

TOGETHER WITH TOSHA

newsletter

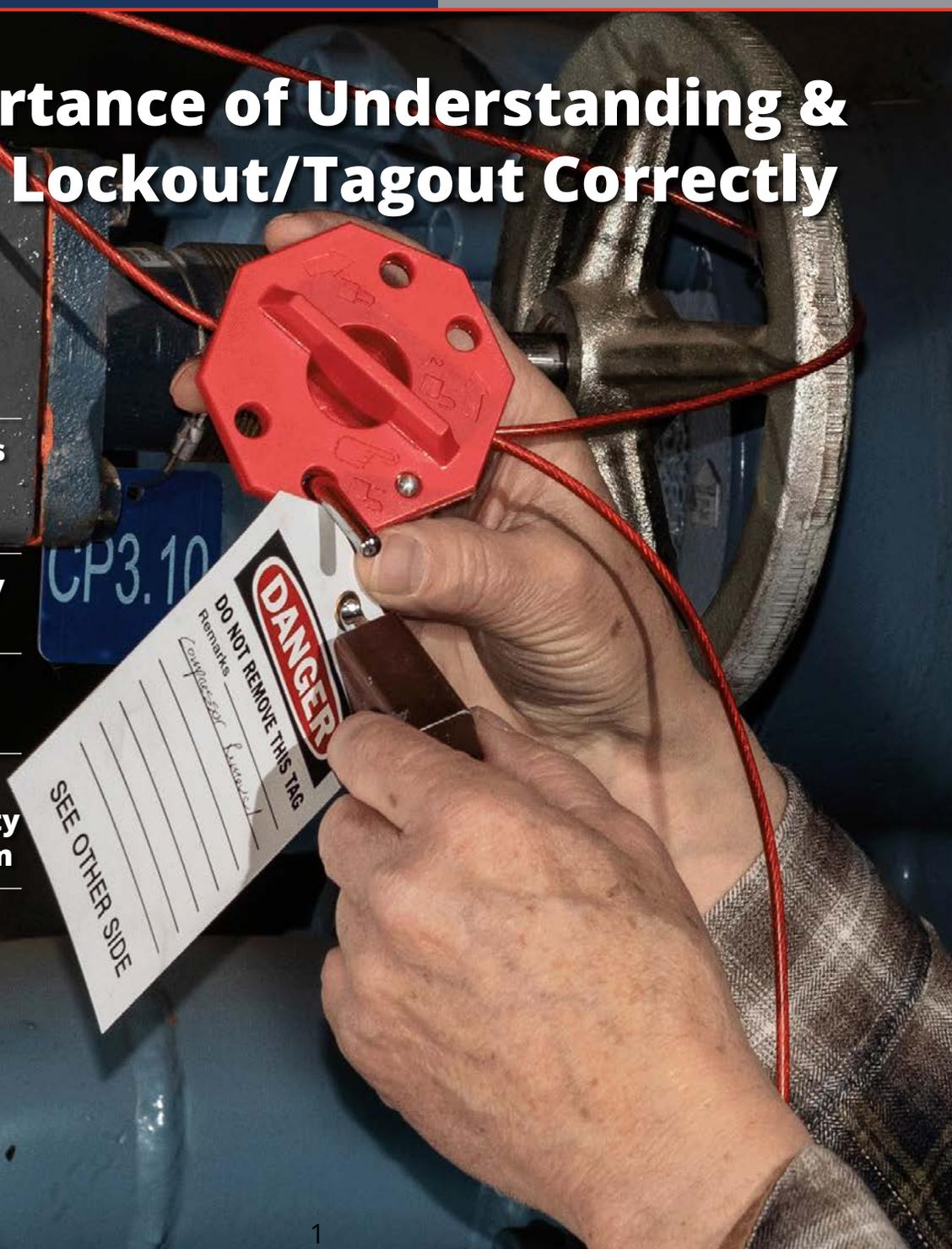
October 2025



The Importance of Understanding & Applying Lockout/Tagout Correctly

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The Importance of Understanding and Applying Lockout/Tagout Correctly

Even though it has been well established that uncontrolled energy sources such as electrical, mechanical, hydraulic, and other sources in machines and equipment pose serious hazards to workers, TOSHA and OSHA continue to frequently find lockout/tagout (LOTO) violations.

