



State of Montana

SAFETY PROGRAM

Developed by:

**Workers' Compensation Management Bureau
Department of Administration
(406) 444-7462 / (800) 287-8266
TTY (406) 444-1421**

TABLE OF CONTENTS

Introduction	3
Phase I Regulatory Guidance.....	4
Phase II Safety Program Organization	4
Phase III Administration of Program (overview)	6
Component One: Montana Safety Culture Act	7
Component Two: Management Commitment.....	9
Component Three: Identify Safety Coordinator	10
Component Four: Create Safety Committee	11
Component Five: Role of Managers and Supervisors.....	13
Component Six: Role of Human Resources Office(r).....	14
Component Seven: Role of Employees.....	15
Component Eight: Record Keeping	16
Component Nine: Employee Training.....	17
Component Ten: Hazard Identification	19
Component Eleven: Incident Reporting and Investigation.....	20
Component Twelve: Equipment Safety and Maintenance.....	21
Component Thirteen: The Workers' Compensation Management Bureau	22
Attachments:	
#1 Safety Policy Statement	23
#2 New Employee Safety Orientation Checklist.....	24
#3 Ergonomic Computer Workstation Setup	25
#4 Ergonomic Computer Workstation Checklist.....	26
#5 Office Safety Inspection Checklist	28
#6 Incident Investigation Report.....	30



Introduction to Safety

This Safety Program is for use by all state agencies. Effective Safety Programs using the concepts explained here are proven successful in reducing the frequency and severity of work-related injuries and occupational diseases.

This manual describes the state of Montana's minimum requirements for an agency's Safety Program. The Safety Program as described is a flexible program that can be customized by each agency as needed to achieve optimal effect.

The Workers' Compensation Management Bureau (WCMB) is available to assist all state agencies with every aspect of implementing their Safety Programs. The WCMB can assist agencies with multiple training needs, including training on the workers' compensation system, New Employee Orientation, setting up a Safety Committee, and other topics.

The Safety Program includes the following Phases and Components:

PHASE I **Regulatory Guidance**

COMPONENT 1:

Montana Safety Culture Act

The Safety Culture Act (§§39-71-1501 to –1508, MCA) enacted by the 1993 Montana State Legislature encourages workers and employers to come together to create and implement a workplace safety philosophy. The intent of the act is to raise workplace safety to a preeminent position in the minds of workers and employers.

PHASE II **Safety Program Organization**

COMPONENT 2:

Management Commitment

The most important element of an effective Safety Program is management commitment. It is vital for management to establish an unwavering support of safety within each state agency.

COMPONENT 3:

Identify Safety Coordinator

Each agency will appoint or hire a Safety Coordinator with the Director's approval. The Safety Coordinator will work with the Director's management team in implementing and managing the agency Safety Program.

COMPONENT 4:

Create Safety Committee

All agencies will have a Safety Committee with representation from employees and management. Safety Committee members will promote safe work practices and be committed to achieving the committee goals.

COMPONENT 5:

Role of Managers and Supervisors

Managers and supervisors must commit to enhance the agency Safety Program and support the Safety Coordinator, Human Resources and employees in their roles.

COMPONENT 6:

Role of Human Resources

The Human Resources Department plays a key role in supporting and/or administering the agency Safety Program. The Human Resources Department provides guidance at all levels of the agency in support of roles and responsibilities within the Safety Program. In smaller agencies, a Human Resource Officer may assume the duties of the Safety Coordinator.

COMPONENT 7:

Role of Employees

While employers are responsible for providing a safe working environment and work place, within the work place employees have responsibilities for keeping themselves and others safe. It is no longer enough for employees just to follow the rules; they should feel that they are an integral part of the program, with a meaningful role in identifying potential safety problems and actually improving safety.

COMPONENT 8:

Record Keeping

Accurate and thorough record keeping is a valuable tool. As part of the Safety Program, each agency must document safety activities.

