

# TRANSNEWS



## Safety Tips

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## Chronic-Sun Cancers Put Twist on Work Hazard

*While the following story pertains to our neighbors to the north, can it be too far away for us? Maybe you need to add sunscreen to your PPE.*

When his doctor found pre-cancerous skin lesions on one side of his face but not the other, a Halifax transit driver figured he knew the cause: while on the job, his left side is exposed to sunlight through the bus window.

An appeal panel has agreed, ruling that the driver is eligible for workers compensation because his chronic sun exposure constitutes a workplace injury. The decision late last month is just the latest over the last several years to compensate outdoor employees who develop skin cancer.

A cruise-ship captain, police officer and letter carrier are among those who have successfully fought for payments to compensate apparently sun-triggered cancer.

The rulings put a new twist on the concept of workplace hazard, usually associated with more tangible risks like dangerous physical tasks or toxic chemicals.

One dermatologist warns the trend could have major consequences, given that skin cancers are the most common type of the disease, with about 75,000 new cases of non-melanoma skin cancer diagnosed annually in Canada and 4,200 of melanoma.

“This is potentially a very con-

cerning thing for government and insurance, because there are lots of [military] people who serve our great nation and lots of people who work outdoors,” said Dr. Ben Barankin, who is based in Toronto. “If everybody starts blaming skin cancer on the outdoor exposure, it’s going to get very ugly ... This could bankrupt government and insurance.”

He said he recently wrote a report for lawyers handling the case of a late Second World War navy veteran who had skin cancer and whose wife is claiming a military pension on his behalf, arguing that his endless hours on the deck of warships likely was a cause of the disease.

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## Are Your Worker’s Sleep Deprived?

Sleep deprivation, whether due to not sleeping long enough or due to interrupted sleep, is a major cause of injuries and fatalities, either on the job or while driving to or from work.

Fatigue itself is hard to measure, but there’s little doubt of

its symptoms. Fatigued workers tend to:

- Have slower reaction time and respond incorrectly or not at all to what’s happening around them
- Show poor logic and judg-

ment

- Have difficulty concentrating
- Be less motivated and more forgetful

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Are Your Worker’s Sleep Deprived? **1**

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### *Sleep Deprived (Continued from page 1)*

- Have a greater tendency to take risks

If you don't think workers' fatigue is a concern in your workplace, consider these statistics:

- 20% of Americans claim to have fatigue intense enough to interfere with their having a normal life.
- 25% of Canadian adults claim to have difficulty getting to sleep or staying asleep. (Statistics Canada)
- 31% of Americans say their jobs are directly responsible for their exhaustion. (Harris Interactive poll)
- 47% of Canadians admit to cutting back on sleep to create extra time in their days. (Statistics Canada)
- 50% of survey respondents say they have caught co-workers sleeping on the job. (Harris Interactive Poll)
- 52% of 107 single-vehicle accidents

involving heavy trucks were fatigue-related (NTSB)

- According to NHTSA figures, driver fatigue kills 1,550 people each year and contributes to 71,000 driver fatigue injuries.

Here is another sobering thought about the effects of fatigue: Researchers conducted a study comparing impairment levels in workers with inadequate sleep to people with a blood alcohol level of 0.05ml. They found that a person awake for 17 hours experiences the same level of performance decline as someone with a blood alcohol level of 0.05ml/l. Seven hours later – after 24 consecutive hours awake – the person's level of impairment is similar to that of

*The National Highway Traffic Safety Administration (NHTSA) estimates conservatively that each year drowsy drivers are responsible for at least 100,000 automobile crashes, 71,000 injuries, and 1,550 fatalities.*

### *Chronic-Sun Cancers (Continued from page 1)*

Dr. Barankin notes, though, that little was known about the sun/cancer connection in the 1940s, and questions generally how much workplace sun exposure has to do with people getting sick.

It is certainly clear that exposure to sunlight is a major factor for developing the disease — along with inherited attributes like skin type — and outdoor workers are subject to as much as 10 times the sun as indoor employees, according to World Health Organization figures.

A German study published last year found that people who toil outside were up to three times more likely than others to contract strains of the cancer that cause relatively few deaths. It showed no difference in the rate of the much more deadly melanoma.

Regardless, workers compensation boards have quietly come to accept claims for sunlight-linked cancer over the last 10 years, so long as a dermatologist

or oncologist can testify that the employee's outside work may have brought on the disease, said Gary Newhouse, a Toronto lawyer specializing in workers-compensation claims.