In fiscal year 2024 federal OSHA identified 2,400 LOTO violations, making it the fifth-most cited standard. Tennessee OSHA identified 166 violations, making it the seventh-most cited. Unfortunately, many of these violations are discovered only after a serious incident, such as an amputation or workplace fatality.

With all the resources that are available and regulatory guidelines, why are OSHA and TOSHA still finding so many LOTO violations? Unfortunately, all too often LOTO is ignored due to production demands and a lack of understanding of the LOTO requirements and/or lack of effective employee training.

Whether a fatality investigation, complaint, or program planned inspection where LOTO violations are found, it is common to find that employees are not appropriately trained or trained at all. In some cases, an employer was not aware that an employee was performing a task outside of their assigned job duties that requires LOTO and therefore had not trained the employee.

Does that excuse them from a violation? Most of the time, no. However, what it does

highlight is the importance of the employer thoroughly evaluating each employee's job duties. It also underscores the need for open communication with employees to understand what tasks they're actually performing, whether those tasks were officially assigned or not.

Additionally, it is common to find that employers tend to designate only maintenance personnel as employees authorized to perform LOTO, even though other employees such as machine operators, cleaning crews, etc., were found to be performing a servicing/maintenance task requiring LOTO. Because these employees were never designated as an authorized employee, they received little to no training on when/why to perform LOTO nor seemed to be aware of the hazards they were exposed to by not shutting the equipment down and locking out the energy sources.

It cannot be emphasized enough that LOTO applies to **any employee required to perform a servicing/maintenance task where the machine or equipment could unexpectedly start up**. These tasks could include cleaning around dangerous machine parts, quickly reaching into a machine to clear a jam, or removing a guard to lubricate parts or make adjustments. Job titles are irrelevant — what matters is the task being performed. If the work exposes an employee to hazardous energy, LOTO must be applied and proper training must be provided.

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The Importance of Understanding and Applying Lockout/Tagout Correctly

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Minor Servicing Exception

Oftentimes employers attempt to claim various tasks meet the “minor servicing exception,” therefore exempting them from the requirement to shut the machine off and lock out the energy sources. OSHA’s Minor Servicing Exception is covered under 29 CFR 1910.147(a)(2)(ii) (B), which states that “minor tool changes and adjustments, and other minor servicing activities that take place during normal production operations, are not covered by the standard if they are routine, repetitive, and integral to the use of the equipment for production, provided that the work is performed using alternate measures that provide effective protection.”

Although a particular task may have been routine, repetitive, and integral to production, employers often overlooked the final requirement: to “use alternate measures that provide effective protection.” In many cases, no alternate measures were used or the measures that were implemented were assumed to be effective but ultimately failed to protect the worker. Because these employers were not providing an effective alternative means to protect employees, they were typically cited for failure to shut down

and lock the equipment out. Simply put, if an employer cannot effectively protect employees performing a minor servicing task through alternative measures, then LOTO must be applied.

Use of Control Circuitry

Another common violation involves employers mistakenly believing that control circuitry such as e-stops, selector switches, and interlocking gates can be used as energy-isolating devices. Typically, this is not the case. While control circuitry may “break the circuit,” it does not provide a physical barrier that controls hazardous energy. These systems often rely on relays, which can wear out and fail over time. And when they fail, they typically do so in a way that closes the circuit, allowing energy to flow and potentially causing the machine to start unexpectedly. That’s why OSHA requires the use of proper energy-isolating devices, such as disconnect switches or circuit breakers, that physically prevent the release of hazardous energy.

LOTO Fatality Investigation

Since 2020 TOSHA has investigated nine workplace fatalities in which LOTO was not properly followed or not used at all. The following is a summary of one such

investigation, where LOTO and confined space deficiencies were identified, resulting in the victim receiving fatal crushing injuries to his upper torso.