COMPONENT 9:

Employee Training

In order to be responsive, knowledgeable, and develop safety awareness, employers must train all employees on the policies and procedures of the Safety Program. Training begins with new hire safety orientation and continues for all employees on a regular basis.

COMPONENT 10:

Hazard Identification

Identification of workplace hazards is an important ingredient in the prevention of workplace injury. Educate Managers, Supervisors, and employees on the process of reporting hazards or near misses, including periodic self- inspections of the workplace.

COMPONENT 11:

Incident Reporting and Investigation

Investigation is the best method to use in determining why an accident occurred and in identifying appropriate prevention measures. Each agency must develop procedures for reporting and investigating all work-related injuries, incidents, and accidents.

COMPONENT 12:

Equipment Safety and Maintenance

The right tool for the job is a basic safety and job requirement. This includes equipment necessary to perform the job, furnishings, and personal protective equipment. Tools, equipment and furnishings necessary for each job must be available and properly maintained.

PHASE III

Administration of the Safety Program

COMPONENT 13:

Report as Required to the Workers' Compensation Management Bureau

The Workers' Compensation Management Bureau (WCMB) is responsible for oversight of the state government's workers' compensation programs and processes. We are here to help you establish and manage your Safety Program and are ready to assist you in ensuring an efficient and effective program exists.

The WCMB is also responsible for tracking the overall compliance and effectiveness of state agencies in their prevention of work-related injuries and occupational diseases. In order to meet its oversight and reporting obligations, the WCMB must receive information from each state agency detailing its efforts and outcomes.

Component 1: Montana Safety Culture Act

DESCRIPTION

The Montana Safety Culture Act is a statute that requires all employers, with 5 or more employees, to establish a safety program that meets the requirements of the act.

It is the responsibility and duty of employers to participate in the development and implementation of Safety Programs that will meet the requirements of the Montana Safety Culture Act and the specific needs of their workplace, thereby establishing a safety culture that will help create a safe work environment for all Montanans.

The guidelines provided in this program comply with the Montana Safety Culture Act.

REQUIREMENT

As required by Sections 39-71-1501 to –1508, MCA and ARM 24.30.2521, every public and private employer, regardless of the number of employees, shall establish, implement, and maintain an educational-based training program, which shall at a minimum:

- Provide each new employee with a general safety orientation containing information common to all employees and appropriate to the business operations before the employee begins his or her regular job duties;
- Provide job or task-specific training appropriate for employees before they perform that job or task without direct supervision;
- Offer continuing, regular, refresher safety training, including periodic safety meetings;
- Provide a system for employers and employees to develop an awareness and appreciation of safety through tools such as newsletters, posters, safety meetings, safety incentive programs, etc.;
- Provide periodic self-inspection for hazard assessment when the Safety Program is implemented, new work sites are established, and thereafter as is appropriate to agency operations but at least annually; and
- Include documentation of performance of the above listed activities.

ADDITIONAL REQUIREMENTS

All employers having more than five employees must have a comprehensive and effective Safety Program. In making the determination of employment levels, the employer shall count all regular, temporary, leased, and seasonal workers under the employer's direction and control.

This Safety Program must also include the following:

- Policies and procedures that assign specific safety responsibilities and safety performance accountability;
- Procedures for reporting, investigating, and taking corrective action regarding all incidents, work-related injuries, occupational diseases, and known unsafe working conditions; and
- A Safety Committee in place that complies with the specific safety committee requirements of the Act.

Component 2: Management Commitment

REQUIREMENT

Management commitment is the most important element of an effective Safety Program. It is vital that agency management establish a strong commitment to safety. Employees at all levels must understand their responsibilities and be held accountable for adherence to the agency Safety Program. Management must provide adequate authority and resources to employees in supporting their effort to meet assigned responsibilities.

RESPONSIBILITIES

The Agency Director will appoint or hire the Safety Coordinator. If a full time safety position is not feasible, the Agency Director will identify an existing position within the agency and assign the responsibility and authority to serve as the agency Safety Coordinator.

Directors, Managers and Supervisors must set a good example of safety by adhering to safety rules and participating in safety activities.