The B.C. workers compensation agency, for instance, has provided payments to six people for sunlight-caused skin cancer since 2002, including a gardener, plasterer and boomboat operator.

The policy is not widely known, though, said Mr. Newhouse..

"Probably many people who get skin cancer and might be eligible would never think of applying," said Mr. Newhouse. "If anything, it's under-claimed."

Dr. Barankin said it is often unclear whether work is a factor, especially since childhood, when cells are still developing, is the most critical time period for skin cancer growth. As well, some malignancies can take 20 to 30 years to develop after the damage is done.

"Someone who gets their skin cancer at

50, is it because they were truck driving for the previous 10 years or because they were sun burning as kid? We really can't say," he argued. "The courts should be very careful. There's no cause and effect."

The Nova Scotia bus driver, whose name was not released, was diagnosed with actinic keratosis — lesions that can turn into carcinoma — mostly on the left side of his face and temple.

The employee said he spent a lot of time outdoors as a child but had worked 22 years driving buses, 17 of them on the day shift, and that he sat with his left side less than a foot from the window.

The appeal board decision cited data suggesting that 80% of the skin cancer risk comes from sunlight exposure during childhood. Nevertheless, it concluded that it was "just as likely as not" the driver's work contributed to his illness and said he was eligible for compensation.



## Driver Edition

## Safety Tips

### Don't Drive Impaired in Any Vehicle

**First, let's define "impairment."** Webster's *New World Dictionary* defines impairment as "making something worse, less, weaker, or damaged." Applied to driving, impairment means there is a factor present that decreases your ability to operate your vehicle safely.

**The first thing that comes to most folks' minds is impairment through alcohol or other drugs.** There are others as well: impairment through fatigue, or as a result of disabling injuries or illness. There was a case a few years ago where a man attempted to drive with some broken limbs. He used a stick to operate the gas pedal, and ended up losing

control, overran a sidewalk, and killed a person who was using a pay phone.

**Alcohol is a prime cause of impairment.** Since it acts as a depressant, it begins to diminish a person's abilities with the first sip. Many people do not realize that even at very low blood alcohol levels, way before reaching any "legal limit," impairment of physical and mental abilities is occurring. In the USA, all states now have a .08% presumptive level -- the alcohol concentration at which a driver is presumed to be impaired, with no other evidence required. But impairment often begins at AC levels as low as .04%—less than half the "legal limit." What's worse, it

acts on the very skills and abilities you need most as a driver: judgment, vision, and the ability to do several things at once. Since alcohol slows your mind and your motor skills, it has a dramatic effect on your reaction time and distance. If impairment causes your reaction time to double, for example, at 70 mph that can result in an additional 103 feet traveled. Obviously, this could mean the difference between a miss and a collision. Driving with other impairments could have similar results.

We all have the obligation to make sure we are able to drive safely whenever we operate our vehicle. Ask yourself, "Am I safe to drive? Am I rested? Am

I ill? Have I taken medications that might affect my abilities? Are my limbs available for use? Do I have my glasses on, if needed?" Only if you can answer yes to all these questions should you exercise your privilege to drive.

**I am convinced that if everyone would** (1) not speed; (2) pay attention; (3) not drive impaired; and (4), wear seatbelts (and use other safety systems such as air bags and ABS brakes), no one would ever get killed in a traffic collision. Just these four things, practiced habitually, would eliminate most serious collisions and save 50,000 lives each year.

#### Inside this issue:

- Don't Drive Impaired in Any Vehicle **1**
- Ergonomic Tips for the Professional Driver **1**
- Advantages of Using an Adequate Following Distance **2**

### Ergonomic Tips For the Professional Driver

Sitting for long periods of time can create pressure on the spine and result in lower back pain. This situation is true for people who make their living as drivers or spend a lot of time in the seat of a moving vehicle exposing

them to the vibration effects on the road. Over time, the combination of bad posture and vibration can have a cumulative effect.

In transportation, slouching or sitting with a flexed, rounded

posture can significantly impact the spine, particularly the discs. But if drivers position their seats correctly to help maintain good posture, the additional lumbar support will help alleviate intra-discal

*(Continued on page 2)*

### *Ergonomic Tips* (Continued from page 1)

pressure and muscle strain.

Here are a few tips to help you alleviate the strain on your back:

- First, maintain your line of sight and then find a good sitting position with your feet flat on the ground so you have the ability to shift your weight.
- Adjust the seatback angle starting completely upright at a 90 degree angle, then tilt back between 8 and 12 degrees. This adjustment lowers pressure on your spine.
- Adjust the lumbar supports on

your seat to prevent lower back strain.