A 24-year-old man was fatally injured after being crushed between a retort machine and a stack of empty racks being transported by a shuttle into the machine. The victim had entered the retort to remove food cups that had fallen inside — an action reportedly common at this facility — without locking out the equipment. While he was still inside, the shuttle automatically advanced with a load of empty racks. Although the emergency stop button was activated by the employee as he attempted to exit, the system appeared to prioritize completing its last command and the shuttle did not stop immediately. This resulted in the victim being crushed between the machine and the racks. Despite signage indicating the area was a “Confined Space – Enter by Permit Only,” there was no documentation showing that confined space entry or reclassification procedures had been followed. Had the employee locked out the power to the retort machine, it would have also disconnected communication between the machine and the shuttle PLC.

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The Importance of Understanding and Applying Lockout/Tagout Correctly

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As a result, the shuttle system would have automatically bypassed that retort machine.

After **TOSHA's investigation**, the company was cited for multiple LOTO violations, including:

- Failing to use its energy control procedures for the task,
- Not providing clear, specific instructions within those procedures, and
- Not conducting periodic inspections of the procedures as required.

Despite well-established regulations and the known dangers of uncontrolled energy sources, LOTO violations remain a persistent issue in workplaces. These violations frequently stem from inadequate training, misapplication of the minor servicing exception, and the mistaken belief that control circuitry can serve as energy-

isolation devices. Employers often fail to recognize that LOTO applies to any employee performing maintenance or servicing tasks, regardless of job title, if hazardous energy is present.

The primary goal of this article is to encourage employers to conduct a thorough reevaluation of their workplaces and employee tasks to identify any deficiencies within their LOTO programs and address them before a serious incident or fatality occurs. 🎯

Additional LOTO guidance

[OSHA LOTO Regulations : 29 CFR 1910 Subpart J](#)

[OSHA LOTO Compliance Directive CPL 02-00-147](#)

[OSHA.gov - Control of Hazardous Energy](#)

[Lockout/Tagout eTool](#)



Together with TOSHA Quiz *Answer to question on page 7*

- 1 True or False: When performing Lockout/Tagout (LOTO), an on/off switch or emergency stop (e-stop) can be used as an energy-isolating device.**
- 2 According to OSHA regulations, which employees are required to perform Lockout/Tagout (LOTO) procedures?**
 - A. Only maintenance personnel
 - B. Designated authorized employees
 - C. Any employee performing servicing/maintenance on equipment where unexpected startup could occur
 - D. Only supervisors or managers
- 3 With regard to 29 CFR §1910.95 Occupational Noise Exposure, the abbreviation "NRR" stands for which of the following?**
 - A. Noise Reading Record
 - B. Noise Reduction Rating
 - C. Non-reducing Response
 - D. Noise Response Rating
- 4 How are employee noise exposures typically measured by TOSHA?**
 - A. 8-hour Noise Exposure Model
 - B. 8-hour Time-Weighted Average
 - C. 8-hour Noise-Dose Reading
 - D. 8-hour Time-Averaged Rating

Protecting Workers from Hazardous Noise Levels in General Industry

By John Beck, TOSHA Industrial Hygienist

Elevated noise levels are a common experience in today's general industry workplaces. Rotating cutting or grinding equipment, product conveyors, pneumatic fastening processes, and mechanical shaping operations are frequent contributors to high workplace noise levels.

TOSHA requires general industry employers to administer a continuing and effective hearing conservation program (HCP) when their employees are exposed to an eight-hour time-weighted average noise level that equals or exceeds 85 decibels (determined by the A-weighting network) or dBA.

The goal of an HCP is to protect employees' hearing ability from being reduced or diminished from exposure to occupational noise hazards. A compliant HCP is made up of several elements, some of which are briefly discussed in the HCP checklist found in Table 1.



