep your employees injury free. This article provides a pathway for employers to develop and effectively manage safety rules.

Effective safety rules address injury risks through specific and clear language. MEM does not encourage businesses to use boilerplate, hard-to-understand safety program documents that don't correctly address the hazards in your work. MEM simply encourages employers to implement specific safety rules that are:

- **Written** in plain language, provide specific direction, and address top injury and fatality types.
- **Communicated** to employees through employee meetings or safety meetings.
- **Monitored** through management walk-throughs of work areas or through employee observations.
- **Enforced** through follow up or corrective action when your safety rules aren't followed.

The term "safety rules" is a simple and achievable concept that is encouraged by OSHA, (Occupational Safety and Health Administration) workers compensation insurance carriers and statutes in many states. For example:

- OSHA's "General Duty Clause" (29 US Code 654) requires employees to follow safety rules.
- Missouri workers compensation law (RSMo Chapter 287.120.5) supports known and enforced safety rules.
- During a possible citation, OSHA recognizes properly managed safety rules and considers misconduct. Unsafe employee actions must be unknown to the employer and safety rules are proven to be communicated and enforced.

Your safety rules must address the most common causes of work-related injuries and death. These are:

- Slip, trip, and fall injuries: cluttered workspaces, wet floors, falls from roofs, falls from ladders.
- Overexertion, orthopedic, strain-sprain injuries: excessively heavy lifting, repetitive work, jerking or yanking.
- Motor vehicle crashes: Lack of seat belt use, speeding, impaired driving, fatigued driving, distracted driving.
- Struck-by object / hazardous contact with an object: sharp edges, pinch points, gears, chains, or saw blades.

### **Step 1**

Identify the most dangerous jobs and tasks performed by your employees, or dangerous tools in use. Use safety rules found in machine owner's manuals or instructions. Be direct. Avoid general statements like "follow all safe driving laws" or "follow all OSHA regulations". Examples include:

- Residential roofing, carpentry, and near leading edges: Requiring employees to use personal fall arrest systems.
- Residential carpentry crews: Requiring safe & proper use of scaffolds, extension, and step ladders.
- Driving a vehicle for work-related purposes: Requiring the use of seat belts and prohibiting distracted driving.
- Inflating tires at a tire shop: Requiring the use of eye protection and a tire inflation safety cage.
- Using table saws: Maintaining guards, shields & kickback devices. Also, use push sticks to prevent hand injuries.

### **Step 2**

Educate employees about your safety rules through some form of documented safety meetings. Get signatures on sign-in sheets or on the rules themselves. No matter how you do these meetings, make sure employees know that they're expected to follow the rules. New hires make up 40% of MEM injuries each year, so make sure all new hires understand your safety, drug-free workplace, and injury reporting expectations.

### **Step 3**

Perform documented observations (inspections) of work areas or jobsites. Are safety rules being followed? Watch for personal protective equipment utilization, seat belt use, distracted driving, proper ladder use, etc.

#### **Step 4**

Perform corrective action when safety rules are not followed. The point of safety rules is to prevent injuries and when they're not followed, the rules are of no value. Document each time you perform corrective action.

In review, employee safety matters. The success of your business matters. MEM encourages all employers – no matter the size of your business or organization – to put safety rules in place that are:

- **Written** in plain language, provide specific direction, and address top injury and fatality types.
- **Communicated** to employees through employee meetings or safety meetings.
- **Monitored** through management walk-throughs of work areas or through employee observations.
- **Enforced** through follow up or corrective action when your safety rules aren't followed.

~Mark

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### **Missouri WC Update from Brad Young**

(Read Time: Less Than 3 minutes)

The Missouri Industrial Commission recently rendered a decision in Tonya R. Taylor v. R+L Carriers, awarding the claimant 10% of the body for a lumbar sprain but denying allegations of potential Permanent Total Disability, years of TTD benefits, psychiatric injury, along with past and future medical care. Here's why:

#### **FACTS**

Claimant suffered a compensable work accident in 2018. However, during her deposition, claimant was "not candid" about her prior back problems. The employee's deposition testimony denied diagnosis with any problem in her low back before January 19, 2018, prior imaging of her low back, or any prior instances of low back symptoms such as pain or aches or limitations of motion before January 18, 2018.