- Make sure you can engage the accelerator, brake and clutch, if present, without reaching.
- Lay the steering column back into your hands and make sure you do not elevate your shoulders.
- Use armrests to prevent pressure on discs when not driving in heavy traffic.
- Do not engage in very physical activities after driving for a long time. Prolonged seat posture makes your spine vulnerable.

### *Impaired* (Continued from page 1)

In the real world, though, we're human, and because we are, there will always be mistakes that lead to collisions. Since we do subject ourselves to hostile environments and physical forces that are incompatible with life, we should do everything possible to minimize the risks, yes? So, again, practice paying 100% attention to your driving, drive at a reasonable speed, never drive impaired, and learn how to use safety systems correctly. These ideas are the foundation of any defensive driving "system."

## Advantages of Using an Adequate Following Distance

What are the advantages of always maintaining an adequate following interval?

- You will reduce your chances of an accident – and protect your driving career.
- You will provide a safe, smooth trip for your passengers.
- You will be less fatigued at the end of the day.
- There will be less wear and tear on your vehicle.

Above all, your goal is to be a safe driver - to avoid accidents. If you keep at least a 4-second interval ahead of your vehicle, you will be less likely to

be involved in an accident. Drivers who have accidents can lose out on safe driving benefits like bonuses. More importantly, drivers who have accidents can lose their jobs.

One yardstick by which the professionalism of a driver may be judged is the smoothness of his or her accelerations and decelerations. If you maintain proper following intervals you will measure high on this yardstick. Your passengers will have a good impression of you.

A tailgater tends to be a nervous person. He or she grips the wheel tightly and watches like a hawk for any sign

that the vehicle ahead is stopping or slowing. A professional bus driver is more relaxed. He/she knows that giving the passengers a smooth ride is more important than saving a few seconds. The professional will maintain a safe following interval and feel less fatigued at the end of the trip.

Also, stop-and-go driving, with fast starts and abrupt stops, wastes fuel and is hard on the vehicle's brakes and tires.

# Workplace Safety

## Safety Tips



## Your Career on Sleep Deprivation

You'd never show up at work drunk. Yet you might as well be if you keep coming in when you're sleep deprived. Studies show that when you shrink your sleep time to six hours per night or less, you also reduce your cognitive functioning. Your memory, concentration, judgment, response time, and ability to multitask are significantly impaired. Even worse, your ability to recognize what bad shape you're in is likely diminished.

As you're messing around with your sleep, you're messing around with your life, not to mention your career. Each day magnifies the impact. You eventually hit the

ceiling — it's more like the basement — where you can't get any dumber. You reach a point where you just can't function.

Here's what you may be like if you continue to cheat yourself out of sleep.

### 1. You make mistakes.

In a 2007 survey by the Better Sleep Council, almost one-third of respondents said that sleep deprivation reduced the quality and accuracy of their work, their ability to think and judge clearly, and their memory of important details.

### 2. You're a misery to be around.

In that same survey, 44 percent of respondents said that with too little sleep, they were likely to be in an unpleasant or unfriendly mood.

### 3. You're visually impaired.

Neuroscience researchers at the Duke-NUS Graduate Medical School in Singapore found that a sleep-deprived brain can process simple visuals, like flashing check-boards. But the "higher visual areas" that make more general sense of what we see couldn't do their job.

### 4. You make lousy decisions.



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## Sun Safety

### Inside this issue:

Your Career on Sleep Deprivation **1**

Sun Safety **1**

Be Cautious When Using Shop Rags **2**

Storage Tanks  
Liability Insurance

Here is information about the risks posed by ultraviolet radiation (UV), the effects of sunlight, and steps you can take to protect yourself from over exposure.

Of course, mere exposure to the sun is not the entire story. The effects are dependent on you, your level of pigmentation, how much of a tan you already have as well as the nature of your skin. Production of your skin's pigment, or melanin, is stimulated by sun exposure and does reduce your risk of sunburn once you are

already tan. Be aware that even dark-skinned individuals can be sunburned and damage their skin with over exposure. Obviously, fair-skinned individuals need to exercise more caution. You should also be aware that the sun's rays have different intensities at different times of the year.

First, avoid being in the sun for prolonged times when it is highest overhead and therefore the strongest (normally from 10:00 AM until 4:00 PM in the northern hemisphere). If you are in the sun between these

hours, be sure to apply protective sunscreen. Most sun damage occurs as a result of incidental exposure during day-to-day activities, not at the beach.