Table 1 – Hearing Conservation Program Checklist †

Develop & Implement a Monitoring Program	Use sound measuring instruments to assess employee exposure to occupational noise.
Establish & Maintain an Audiometric Testing Program	Provide initial and annually recurring audiometric (hearing) tests to employees exposed to noise at ≥ 85 dBA, without charge, from an appropriately credentialed professional.
Make Hearing Protectors Available; Require Use in Some Circumstances	Select and provide a variety of appropriate hearing protectors (HPs) without charge and provide HP training to employees exposed to noise at ≥ 85 dBA; require and ensure employees wear HPs in certain situations.
Institute an Occupational Noise Training Program	Train employees exposed to noise ≥ 85 dBA about the requirements of the Occupational Noise Standard (29 CFR §1910.95) initially and repeat this training annually.
Provide Access to Information	Post the Occupational Noise Standard, 29 CFR §1910.95, in the workplace.
Maintain Accurate Records	Maintain noise monitoring and audiogram records; provide records to employees upon their request.

†This checklist is intended as a brief reference and does not contain the entirety of the requirements listed in the Occupational Noise Exposure Standard. Refer to **29 CFR §1910.95** for additional guidance about general industry noise exposure requirements.

Reduction of Noise Hazards

TOSHA has established a **Local Emphasis Program (LEP)** to reduce noise exposures to employees and prevent occupational noise exposure in Tennessee.

LEPs provide a proactive means of preventing injuries, illnesses, and fatalities in industries with the highest Days Away, Restricted, or Transferred (DART) and hazard rates. LEPs use resources effectively by focusing on the industries with the highest injury instance rates and highest propensity for hazards.

Enforcement

When a TOSHA compliance officer conducting an inspection measures, observes, or receives any other notice of an operation where high noise levels are possible, a noise inspection may be scheduled or the compliance officer may include observed noise violations in their inspection.

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Protecting Workers from Hazardous Noise Levels in General Industry

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Common Noise Violations

In the previous five years, TOSHA has issued over 450 noise-related citations; average penalty amounts assessed for those violations range up to \$2,000. A summary of the most cited violations from §1910.95 in Tennessee is discussed in Table 2.

Successful Programs

Successful HCPs typically share common characteristics that ensure the program is continuing and effective:

- **A commitment of resources from establishment management.** This ensures the allocation of time and budgeting that an effective program requires.
- **True HCP buy-in and hearing protector (HP) compliance, at all levels of the organization.** Frontline employees are less likely to comply with the HCP when supervisory or managerial employees neglect to follow establishment rules about wearing HPs or when management fails to enforce correct and consistent employee use of HPs in required locations.
- **A focus on providing easy-to-understand and consistently recurring noise training.** Exposed employees are much more likely to understand the noise hazards present in the workplace and comply with the establishment's HCP requirements.

Table 2 – TOSHA's most cited violations from §1910.95 in the past five years

Standard Violated	Percentage of Noise Citations Issued	Violative Condition
§1910.95(l)(1)	16%	Failure to post §1910.95
§1910.95(c)(1)	13%	Failure to administer continuing and effective HCP
§1910.95(d)(1)	13%	Failure to develop and implement noise monitoring program
§1910.95(g)(1)	12%	Failure to provide audiometric testing
§1910.95(i)(3)	7%	Failure to provide a variety of hearing protectors



Your Next Steps

Employers should first reference [29 CFR §1910.95](#) to understand their responsibilities to protect employee hearing in workplaces where noise hazards are present. Other resources available to employers include: [OSHA's Occupational Noise Exposure webpage](#), [OSHA's Hearing Conservation Program webpage](#) and [Tennessee OSHA's Consultative Services webpage](#).

These references can also be used by employees seeking to educate themselves about noise hazards in the workplace. Employees who believe they are exposed to violations of the noise standard, or other uncontrolled hazards in their workplace, have the right to file a complaint using [TOSHA's website](#). Employees may also call **(800) 249-8510** during normal business hours to connect with a TOSHA compliance officer to discuss their concerns or to request a TOSHA complaint form be mailed to them. ©

Fostering a Healthy Workforce: Supporting Employees with Chronic Conditions



By Larry Hunt, TOSHA Assistant Commissioner

In today's workforce, it's increasingly common for employees to manage personal medical conditions like diabetes or heart disease. Employers have a crucial role in ensuring a safe and supportive work environment for these individuals, not only out of ethical responsibility but also for fostering productivity and retention. While personal medical conditions generally fall outside the scope of Tennessee OSHA, employees may still be involved in work-related accidents or experience injuries because of them. The Americans with Disabilities Act (ADA) provides a framework, requiring employers to offer "reasonable accommodations" unless doing so causes "undue hardship." However, going beyond mere compliance fosters a healthy and safe workplace.