However, the medical evidence eventually demonstrated that claimant had significant lumbar spine problems dating back to 2009, along with a prior diagnosis of 6 herniated discs in her cervical and lumbar spine prior to the work accident.

Claimant requested years of unpaid TTD benefits, presumably PTD benefits, psychiatric overlay, along with past and future medical care.

#### **AWARD**

The ALJ (administrative law judge) noted the claimant's failure in her memory after she became involved in litigation and only awarded 10% of the body for the compensable 2018 work accident, denying the request for all other benefits.

On appeal, the Industrial Commission noted all of the references in the medical records where claimant sometimes admitted knowledge of prior back problems, while other times denying any history. In upholding the award from the ALJ, the Industrial Commission stated:

*"The inconsistencies and contradictions set out, supra, establish that the employee's accounts of her medical history over time were inconsistent and lacked credibility. We consider additional findings in the ALJ's Award relevant to the issue of the employee's credibility essential to the ultimate conclusion on this issue (that claimant is not entitled to other benefits, including PTD and medical care), which we affirm."*

## **PRACTICE POINTS**

It goes without saying that one of the major focal points for the defense of every workers compensation claim is the claimant's past medical history. This claim demonstrates why.

Even though the aggravation of a pre-existing injury is, most often, a compensable injury, the claimant's credibility regarding those pre-existing problems is essential to the prosecution of the claimant's claim for compensation. Demonstrating that the claimant lacks credibility can often, as seen here, dramatically reduce the amount of benefits owed to the claimant.

ISO reports, social media, medical canvassing, and a careful review of all known medical records is vitally important to the investigation of each and every claim. Once that information is available, the deposition of the claimant is essential to determine the credibility of the claim. Since the claimant's credibility is the foundation for every award of benefits, demonstrating cracks in that foundation can often lead to a collapse of the entire claim.

Please let me know if you have any questions or if you wish to discuss how this award might apply to any of your current or potential claims.

- Brad  
J. Bradley Young  
Harris Dowell Fisher & Young L.C.

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## **Professional Development Conference**

**Monday, March 4th, 2024**

Save the date and plan to attend the 2024 Professional Development Conference!  
The PDC is a core mission of the ASSP local chapters - providing relevant and engaging topics for personal and professional education to local members.

The 2024 PDC will be held at the LIUNA Event Center all day on March 4th.  
4532 S Lindbergh Blvd, St. Louis, MO 63127

Mark your calendar now and be on the lookout for more information soon.



**St. Louis Chapter Executive Board Contacts**

- President** - Dennis Pivin - [summersetdennis@gmail.com](mailto:summersetdennis@gmail.com)
- Vice President** - Nate Richardson - [nate.richardson.safety@gmail.com](mailto:nate.richardson.safety@gmail.com)
- Secretary** - Krista Hyde - [kristahyde@kristahyde.com](mailto:kristahyde@kristahyde.com)
- Treasurer** - Mae Patrick - [stlassptreas20@att.net](mailto:stlassptreas20@att.net)

**Past President** - Steve Williams - swilliams@frenchgerleman.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 – summersetdennis@gmail.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**

Jesse Taborsky – jesse.taborsky@crbusa.com

Nick Zahner – nzahner@murphynet.com

*Organizes and runs the annual golf tournament supporting local safety focused students*

**Programs** – Patte Ackermann, PT – ackermap@ssm-select.com

*Plans the program time and needs for presentations & coordinates schedule*

**Social Media** – Emily Felton – emilyfelton101@gmail.com

*Maintains online social accounts promoting discussion with local membership*

**Women In Safety Excellence (WISE) Coordinators**

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.

If you do not wish to receive these emails, please [click here](#)  
to unsubscribe from ASSP St. Louis Chapter messages.