Management will monitor its employee Safety Program on a periodic basis to ensure continued effectiveness. The Safety Coordinator will report to the Director and Management Team at least quarterly on the status of the agency Safety Program.

It is important that employees at all levels understand their responsibility and authority and that they are accountable for their performance relating to safety. In written form, this will be in position descriptions and performance evaluations. In addition, each agency must have a statement from the Director communicating the commitment of top management to the Safety Program. There is a sample Policy Statement for agency use provided in Attachment #1 to this document.

Component 3: Identify Safety Coordinator

REQUIREMENT

The agency Director will appoint or approve the hiring of a Safety Coordinator. The Safety Coordinator will work with the management team in implementing and managing the Safety Program.

RESPONSIBILITIES

1. Organize and chair monthly or quarterly meetings of the Safety Committee.
2. Meet regularly (quarterly at a minimum) with the Director's office to provide updates on Safety Committee activity, safety issues and review loss reports and trends.
3. Review and analyze workplace accident and injury reports, including loss runs provided by the insurer and incident investigation reports. Provide information to the Safety Committee regarding these reports without disclosure of protected employee information.
4. Provide information to Safety Committee members and participate in the Building Emergency Action Team.
5. Delegate safety projects and action items to Committee members and follow up to ensure completion.
6. Organize safety training programs for the agency.
7. Conduct or schedule ergonomic assessments as needed and act as the liaison for management to facilitate recommended improvements.
8. Distribute important safety and loss prevention information and Safety Committee minutes to all employees.
9. Be responsible for maintaining documentation of safety communication, committee activities and required record keeping files as defined in the Safety Program.
10. Work with the Safety Committee to develop an awareness and appreciation of safety through newsletters, posters, safety talks, incentive programs, etc.
11. Be a member of and attend state agency safety group activities.
12. Participate in regular safety leadership training opportunities.

Component 4: Create Safety Committee

REQUIREMENT

State Agencies must have a Safety Committee. If an agency is a party to a collective bargaining agreement that provides for the establishment and operation of a Safety Committee, the terms of the collective bargaining agreement shall govern the operation of the Safety Committee.

Every Safety Committee shall:

- hold regularly-scheduled meetings, at a minimum of once every 4 months, but monthly is preferable. The committee(s) shall be of sufficient size and number to provide effective representation of the workforce. Employers with more than one work site may have more than one committee.
- include in its membership representatives of employees and management, with management representatives not exceeding employee representatives;
- include in its employee membership volunteers or members elected by their peers. Where employees are represented by labor organizations, that organization may choose to appoint or conduct a selection process to include employee members to serve on Safety Committee(s).
- include activities that assist the employer in fact finding. The committee must document its activities (i.e. attendees, subjects discussed), act as a fact finding body and report regularly to upper management.

RESPONSIBILITIES

1. Communicate with employees regarding Safety Committee activities and solicit employee suggestions and feedback.
2. Create and maintain an agency safety website where Safety Programs, guidelines, training and prepared safety information is available.
3. Assist the Safety Coordinator with and be trained in conducting ergonomic assessments.
4. Make recommendations and assist Safety Coordinator to:
 - a. Develop safety rules, policies, and procedures.
 - b. Initiate safety improvements based on review of reports on the agency accident history.
 - c. Keep employee job-specific safety training current.
 - d. Educate employees on safety-related topics.
 - e. Motivate employees to create a safety culture in the workplace.
 - f. Evaluate the agency Safety Program on a regular basis.
 - g. Identify safety training and awareness topics.
 - h. Review incidents of workplace accidents, injuries and illnesses.
 - i. Inspect the workplace for safety hazards and document recommended action steps.

- j. Develop incentive programs to promote safety.
- k. Assist supervisors in educating employees on the Emergency Action Plans for each Department-occupied building.
- l. Suggest replacements for Committee members who can no longer serve.
- m. Encourage safe work practices in the workplace.