Even on cloudy, cool, or overcast days, UV rays travel through the clouds and reflect off sand, water, and even concrete. Clouds and pollution don't filter out UV rays, and they can give a false sense of protection. This "invisible sun" can cause unexpected sunburn and skin damage.

### Be Cautious When Using Shop Rags



A metal wire protruding from a worker's arm. The wire was lurking within a shop rag.

Although it may seem that rags used in your maintenance shop or other areas in your workplace present little danger, these rags can become potential hazards in some situations.

In the photo to the left, the piece of wire protruding from the worker's arm came from a "clean" shop rag that had just come from a third-party cleaning service. The wire pierced the worker's skin as he used the rag to wipe his arm. Fortunately, he did not use the rag to wipe off his face near his eyes.

If your company uses an outside vendor to clean your shop rags, remember that the rags returned to you are not necessarily the same rags you sent out to be cleaned. The cleaned rags come from all

sorts of places that use the same cleaning vendor. This poses a special hazard if the cleaning process does not remove all foreign materials from the rags. Metal shavings, wire, splinters, or other objects or materials from these workplaces could still be present in some of the rags and possibly cause injury to workers who use the "cleaned" rags.

Be cautious when using recycled "cleaned" rags to wipe off your hands, body, or other objects. Watch for dangerous foreign objects or materials that might be lurking within the rags. If foreign materials are frequently found in "cleaned" rags, management should consider finding another vendor to provide the cleaning service or develop procedures to clean the rags in-house.

#### Career

(Continued from page 1)

Sleep loss has a major effect on judgment and decision-making processes, particularly ones that require both emotional and mental ability, according to a 2007 study by the Walter Reed Army Institute of Research.

#### 5. You're as good as drunk.

The legal blood alcohol content (BAC) in the United States is .08. After being awake for 12 hours, you function as if you had a BAC of .032. After 18 hours, you function at a .07 level. And after 24 hours, you're at 0.1 — the same as a drunk driver.

#### 6. You're worse than drunk.

Research done in Scandinavia showed that after staying awake for 17 to 19 hours you function worse than if you'd reached the legal blood alcohol content limit there. Reaction times were up to 50

percent slower and accuracy was significantly poorer.

#### 7. You're clueless.

People who think they do just fine on six or fewer hours of sleep show cognitive deficits but are too sleep deprived to know it, according to a 2003 study by the University Of Pennsylvania School Of Medicine. Researchers found that chronically sleep-deprived subjects reported feeling "only slightly sleepy" even when they performed at their worst during standard psychological testing.

#### 8. You get sick.

People who sleep fewer than seven hours a night are roughly three times as likely to develop respiratory illness after being around someone with a cold, compared to people who sleep eight hours or more, according to a study by Carnegie Mellon

University in Pittsburgh.

#### 9. You're an accident waiting to happen.

In a 2007 study of hospital nurses by Grand Valley State University in Grand Rapids, Mich., subjects who worked long hours or worked at night were more likely to have an episode of drowsy driving. The risk for having a car crash, or near crash, almost doubled when they drove after working more than 12 and a half hours straight.

#### 10. You cost your company and the economy.

Studies estimate that sleep deprivation currently costs U.S. businesses close to \$150 billion a year in absenteeism and lost productivity, according to the Better Sleep Center. And that's some productivity that could be pretty useful right about now.



- One beer equals one shot or one 4 oz. glass of wine
- Most companies will not hire a driver with an OVI/DUI/DWI within the last five years.
- Get an OVI/DUI/DWI in a commercial or in a personal vehicle and you may “Kiss your job goodbye”.

**OPERATING A VEHICLE IMPAIRED  
(ALCOHOL OR DRUGS) = NO JOB**

**If you have fuel storage tanks, but don't have a UST policy, you need to read this article!!!!**

Fuel storage facilities are less popular today than they have been in the past due in part to necessity and the voluminous state and federal regulations mandated to preserve the ecology. But those of you who have storage tanks, clean fuel or waste, should be aware of some of the unique insurance coverage and limitations in a standard storage tank liability policy.

Keep in mind that this is NOT a property policy. It does not cover the value of the tank and its contents. This is a liability policy. There are three basic insuring agreements in the standard fuel tank storage policy; First Party Clean-Up; Third Party Liability and Defense. All three insuring agreements have one common denominator; any payments made reduce the limit of liability. This is unlike a standard liability policy written on an "occurrence" basis, whereby the limit of liability is reinstated and applicable to each new incident (subject in some policies to an annual aggregate). It is important, therefore, to select a limit that will provide sufficient protection in the event of a spill, leak or major tank collapse and leave sufficient limits in the event of a second incident during the policy term.

