

THRESHOLD LEVEL

# The THRESHOLD

A T K GROUP PUBLICATION DEVOTED TO OCCUPATIONAL HEARING LOSS PREVENTION AND PROGRAM MANAGEMENT

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We are conducting a certification/re-certification class July 14, 15, and 16 2009 in Cherry Valley, IL.

If you wish to participate, contact Beth Minnick at (815) 332.3460

## MyTK Group Awaits You

IT'S ONE CLICK AWAY...

Do you want to receive reports faster and save a tree branch at the same time? Get the reports you want, when you want, and in the format you desire using MyTK Group-our online reporting portal.

Once your data is processed, you receive an email which notifies you that your reports are available to review.

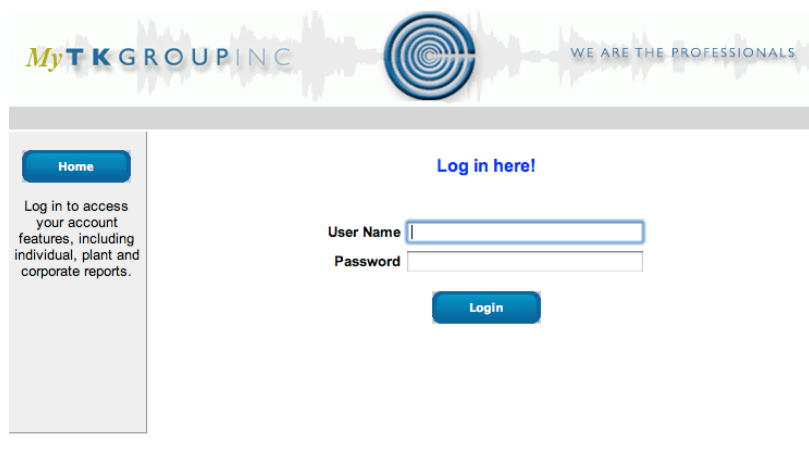
You may "demo" MyTK Group by directing your browser to the MyTK home page at <https://www.tkontheweb.com/mytkgroup>

At "Log in here", enter **tkdemo** for both the user name and password.

Once inside, give it a try and see the numerous available reporting options and tools that make your job that much easier.

MyTK never closes; it is available 365 days a year, 7 days a week, and 24 hours a day. User access may be customized to meet your desired levels of staff access.

If you are ready to do away with paper and/or CD reports, please contact T K Group.



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# MyTK Group Has Data Entry Capability Too...

MYTK Group was recently updated to allow users to submit retests, thereby expediting processing turnaround time by bypassing the US Postal Service.

Please note that this feature is in place to process occasional retests and is not intended to replace electronic data submission. If you are a CAT user, please continue electronic submission of data.

This feature is accessed by first searching for and locating the applicable employee. Locate the "Submit New test" button (see example below indicated by the arrow indicator).

**MyTK GROUP INC** WE ARE THE PROFESSIONALS

Search TK Demo Sign Off

**Employee History**

Report Individual Summary Format Pdf Create Report **Submit New Test**

Name: SMITH, STEWART Billing ID: SAMPLE-0002 State: TX Graph  
 Location: Sample Plant 2 City: Abilene  
 ID Number: 000100922 Job Title: 999 Department: Comment  
 Clock ID: Shift: Exposure: 87.0  
 Gender: M Birth Date: 12-11-1959 Hire Date:

**TEST HISTORY**

No	Test Date	Left								Right								STS Baseline		STS Conclusion		Recordable Conclusion		Medical Result	
		500	1K	2K	3K	4K	6K	8K	500	1K	2K	3K	4K	6K	8K	Left	Right	Left	Right	Left	Right	BL	Result		
2	08-12-2002	20	20	15	10	10	20	10	15	15	10	15	15	25	10										
1	05-15-2000	20	20	10	15	05	20	00	15	15	15	15	10	15	05	Y	Y						Y		

(continued on Page 3)



## 2007 Bureau of Labor Statistics: *Hearing Loss*

The United States Bureau of Labor Statistics recently released their annual report which details prevalence of injury in certain sectors of the workforce.

