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Appellate Court in Washington, DC Limits Recordkeeping Violations to Six Months

The Occupational Safety and Health Act states that “No citation may be issued after the expiration of six months following the occurrence of any violation”; the act outlines a six month Statute of Limitations.

In April of 2012, an appellate court ruled that OSHA cannot issue citations for past events occurring beyond a six month period.

In 2006, OSHA issued citations for recordkeeping violations to a company dating back to a period between 2002 and 2006.

The appellate court upheld the language and intent stated in the Occupational Safety and Health Act to limit recordkeeping citations to six months following the occurrence of any violation.

With all this said, and pursuant to CFR 1904-Recording and Reporting Occupational Injuries and Illnesses, T K Group strongly advises that all Recordable hearing loss events be logged within 7 calendar days of official notification of a persistent shift event. If such events are deemed non-occupationally related by determination, you are then permitted to “line” such events off of the OSHA 300 log.

Additionally, T K Group certainly does not adopt any willful practice of ignoring or failing to log any Recordable event based on this ruling.

To view and read the ruling in it’s entirety, please go to the following link:

[http://www.cadc.uscourts.gov/internet/opinions.nsf/018A542863EAA754852579D8004EAFF4/\\$file/11-1106-1367462.pdf](http://www.cadc.uscourts.gov/internet/opinions.nsf/018A542863EAA754852579D8004EAFF4/$file/11-1106-1367462.pdf)

BLS Releases Hearing Loss Statistics By Industry

The Bureau of Labor Statistics recently released information stating that workers in the manufacturing and utilities sectors suffer from the highest incidence of occupationally related hearing loss.

An article by Luis Martinez describes the analysis and may be viewed at <http://www.bls.gov/opub/mlr/2012/07/art4full.pdf>

According to the BLS, hearing loss estimates initiated in 2004. In the period between 2004 and 2010, occupationally related hearing loss rates have declined overall; however, these statistics did not include construction, oil and gas drilling, agriculture, or servicing industries. *Hearing loss comprises 12% of all reported illnesses.*

The metal manufacturing industry indicates the highest incidence of occupationally related hearing loss according to the BLS, followed by the Air Transportation industry.

Table 1. Selected industries with high hearing loss rates, 2004–2010

3 digit NAICS code	NAICS description	2004	2005	2006	2007	2008	2009	2010
331	Primary metal manufacturing	40.1	48.5	36.9	29.1	29.7	40.6	33.8
481	Air transportation	11.4	20.5	17.1	15.8	16.4	24.7	24.7
311	Food manufacturing	30.3	23.8	23.4	24.2	19.4	20.3	22.9
322	Paper manufacturing	15.5	20.1	20.5	18.2	26.7	16.2	19.1
332	Fabricated metal product manufacturing	18.2	18.0	15.3	14.1	14.4	13.8	16.5
336	Transportation materials manufacturing	25.6	22.3	20.7	19.5	17.9	15.5	15.3
313	Textile mills	19.0	30.3	24.1	20.0	16.6	18.7	12.7
337	Furniture and related product manufacturing	24.5	20.7	13.0	12.5	13.7	13.2	12.4
326	Plastics and rubber products manufacturing	16.8	14.8	17.0	11.1	14.4	13.9	11.3

SOURCE: U.S. Bureau of Labor Statistics.

Growing Auricles-Really?

Sometimes bad things happen. Auricles are often partially or completely damaged in accidents, war, cancer, or are congenitally missing from a condition called Atresia.

Scientists at Boston General Hospital have made significant progress in replacing damaged auricles with the patient's own skin cells, as opposed to using rubber prosthetics., which look unnatural.

The process first involves crafting a computer generated frame made of Titanium. They then submerge the frame into collagen, a natural substance in our bodies responsible for what gives our skin suppleness and elasticity. Incubated in submersed collagen for about two weeks, the frame is covered in cartilage and resembles an Auricle. Physicians then take skin grafts from certain parts of the body and cover the cartilage. The Auricle can then be transplanted surgically to the site of the damaged ear.

Scientists believe this to be reality in about one year.

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