Component 5: Role of Agency Managers and Supervisors

REQUIREMENT

Agency Managers and Supervisors play a key role in the management of the Safety Program. Managers and Supervisors must ensure that safety policies and procedures are followed at all times and must hold employees accountable for failure to adhere to agency safety rules.

RESPONSIBILITIES

Agency supervisors will:

1. Use the employers "First Report of Injury" and the "Incident Investigation Report" to report workplace accidents and injuries to Human Resources within 24 hours.
2. Actively participate in safety training and keep abreast of agency safety initiatives.
3. Accompany all inspectors on formal safety inspections of the work area.
4. Monitor and address workplace issues for obvious safety hazards. Work with employees to report all potential safety problems.
5. Make sure employees receive agency workplace safety information.
6. Ensure all new employees or employees new to a position receive job specific safety training.
7. Make sure required job specific personal protective equipment is provided and used by employees and that it is maintained and replaced when necessary.
8. Work with the Human Resources Office to ensure that safety performance is part of each employee's job profile and written performance appraisal.
9. Report all incidents and near misses promptly. The Incident Investigation Report must be completed and signed by the employee, supervisor and Human Resources. The form is then sent to the Safety Committee for completion and review.
10. Assist with return-to-work activities under the guidelines of the state Return to Work Program.
11. Work to instill a positive, cooperative safety culture within the agency.
12. Hold employees accountable for safety violations and unsafe work practices.

Component 6: Role of Human Resources Office(r)

REQUIREMENT

The Human Resources Office(r) plays an important role in making sure employee safety and health regulations and policies are followed by all employees, at all levels of employment.

RESPONSIBILITIES

The Human Resources Office will:

1. Work with the Safety Committee and make sure all new employees receive new hire safety orientation.
2. Work with supervisors:
 - a. To make sure any documented special needs of employees regarding safety are met.
 - b. To include safety performance standards in performance appraisals and job profiles.
 - c. To enforce safety standards.
3. Serve as the main point of contact for reporting accidents to the insurer and report all accidents to the insurer within 24 hours.
4. Provide training to supervisors on how to report workplace accidents using the Incident Investigation Report and employers First Report of Injury.
5. Review reports from the Workers' Compensation Management Bureau and the insurer and communicate with the Safety Coordinator, Safety Committee and upper management.
6. Serve as the coordinator for workers' compensation claims management, including the state Return to Work Program.

Component 7: Role of All Agency Employees

REQUIREMENT

Every employee is required to maintain an awareness of safety in the workplace and comply with all state and federal safety and health regulations and policies.

RESPONSIBILITIES

Therefore, employees will:

1. Participate in new employee orientation at time of hire.
2. Participate in on the job safety training.
3. Report incidents and accidents to a supervisor as soon as possible. The “First Report of Injury” form and “Incident Investigation Report” must be completed by the employee and supervisor within 24 hours of the incident or injury.
4. Assist in accident investigations and early return to work programs.
5. Participate in agency safety training and safety meetings.
6. Use required personal protective equipment.
7. Report safety hazards to a supervisor and/or safety representative upon identification and take immediate action to correct the hazard.
8. Maintain good housekeeping, in work areas and buildings.
9. Watch for and help correct unsafe behavior by co-workers in a positive manner.

Component 8: Record Keeping

REQUIREMENT

Accurate and thorough record keeping is a valuable agency management tool. As part of the Safety Program, each agency must document safety and loss prevention activities. This documentation will include:

- Date, time, location, and description of training; inspections and action steps taken; and sign-in sheets for those attending meetings and trainings.

RESPONSIBILITIES

Each agency must establish and maintain an organized Safety Program filing system where the pertinent records can be kept. The Safety Coordinator and/or Human Resources is responsible for keeping the list of records provided below:

1. A copy of the written agency Safety Program;
2. New hire orientation training forms;
3. Employee training forms (including required training)
4. Safety meeting documentation (agendas, minutes and attendance logs);
5. Inspection forms (including self-inspections, contracted inspections, and inspections conducted by others);
6. Preventive maintenance & repair logs;
7. Incident investigation forms;
8. Workers' compensation First Report of Injury forms;
9. Accident-injury summary logs (OSHA 300 Forms).
10. Employer Experience Reports and loss runs provided by the insurer. These are updated monthly by the insurer.