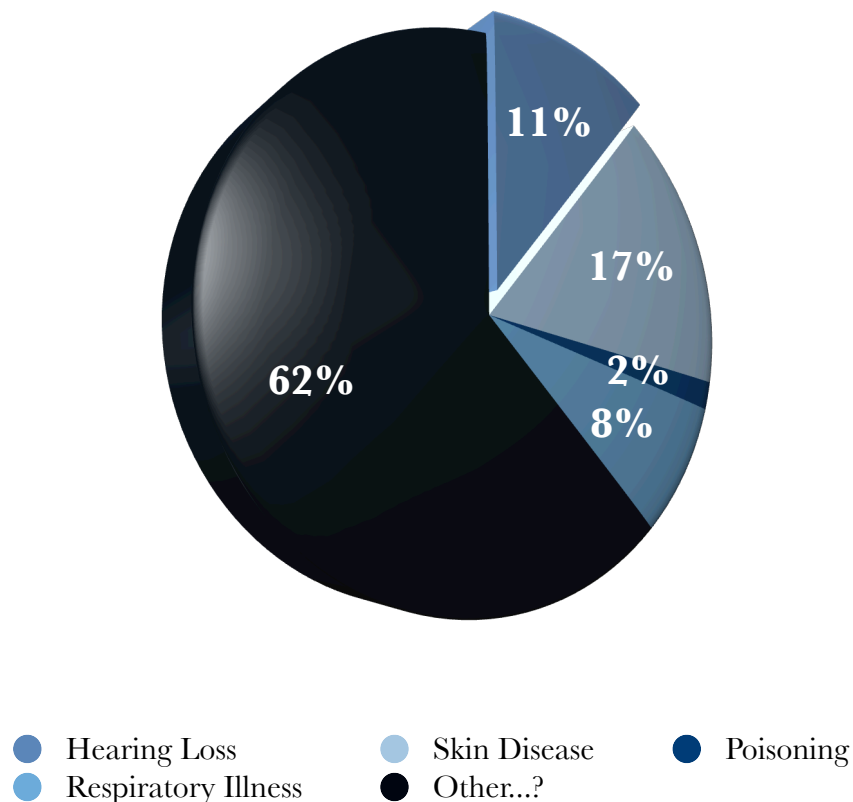
OSHA surveys private industry to compile statistics in five categories: skin disease, poisonings, respiratory disease, hearing loss, and other. These BLS statistics do not reflect non-OSHA regulated mining industries (MSHA) or railroad (FRA) operations.

Of just over 206,000 reported cases of injury in private industry, 23,000-or **11%**, sustained Recordable hearing loss. That percentage appears fairly constant compared to (recent) previous years.

The highest OSHA Recordable hearing loss incidence occurs in the Goods Producing manufacturing sector and Service Providing transportation and utilities sectors.

For detailed information, go to <http://www.bls.gov/iif/>

Reported Occupational Injuries By Category  
2007



## OSHA Reaffirms (No) Baseline Revision Policy After Change In Ownership

In a previous interpretation, OSHA is on record as to allowing NO "resetting" of baselines upon change of (corporate) ownership. In an interpretation dated 12/5/2008, OSHA stands firm with this policy.

The interpretation reads as follows:

December 5, 2008

Mr. Danny Herrera  
Industrial Hygienist  
INEOS NOVA, LLC  
12222 Port Road  
Pasadena, TX 77507

Dear Mr. Herrera:

Thank you for your July 9, 2008, letter to the Occupational Safety and Health Administration's (OSHA's), Directorate of Enforcement Programs (DEP). Your letter requested an interpretation regarding the Occupational Noise Exposure standard, 29 CFR 1910.95. Below is your paraphrased question followed by OSHA's response.

**Question:** Does the employer have the option to establish new audiometric testing baselines due to change of ownership, provided that the medical records including area monitoring and personal monitoring are maintained for 30 years?

**Answer:** No. The employer does not have the option to establish new baselines. When an employer's business changes ownership and remains at the same location retaining

the current employees, the employer is required to transfer all audiograms including baseline audiograms to the new employer. In addition, the Occupational Noise Exposure standard at 29 CFR 1910.95(m)(5) states, "if the employer ceases to do business, the employer shall transfer to the successor employer all records required to be maintained by this section. . . ."

Establishing new baselines when ownership changes as mentioned above in your question, would constitute revising the baselines. The standard at 29 CFR 1910.95(g)(9)(i), states that a baseline may **only** be revised if there is a standard threshold shift (STS) of greater than 10 dB, and an audiologist, otolaryngologist or a physician has deemed the STS to be persistent; or as per 29 CFR 1910.95(g)(9)(ii), the annual audiogram's threshold indicates significant improvement over the baseline audiogram.

Further, even if a business moves to a different location (even out of state), and the same employees are retained, then, the employer must transfer the audiograms including the baselines to the new location. However, if the business **changes ownership, relocates and hires new employees**, then under these circumstances, the new business **would** have to establish new baselines for the new employees within six months, as per 29 CFR 1910.95(g)(5).

Also, please bear in mind that the successor employer must also continue the established annual schedule for future audiograms, noise monitoring, and retention of all records as per the requirements of this standard.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of Health Enforcement at (202) 693-2190.

Sincerely,  
Richard E. Fairfax, Director  
Directorate of Enforcement Programs