Please become involved in your Arkansas Chapter. Help us grow and learn.

For more information, please contact one of the officers below:

Joshua Tims, President
Thomas Lee Short, Vice President
Mark Wade Jeffery, Chapter Secretary
Victoria Hope Jones, Treasurer
Dan L. Christensen, CSP, CIH, Delegate
Email: updates@arkansas.asse.org

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Friday, October 19, 2018
Country Club of Arkansas

We will have a Golf Outing at the Country Club of Arkansas on Friday, October 19, 2018.

There will be a short ASSP-Arkansas Chapter meeting followed by a 12:30 p.m. shotgun start. Events like this help us support scholarships for safety programs through the ASSP Foundation. To register: https://arkansas.assp.org/events/arkansas-assp-golf-outing/

1. $50 per person
2. Two (2) man Team best ball format.
3. $10 Mulligans with a max of 2 Mulligans per entrant.
4. Donations for door prizes and swag bags appreciated.
5. Scoring and team paring to be determined by the Chapter Leadership.

Please visit our website! http://arkansas.assp.org
Welcome to the 2018-2019 ASSP year. We have had a big change this past year with the name change from ASSE to ASSP. The name change is meant to be more encompassing of the diverse membership, essentially you don’t have to be an engineer to be a member. Last year the Arkansas Chapter went from Bronze Level for the 2016-2017 Chapter year to Platinum Level for this past year 2017-2018. The activities that led to this increase was the partnership activities with OSHA and the Arkansas Department of Labor. Now that we have made Platinum I would like to keep our chapter at that level and improve on member value by increasing outreach to our members and other areas of the state.

To increase member value, the executive committee has decided to best serve our members we will engage the local safety councils and ask them to join the Arkansas Chapter. Our past meeting plan was to have alternating meetings in Little Rock and Northwest Arkansas and most people cannot make those meetings or the meeting wasn’t relevant to them. We are leaving out North East Arkansas, East Arkansas, Southern Arkansas and other remote areas of the state who geographically cannot make the Little Rock or Northwest Arkansas meetings. By engaging the local safety councils, the monthly meetings can be relevant to the industries and workers of the region and easier to attend. The Executive Committee will focus on bringing in quality ASSP training events such an ASP prep course or ASSP Certificate programs.

Also we will be working to establish a mentor program for new members or student members transferring into the chapter as they take new jobs in the state after college. Also on the College front we are working to establish student sections at the Universities and Colleges around the state. We need to work to take care of the students and show them how a career in safety is a rewarding career. Even if they do not enter a safety specific position they can understand the importance of safety and be a valuable business partner to us safety professionals in the future.

The success of the chapter depends on how well we serve you the member and provide value for your time and money you paid for membership. We need your feedback to make sure we are providing you that value you are looking for. Please be looking out for and respond back to the Membership Engagement Survey that we will be sending out. For those seeing this note in the Quarterly Newsletter also be expecting a phone call from one of us on the Executive Committee as we try to overcome the emails not making it to our members due to firewalls and spam settings.

I feel good about our plan for this year and growing our membership; I look forward to meeting many of you face to face this year at our various events. The Executive Committee wants to have fun with these safety events this year and work to better communicate those events to you. Please send us any suggestions or complaints that can help us improve our offerings as well; THIS IS YOUR CHAPTER!
WHAT DOES MEDICAL MARIJUANA MEAN FOR ARKANSAS EMPLOYERS?

Arkansas joined the ranks of states allowing the use of medical marijuana with the passage of the Arkansas Medical Marijuana Amendment of 2016 and Arkansas Act 593 (collectively referred to as the “Amendment”). According to the Amendment, a “qualifying patient or designated caregiver in actual possession of a registry identification card shall not be subject to arrest, prosecution, or penalty in any manner or denied any right or privilege, including without limitation a civil penalty or disciplinary action by a business, occupational, or professional licensing board or bureau, for the medical use of marijuana in accordance with this amendment if the qualifying patient or designated caregiver possesses not more than two and one-half ounces (2 1/2 oz.) of usable marijuana.” Ark. Const. Amendment 98, § 3(a).

The Amendment specifically addresses what employers may and may not do. Employers may not “discriminate against an applicant or employee in hiring, termination, or any term or condition of employment, or otherwise penalize an applicant or employee, based upon the applicant’s or employee’s past or present status as a qualifying patient or designated caregiver.” Id. at § 3(f)(3)(A). This rule does not limit certain employer rights including the following: (1) the right to establish and implement a substance abuse or drug-free workplace policy that may include a drug testing program that complies with state or federal law and taking action under the policy with respect to an applicant or employee; (2) acting on the employer’s good faith belief that a qualifying patient possessed, smoked, ingested, or engaged in the use of marijuana on the premises of the employer or during working hours or was under the influence of marijuana at such times provided that a positive test result for marijuana is not the sole basis for the good faith belief; and (3) acting to exclude a qualifying patient from being employed in or performing a safety sensitive position based on the employer’s good faith belief that the qualifying patient was engaged in the current use of marijuana. Id.