These reports and forms are **not** just a paper trail. Each serves a purpose in the overall Safety Program and should be utilized for reporting updates to agency management, the Safety Committee, and employees.

Component 9: Training

REQUIREMENT

An effective safety training program will reduce the number of injuries and fatalities, property damage, legal liability, illnesses, workers' compensation claims, and missed time from work. Safety training helps establish and maintain a safety culture in which employees help promote proper safety procedures while on the job. Each agency must establish and maintain an educational-based safety training program using the coordinated efforts of the Safety Coordinator, the Safety Committee and Human Resources.

RESPONSIBILITIES

1. Provide all new employees with a general safety orientation containing information common to all employees and appropriate to business operations before the new employees begin their regular job duties. This orientation should contain both oral and written instruction and include, but not be limited to, the following:
 - Accident and hazard reporting procedures
 - Emergency procedures
 - Fire safety
 - First Aid
 - Personal protective equipment (where applicable)
 - Work site hazards
 - Ergonomics

A new employee orientation and training checklist is provided in Attachment #2. An Ergonomics Computer Workstation Handout is provided in Attachment #3 and an Ergonomics Computer Workstation Checklist is provided in Attachment #4. These can be used for existing employees as well as in the new hire orientation process.

2. Provide equipment and/or task specific safety training appropriate for employees before they perform that job or task without direct supervision.
3. Offer continuing, regular, refresher safety training. This training may be accomplished through periodic safety meetings or various other formats. This training should be held as often as is appropriate, but at least annually and contain material to maintain and expand knowledge and awareness of safety issues in the work place.
4. Provide a system for all employees to develop an awareness and appreciation of safety through tools such as newsletters, periodic safety meetings, posters, and safety incentive programs.
5. Provide training when a new Safety Program is established; employee job assignments change; new substances, processes, procedures or equipment are introduced; or when a new hazard is identified.

Agencies with specific safety problems that need consultative services and training assistance or further information should call the Workers' Compensation Management Bureau, Department of Administration (444-2044).

Component 10: Hazard Identification

REQUIREMENT

An **unsafe condition** generally refers to a tangible item in the work environment such as a walking surface, a piece of machinery or an unsafe hand tool. An **unsafe act** relates to movements and work patterns of the employee. Both hazards must be identified and corrected prior to the occurrence of accidents for a prevention program to be successful.

RESPONSIBILITIES

Each agency must conduct periodic inspections for hazard identification. Formal, planned inspections of agency buildings, equipment, and property must be conducted at least annually or as is appropriate to agency operations. The intent of an inspection is to identify hazards and unsafe conditions. Supervisors, Safety Committee members or other designees may conduct inspections.

Correction of unsafe conditions is accomplished as soon as possible by engineering out the unsafe condition, engineering in employee protection from the unsafe condition, requiring employee use of personal protective equipment, and incorporating effective safe operating procedures.

Document the results of all inspections. This documentation should include the date, location, and corrective actions taken, and be retained by the agency for three years. Inspection checklists are effective tools in providing consistency and documenting safety efforts. A sample inspection form is provided in Attachment #5 to this document.

The Department of Labor and Industry, U.S. Occupational Safety & Health Administration, the Workers' Compensation Management Bureau, other federal or state regulatory agencies or insurance providers may conduct announced or unannounced inspections to ensure that state agencies comply with regulatory standards. Where feasible, agencies should have someone accompany these inspectors. Agency management must take immediate action to correct identified areas for improvement.

Managers and Supervisors must train employees on work-site hazard reporting on a continual basis. Employees should be instructed to report hazards or near misses immediately to their supervisor using the Incident Investigation Report provided in Attachment #6.

Written documentation of hazards and self-inspections must be kept in a central location as discussed in the Record Keeping section of this program. Timely and adequate correction of reported hazards by Management and follow up with affected employees is crucial. Reporting and follow up eliminate or reduce the exposure and encourage continued employee participation in the process.