For employees with diabetes, practical accommodations can significantly impact their ability to manage their condition and perform effectively. This might include allowing regular breaks for snacks, blood glucose monitoring, and insulin administration. Providing a private space for these activities and access to a refrigerator for medication can also be beneficial. Flexible work schedules or modified shifts may be helpful to align with medication timing or allow for medical appointments.

Similarly, employees with heart disease can benefit from thoughtful workplace adjustments. Accommodations might involve modifying physical tasks and providing opportunities for regular movement. These actions may help the employee successfully complete all necessary work tasks while limiting the impact on an employee managing chronic illness.

Beyond specific accommodations, cultivating a culture of empathy and open communication is helpful. Employers should proactively educate their workforce about chronic conditions, dispelling myths and reducing stigma. Training managers to lead compassionate conversations and understand the importance of privacy can empower employees to disclose their needs without fear of discrimination and improve employee productivity.

By embracing these strategies, employers demonstrate a genuine commitment to their employees' health and safety. A supportive environment for those with chronic conditions ultimately benefits the entire organization, leading to increased employee engagement, reduced absenteeism, and a more resilient workforce. ☺

Together with TOSHA Quiz *Answers to questions on page 4*

1 FALSE: When performing Lockout/Tagout (LOTO), an on/off switch or emergency stop (e-stop) can be used as an energy-isolating device.

2 C. Any employee performing servicing/maintenance on equipment where unexpected startup could occur

3 B. Noise Reduction Rating

4 B. 8-hour Time-Weighted Average



Overhead Power Line Safety: A Critical Worksite Concern

Overhead power lines pose a serious hazard on worksites, especially in construction, agricultural, and utility work. These lines can carry thousands of volts, and contact with them — direct or indirect — can result in severe injury or death. Because of their location, they are often overlooked during routine tasks such as operating cranes, raising ladders, or moving tall equipment and materials. Workers and employers must remain vigilant by identifying power line hazards before starting work, maintaining safe clearance distances, and using appropriate protective measures to prevent accidental contact.

Key Safety Tips

Always look up: Before starting any job involving ladders, scaffolding, cranes, or elevated equipment, survey the area for overhead lines. Make this a routine part of your pre-job safety assessment.

Maintain safe distances: OSHA requires maintaining at least **10 feet of clearance** from power lines up to 50 kV. For higher voltages, greater distances are required (see OSHA Table A below for specifics). When in doubt, increase your distance.

Use spotters and warning devices: Designate a trained spotter when operating equipment near power lines. Use visual cues like warning flags, signs, or physical barriers to alert workers and operators to nearby electrical hazards.

Assume all lines are live: Never touch or attempt to move a downed power line. Even if it appears inactive, it could still be energized. Report it immediately and secure the area to keep others away.

Educate your team: Regular training is essential. Workers should understand the risks of working near energized lines, how to operate equipment safely, and what to do in an emergency. Include power line safety in toolbox talks and onboarding sessions.

Table A: Safe Distances From Power Lines

Voltage (nominal, kV, alternating current)	Minimum Clearance Distance (feet)
Up to 50	10
Over 50 to 200	15
Over 200 to 350	20
Over 350 to 500	25
Over 500 to 700	35
Over 750 to 1000	45
Over 1000	(as established by the utility owner/operator or registered professional engineer who is a qualified person with respect to electrical power transmission and distribution) (nominal, kV, alternating current)

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Interested in Learning About Best Practices to Improve Your Safety and Health Program?

If you are looking to improve, revamp or even start a safety and health program, Tennessee has 34 Volunteer STAR sites that are excited to share their best practices with you. Volunteer STAR is designed for the “best of the best” and recognizes companies that demonstrate world-class excellence in workplace health and safety management.

What is Volunteer STAR?

