

Silica Program (M.A.R.S.)

POLICY STATEMENT

The Parties recognize the problems and health hazards created by silica dust and the need to develop an awareness, medical monitoring and respirator program. The Union and the Association are committed to protecting Employees and providing a safe working environment. The purpose of the following Monitoring, Awareness and Respirator Safety (“MARS”) Program is to facilitate Employers’ efforts to provide a safe, healthy work environment for Employees.

MARS Program funds cover an Employee’s initial, annual respiratory protection medical form, a pulmonary function test, silica hazard awareness and in proper use, limitations, care, and maintenance of respirators. All tests are for the sole purpose of Employee safety and cannot be used for any other screening or identifying medical information about the Employee.

The MARS Program does not relieve the Employer from the obligation of having a written respiratory program with procedures for selecting respirators or providing Employees with job-site appropriate respirators, filters, cartridges, canisters, and fit testing. This program can be amended at anytime by the Labor & Management Silica Committee.

TESTING PROCEDURES

Medical surveillance will be conducted by an occupational physician, or other licensed health care professional selected by the TPA which is jointly selected by the joint Labor & Management Committee. The testing may consist of a physical and a pulmonary function test.

THE MARS PROGRAM THIRD-PARTY ADMINISTRATOR RESPONSIBILITIES

1. Conduct an initial review as well as an annual review of the OSHA respirator medical evaluation questionnaire/or equivalent and pulmonary function test to determine whether each Employee is physically able to perform duties while wearing approved respirators.
2. Track and log all evaluations based on pass/fail records through an online tracking system that is available to signatory Employers upon request.
3. Maintain medical records for 30 years past the last date of employment.
4. Distribute to the Employee a silica hazard awareness pamphlet at the time of the medical evaluation.

CONFIDENTIALITY

All actions taken under the MARS Program will be strictly confidential and disclosed only to those with a “need to know.” Each Employee to be tested will be required to sign a consent form assuring proper documentation and accuracy.

LABOR & MANAGEMENT COMMITTEE RESPONSIBILITIES

1. Facilitate each Employee’s initial medical evaluation, annual medical evaluation and pulmonary function test for continued respirator use.
2. The Labor & Management Committee will review, revise, and amend the program as needed.

Union Responsibilities

Upon receipt of request from an Employer the Union will facilitate placement of an Employee who is qualified under this program to wear respirators.

- If Employee is not available this will be communicated to the Employer.

Employer's Responsibilities

1. Employer must verify that the Employee is current in the drug testing program.
2. Establish and regularly train Employees on a written respiratory program.
[Appendix A](#) outlines the requirements an Employer's respiratory program must follow to comply with OSHA, [29 CFR Part 1910.134](#).
3. Select the appropriate respiratory protection equipment based upon the extent and nature of the hazards to which the Employee is exposed, the work requirements and conditions, and the characteristics and limitations of the respiratory protection equipment.
4. Verify prior to work involving silica dust that the Employee is approved to wear the respirator provided to the Employee and that the Employee's medical evaluation is current.
5. Furnish approved respirators, filters, cartridges or canisters at no cost to the Employee.
6. Administer an OSHA accepted method for fit test performed by a qualified person.
7. Prohibit Employees from wearing tight fitting respirators when an effective fit/seal cannot be maintained.
8. Train Employees on proper use, care, limitations, storage and maintenance of respirators.
9. Provide Employees with hazard-specific training
10. Use respiratory protection equipment only for the manufacturers' intended purposes and make no modifications to the respiratory protection.
11. Regularly evaluate the effectiveness of the Employer's written respiratory program.

Each Employee's Responsibilities

1. Employee must be current in the drug testing program to participate in the M.A.R.S. Program.
2. Familiarize himself with [Appendix A](#) which outlines the requirements an Employer's respiratory program must follow to comply with OSHA, [29 CFR Part 1910.13429](#). Notify Employer immediately if Employee suspects that respiratory protection equipment is needed.
3. Report to Third – Party Administrator for, medical evaluations, pulmonary function tests and silica awareness information prior to using and annually thereafter. Employees are limited to 2 ineligible tests per year.
4. Inspect respirator and perform positive and negative pressure test to ensure fitting and proper valve function each time respirator is donned. Notify Employer immediately if Employee suspects that the respiratory protection equipment that the Employer has provided is defective.
5. Never wear respiratory protective equipment when conditions prevent a good face seal. Conditions preventing a good face seal may include growth of beard, sideburns, a skull cap that prevent a good seal of the face piece, or safety glasses.
6. Use, maintain, care, and store the approved respiratory protection equipment only per the manufacturers' recommendations and make no modifications to the respiratory protection equipment.

[Appendix B - Respirator Inspection Checklist](#)

Effective May 2012

PARTICIPATING TRADES

- Bricklayers Local No. 16
- Carpenters, Millwrights and Pile Drivers IKORCC
- Cement Masons Local Union No. 404
- Iron Workers Local No. 17
- Laborers Building Local No. 310