One “hot issue” in this area is how to determine when a position qualifies as “safety sensitive”. Safety sensitive positions include the following: (1) any position involving a safety sensitive function pursuant to federal regulations governing alcohol and drug testing adopted by DOT or any other rules, guidelines, or regulations adopted by any federal or state agency; (2) any position in designated in writing by an employer as a safety sensitive position in which a person performing the position while under the influence of marijuana may constitute a threat to health or safety, including without limitation a position that requires carrying a firearm, performing life-threatening procedures, working with confidential information or documents pertaining to criminal investigations, or working with hazardous or flammable materials, controlled substances, food, or medicine; and (3) any position designated in writing in which a lapse of attention could result in injury, illness, or death, including without limitation a position that includes the operating, repairing, maintaining, or monitoring of heavy equipment, machinery, aircraft, motorized watercraft, or motor vehicles as part of the job duties. The definition is broad and, as such, employers should specify in writing which positions are “safety sensitive” and consider reviewing job descriptions to ensure they adequately describe the actual job functions.

Under the general duty clause, employers have an OSHA obligation to provide a safe workplace free from serious recognized hazards that are causing or are likely to cause death or serious physical harm to employees. 29 U.S.C. § 654. In line with this requirement is the need to ensure a drug-free workplace. Even though medical marijuana is now legal in Arkansas and may soon be available, the exceptions to the rules governing employers listed above allow employers to maintain such an environment. The passing of the Amendment does not give an employee who is a qualifying patient a free pass to work under the influence of marijuana, just as a valid prescription does not give an employee with a narcotic prescription the right to drive a forklift under the influence. Employers may continue to enforce valid substance abuse policies, but should review the Amendment to see if any revisions are needed.

If you have questions concerning your company’s substance abuse policy or obligations under the Amendment, please contact attorney (and ASSP Arkansas Chapter Treasurer) Victoria (Tori) Jones of Rose Law Firm at 501-377-0338 or vjones@roselawfirm.com.
Get Recognition
Has your company done something unique with safety? Have you had a major accomplishment that you would like recognition for. Please let us know at updates@arkansas.assp.org

Follow us on FaceBook (ArkansasASSE), Twitter (ArkansasASSE) and Instagram (ArkansasASSE)

Upcoming Events:

September 24— ATC-20, Rogers, AR

September 26 — Worker Safety Conference—Blytheville, AR

October 3—NWAOHSAC Monthly Meeting, Fayetteville, AR

October 18 — Worker Safety Conference — Hope, AR

October 19 — ASSP Golf Outing, Country Club of Arkansas, 12:30 p.m.

October 30 — Worker Safety Conference — Jonesboro, AR

ATC-20: Post-Earthquake Safety Evaluation of Buildings

September 24, 2018

8:00 a.m.—4:00 p.m.

Rogers Chamber of Commerce, Rogers, AR

To register: www.adem.arkansas.gov

DID YOU PARTICIPATE?

This year over 22 companies in Arkansas participated in the OSHA Safe and Sound Week Campaign. Visit https://www.osha.gov/safeandsoundweek/ for more information.
Mentors are needed in the Arkansas chapter of ASSP and elsewhere. We are calling on members, both active and retired to consider mentoring younger or less experienced members. Mentoring is something that we can all do, if we have been in the profession three years or more. We are soliciting willing members and retired members to be mentors, to reach out and involve yourself in someone else’s professional life. I believe that mentorship can work in a variety of ways, but essentially mentorship is transferring the personal knowledge that you have about safety, the processes of getting things done, the experience of work to someone who doesn’t have some of that. Technology can enable mentors in different locations and the process can take place in ways that you shape with your mentee.

We are not asking for a substantial commitment of time, although a specific mentor may decide to invest a lot. We are asking for a willingness to get involved. Those of us who can be mentors, teachers and coaches begin with a willingness, usually to show up. A willingness to explain, describe and share. Mentors used to be people in the company where we worked, a senior consultant, a regional consultant or a manager. Sometimes, today the new hires or those transferred to a new job are alone. Sometimes, their supervisor doesn’t have the answer, but you might. It might just be a job to someone else, while the mentee is looking for a career.

For me, it was a regional casualty consultant my father’s age. He wasn’t a college graduate. He had been a boilermaker in the Navy and was probably the best casualty consultant I have known. He was a mentor to lot of us that came through the Little Rock branch of CNA Insurance. Primarily, Earl Upchurch taught us that loss control was important work, it was important to get right and it mattered. I’ve been doing this for 33 years and Earl Upchurch is a reason why.

Please welcome our new members:

Don Beaudin             Dakota Dudash
Kellee Fletcher         Jeremy Harton
Charles Harvey          Sarah Hendricks
Randy Kuykendall        Danny Lawely
Elizabeth Lott          Trent McKenzie
John Payne              Adam Prater
Joe Ramirez             Maria Smith
Carl Sperling           Rick Still
Doug Sunde              David Tucker

A request for the new members, we are looking to establish student chapters. If you have recently finished school, please provide contact information for those there so we can follow up with them.

Thanks & have a blessed day,

Mark Clinton, MBA, ARM
Membership Chair
501-425-5544