The Volunteer STAR program is patterned after the OSHA Voluntary Protection Program (VPP). Qualified candidates must demonstrate that they have performed in a manner that is below the national average for injury and illness rates in their industry classification. Sites must have all of the critical safety and health management system components in place and have employee involvement in safety and health issues. Volunteer STAR is open to all manufacturers (NAICS codes 20-39). This recognition program includes an exemption from TOSHA programmed planned inspections for three years, which can be extended by successful completion of the program requirements.

Some of the benefits cited by Volunteer STAR participants include improved employee motivation to work safely, leading to better quality and productivity; reduced workers’ compensation costs; recognition in the community; improvement of programs; and generally fewer lost workday injuries. ☺

FOR MORE INFORMATION ABOUT THE VOLUNTEER STAR PROGRAM OR CONNECTING WITH A VOLUNTEER STAR SITE CONTACT:

**VPP Manager Sherry Binford, 615-741-2793
sherry.binford@tn.gov**

Overhead Power Line Safety: A Critical Worksite Concern

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Plan before you dig or lift:

Coordinate with utility companies before beginning any excavation or lifting operations. Use utility maps and request line marking services to identify underground and overhead hazards.

Remember: Electricity can arc through the air even without direct contact. Awareness, planning, and proper precautions can prevent deadly accidents.

For specific regulations review the following applicable standards:

- General industry settings, subparts R and S: [29 CFR 1910](#)
- Construction settings, subparts K, V, and CC: [29 CFR 1926](#) ☺



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HOW TO GET STARTED

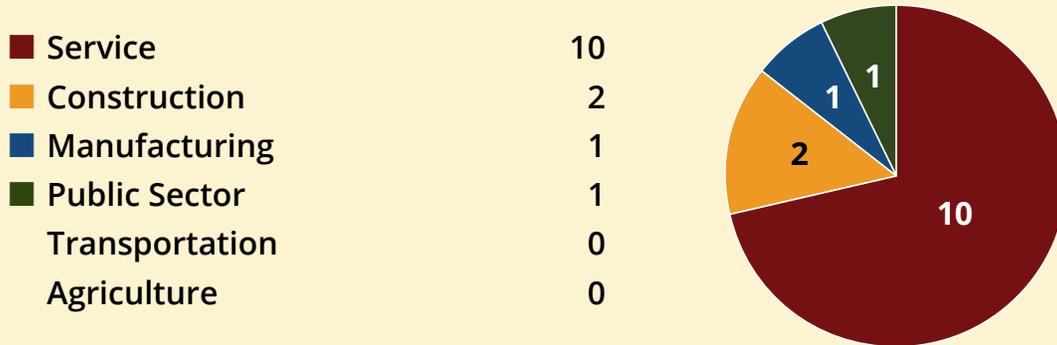
Contact us at info.languagecenter@tennessee.edu or (615) 741-7579.

We will work with you to determine the best solution for you or your organization.

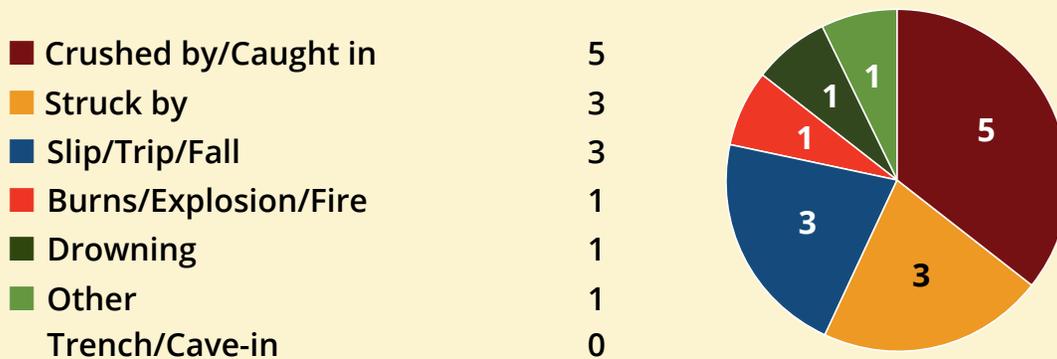


TOSHA Fatality Statistics (January - August 2025)