Component 11: Incident/Accident Reporting and Investigation

REQUIREMENT

Incident investigation is the best method to use in determining why an incident occurred and what actions will prevent recurrences. Each agency must develop procedures for reporting and investigating all work-related injuries, incidents, accidents, occupational diseases, and known unsafe working conditions and practices. Prompt reporting of an accident facilitates a rapid investigation and helps guarantee the timely implementation of corrective measures.

RESPONSIBILITIES

Agencies must use the Incident Investigation Report (provided as Attachment #6), which, through the investigation process, identifies the cause, helps determine prevention methods, and provides an avenue for implementation of preventive measures.

Supervisors, the Human Resources Department, the Safety Coordinator or the Chair of the Safety Committee are responsible for investigating all work-related injuries or occupational diseases as soon as possible after receiving an incident report. This process includes documenting any action taken and following up with the affected employee. Appropriate supervisors and employees will sign results of all investigations. Agency management and/or the Safety Committee, if applicable, should review results and recommendations.

Immediately upon notice of a workplace injury, the employee and supervisor need to complete the First Report of Injury form for submission to the Workers' Compensation insurer. Submit the signed and completed form to the Human Resources Department within 24 hours. Investigate all incidents, including those that do not result in loss of time from work or require medical attention using the Incident Investigation Report.

Written documentation, including Incident Investigation Forms and First Report of Injury Forms, must be kept in a central location as discussed in the Record Keeping section of this program.

Component 12: Equipment Safety and Maintenance

REQUIREMENT

The right tool for the job is a basic safety and job requirement. This includes equipment necessary to perform the job and personal protective equipment. Tools and equipment necessary for each job must be available and properly maintained.

RESPONSIBILITIES

Agency management should provide necessary equipment so that employees can perform job duties safely. Safety and health should be a consideration when purchasing equipment or furnishings and when designing structures and work areas.

Equipment must be maintained in accordance with the manufacturer's specifications and applicable safety and health regulations. Scheduled preventive maintenance programs must be developed and followed. In addition, periodic inspections should be completed and hazard reporting procedures put in place. Repair any identified equipment defects immediately or remove the equipment from service until replaced. Keep equipment inspections, maintenance and repair logs in a central location as discussed in the Record Keeping section of this program.

Agencies must provide personal protective equipment as required by job function and duties. Personal protective equipment (PPE) should be well maintained and tested when necessary to assure effectiveness. Damaged equipment should be replaced. Test and inspection results of PPE should be documented. All employees must be trained in the proper use of PPE. PPE must be maintained in compliance with established standards. All employees required to use PPE in performance of their job must use the equipment provided and it must be used as directed by applicable rules, standards or codes.

Component 13: Workers' Compensation Management Bureau

REQUIREMENT

The Workers' Compensation Management Bureau (WCMB) is responsible for oversight of the state's loss control and safety efforts including the Safety and Return to Work Programs. The WCMB will provide training and facilitation for state agencies for both implementation and management of the agency's Safety Program. In addition, the WCMB will track the effectiveness of the state's Safety Program. The WCMB will report program progress to the Governor's office, Agency Directors, and executive management and will make legislative recommendations to further the intended purposes of the state's Safety Program.

RESPONSIBILITIES

The WCMB is dedicated to being a resource for all state agencies in the implementation and ongoing management of their Safety Programs. Each Safety Coordinator is required to provide certain information to the WCMB for oversight and tracking purposes. Agencies must copy the WCMB with Safety Committee meeting minutes and other items as requested.

The WCMB as a Resource to Help You

1. Visit our website at <http://benefits.mt.gov/WorkersComp.asp> or contact the Safety Specialist at (406) 444-2044 for more information.
2. Ask for assistance with training or ideas.
3. The WCMB shall attend *all* stewardship meetings with our insurer.

**<http://benefits.mt.gov/WorkersComp.asp>
(406) 444-2044 or (800) 287-8266**