**Let's briefly take a look at each insuring agreement:**

**First Party Clean-Up:**

Even though the policy is a liability policy—pays damages to someone else caused by your negligence—it will respond for clean-up expenses incurred by you that are required by a governmental agency. As an example, if you had a spill from a designated tank (listed in the policy) and the department of environmental protection or other governmental agency with jurisdiction required that you clean the spill and neutralize contaminated soil, that would be considered a first party clean-up, and it would be covered under the policy. In addition, any legal expenses associated with representation before any local, state or federal regulatory agency would also be covered. But remember, these expenses and fees reduce your available limit of liability during the policy period.

**Third Party Liability:**

The policy will pay for bodily injury or property damage to third parties caused by a release that emanates from a scheduled storage tank system, and that the insured

is legally obligated to pay as a result of a claim first made against the insured during the policy period.

In laymen's language, if a spill flows onto my neighbor's property and he makes a claim against me for clean-up and/or damages, the policy will respond. And again, these costs and damages will reduce your available limit of liability during the policy period.

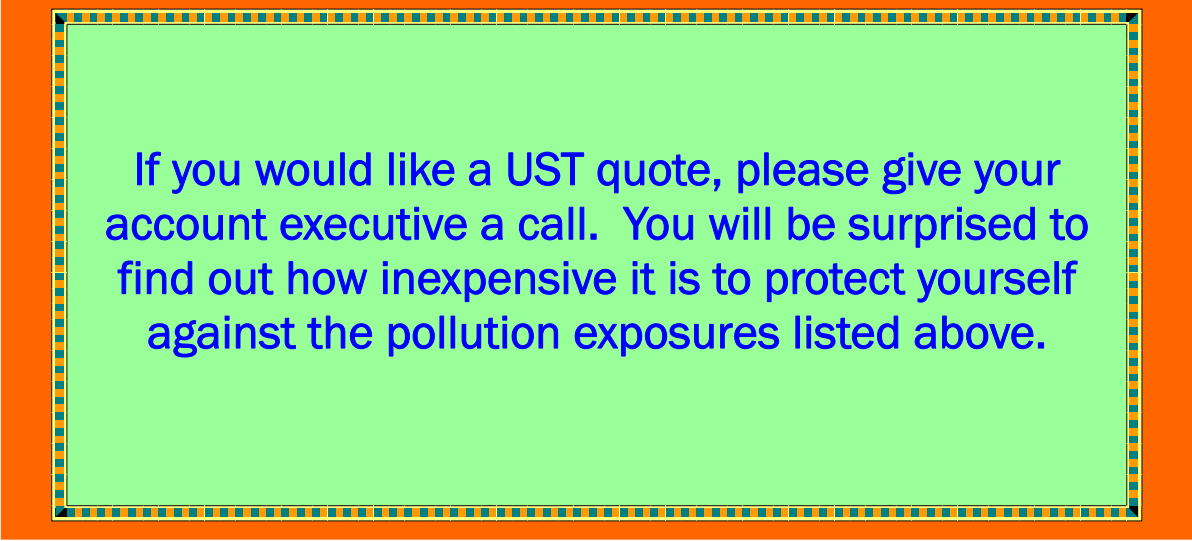
**Defense:**

The company has the right and duty to assume the adjustment, defense and settlement of any claim brought against the insured on behalf of any federal, state or local regulatory agency, or by any third party seeking payment of damages or loss covered by this policy. As in the case of First and Third party claims, any legal costs expended on your behalf will reduce your available limit of liability during the policy period.



# Storage Tanks Liability Insurance

We have barely scratched the surface of all there is to know about storage tank liability insurance. The technical nature of this coverage is founded in the depth of material at the federal, state and local departments of environmental protection. It is safe to say that if you have any kind of storage tank facility, you should avail yourself of an in depth analysis of your exposures. We are all familiar with the recent court decision rendered against General Electric by the federal government and the State of New York relative to the alleged pollution of the Hudson River by PCB's. While this is not specifically a storage tank issue but direct dumping into the Hudson, the resultant cleanup, legal fees and fines are closely similar to the coverages applicable in a storage tank liability policy. As a word of caution, don't take a "no tanks" attitude. Get a policy checkup. In the long run, you'll be "tankful" you did.



If you would like a UST quote, please give your account executive a call. You will be surprised to find out how inexpensive it is to protect yourself against the pollution exposures listed above.



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