

## 5(a)1 ELEMENTS

1. Hazard: Employees are required to perform highly repetitive sewing operations, up to 2400 pieces per eight hour shift, which require a variety of movements including gripping actions and body positioning that is causing and may cause cumulative trauma disorders. The hazards detailed by the Health Response Team's Ergonomic Evaluation Report include high finger grip forces, frequent repetition with short rest periods, awkward body postures and fatigue. These factors can cause irritation of the tendons, tendon sheaths, and nerves in the arms and hands. When these factors exist simultaneously, the hazard is significantly increased. In addition, tendon and nerve irritations can be caused by direct contact of the upper extremities with tools and hard surfaces. Musculoskeletal problems at the shoulder may also result from the excessive shoulder movements generated when loads are lifted or held away from the body. A complete description of the ergonomic hazards detailed by operation is contained in the Ergonomic Evaluation.

2. Knowledge: 7c of New Era Cap Co. had direct knowledge of the problems associated with repetitive motions since at least January 1989. 7c stated that he was given two articles; 1 AN INVISIBLE WORKPLACE HAZARD GETS HARDER TO IGNORE, Business Week 1/30/89 and 2 ERGONOMICS OFFERS SPECIAL SOLUTIONS TO NUMEROUS HEALTH COMPLAINTS, -Occupational Health and Safety, 4/88. 7c was aware of the compensation claims and in fact had recorded most all of the cases on the companies OSHA 200 Logs. 7c admitted giving these articles to 7c for action. When asked why 7c took no action, 7c stated apparently 7c did not get to it and "I never followed up on it". 7c stated that the company's workmans compensation rates went up \$65,000.00 this year due to this "Avantgarde thing - Carpal Tunnel Syndrome". He admitted that the rise in compensation rates was attributed to the rise in claims for carpal tunnel syndrome and similar illnesses. New Era's compensation carrier, Royal Insurance Co, conducted a service visit on 9/28/89. This visit was initiated by the insurance company, which informed 7c of the high incidence of repetitive motion illnesses. As a result of this service visit, the insurance company issued a report to New Era in 10/89. This report detailed four departments which were experiencing a high rate of cumulative trauma disorders. The company had this report for approximately 6 weeks prior to the opening conference of this inspection. 7c took no action with regard to any of the insurance company's recommendations in the report. When asked why no action was taken, 7c stated that he did not feel the recommendations were specific-they were too general and that the insurance company told him the recommendations would help solve New Era's problems, not eliminate them.

2. Knowledge continued;

On 9/19/89, the Buffalo OSHA Office sent a non formal complaint notification to the employer, alleging that employees throughout the plant and particularly in the taping department were exposed to

CTD's. The firm responded in a letter dated 9/26/89 stating that

" New Era Cap has not been subject to the recurring medical problems due to the repetitive motion of our operations". The firm further stated that they have made wrist braces available to employees who want them. The response also stated that New Era has retained specialists in ergonomics to review thier operations in an attempt to institute the latest technology. After the 11/29/89 opening conference, TC

TC was asked what specialist did the company hire and when. He stated that they did not hire any consultant. He stated TC

TC wrote the letter and he signed it, although he was aware of the statement at the time he signed the letter. New Era was issued a notice of non renewal for their workmans comp policy prior to the OSHA inspection. TC stated that the companie's reluctance to implement any of the recommendations from the service visit caused the cancellation notice.

3. Serious Physical Harm: Employees have experienced Carpal Tunnel Syndrome, Tendonitis, DeQuervains Disease, etc, which has resulted in approximately 30 lost time cases since 1984. At least 5 employees have had surgery, one of which is permanently disabled.

4. Abatement: A feasible method of abatement exists to reduce employee exposure to cumulative trauma disorders. The specific recommendations are contained in the ergonomic evaluation report issued by the Health Response Team. These abatement measures include providing adjustable work stations, swivel chairs with lumbar support, rounded or padded work station edges, positioning of the worker or operation so that a neutral wrist position is maintained, ergonomically designed scissors, etc.