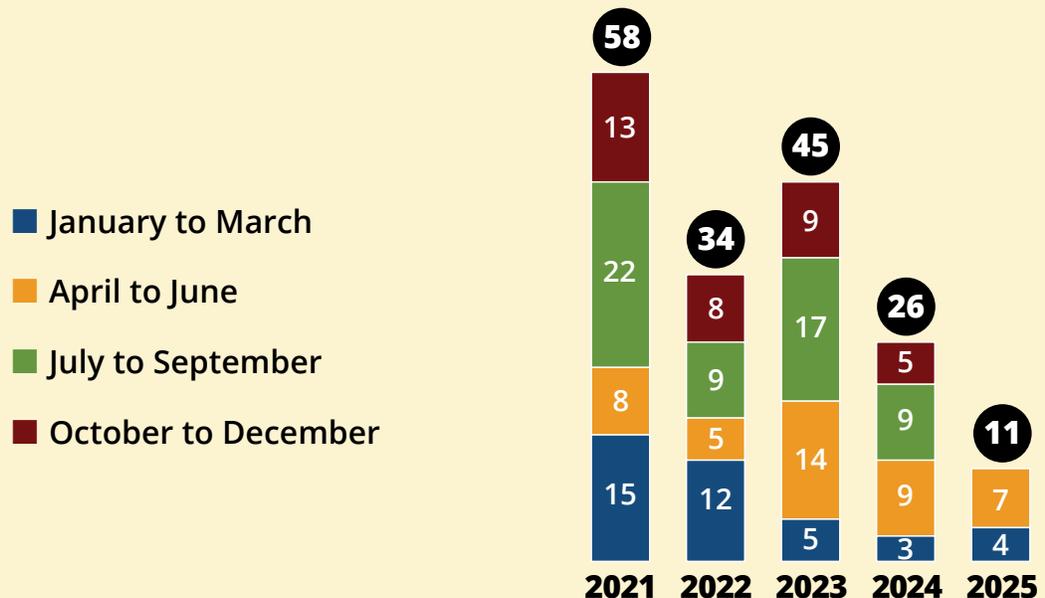
Industry; Number of Inspections (14)



Fatality Type; Number of Victims (14)



Fatality Totals per Quarter



*Statistics may change due to findings during the TOSHA investigations.

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- Health Hazards in Industry
- Record Keeping
- What to Expect During a TOSHA Inspection



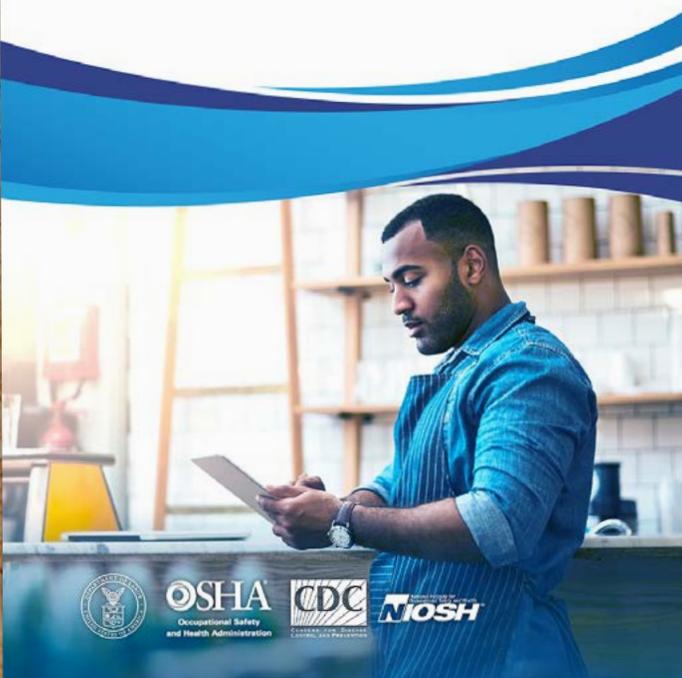
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