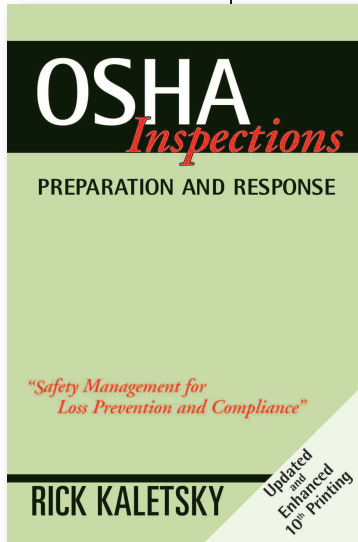


COMPLIANCE

**OSHA Inspections:
Preparation & Response**

By Rick Kaletsky. Published by National Safety Council, Itasca, IL. 2006, hardcover, 466 pp.; \$107.29. ISBN 0879122684.



At first glance, *OSHA Inspections: Preparation & Response* looks like a thorough preparation for an OSHA inspection but it is much more. Kaletsky uses an informal style that makes technical information more accessible. The book is more than a preparation for an OSHA inspection. If read in detail, the book is a design of a detailed program for setting up a safety and health program. If the material presented is followed in detail, the safety professional will have not only an excellent safety and health pro-

gram but also one that will be ready for an OSHA inspection.

The author has included humorous cartoons that provide a background for the written material. The book is well indexed and is a referral for the subject material presented.

It is highly recommended that the safety professional include a copy of this book in a source library. It is an excellent reference for use in setting up a safety and health program, but also serves as a resource for an OSHA inspection.

Milton Rhodes
Lake Placid, FL

HUMAN ERROR

**Whack-a-Mole:
The Price We Pay for
Expecting Perfection**

By David Marx. Published by By Your Side Studios, Plano, TX. 2009, hardcover, 214 pp.; \$24.95. ISBN 0-615-28307-1.

A healthy marriage reaches a point when maturity adds the opportunity for nonfatal differences to slip quietly into gentle humor. In *Whack-a-Mole*, the chapter Honey, Will You Wash the Dishes in the midst of this serious book is the little bit of sugar that makes the medicine go down. Not that the book is bitter medicine. The book is worth reading for its

success at illustrating important features of duty and responsibility. The technique used throughout the book is the introduction of nuances of the idea of “no harm, no foul.” Author David Marx makes his statement of an idea, then adds an understandable and approachable example to illuminate the ideas. If this were music it would be classed as themes and variations.

Truth be told, the illustration that opens the book, on first reading, was a bit cloying and almost enough to cause a dead stop. Duty prevailed; the rest of the book compensated for the opening. By the end the necessity of the opening was made clear. The perspective of the whole book made the “dumb daddy story” of falling asleep at a candlelight anniversary dinner illuminating, illustrative and tolerable with the humor showing through.

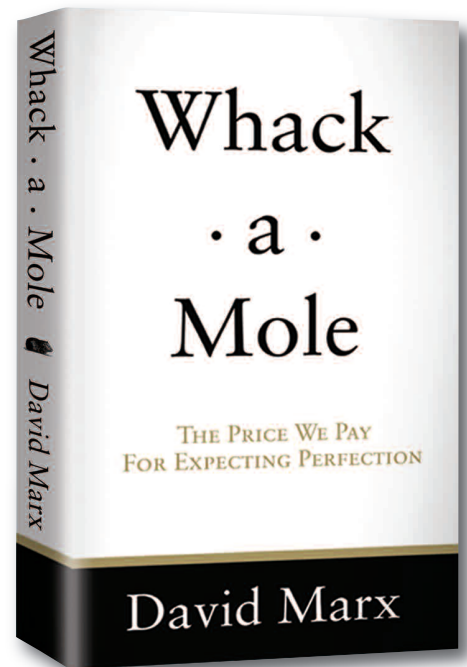
The major thrust of the book is the fact that by 2010 our society has transformed error in general and human error in particular into a crime. This transformation has been happening over a long period of time. Safety professionals who deal with MSHA or OSHA on a daily basis are confronted with the result of this transition every working day and are haunted by its implications on days off. “In our zeal to exert public control, we’ve made human error a crime” (p. 141).

John Maynard Keynes wrote in 1935,

Practical men, who believe themselves to be quite exempt from any intellectual influences, are usually the slaves of some defunct economist. . . . I am sure that the power of vested interests is vastly exaggerated compared with the gradual encroachment of ideas.

The idea of error as crime has been flooding toward today like the slime in a science fiction movie. The U.S. Supreme Court often appears remote. Here as

“At first glance, OSHA Inspections: Preparation & Response looks like a thorough preparation for an OSHA inspection but it is much more.”



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elsewhere appearances are deceiving. The general public is where its intellectual evolutions land and does away with any idea of remoteness. The court's decisions ultimately hit common folks and hit them hard.

Marx draws attention to and cites *Morissette v. United States*, 342 U.S. 246 (1952). This Supreme Court decision reflects the evolution of the error as crime idea. The decision is by no means revolutionary. Just as practical men are the slaves of defunct economists, loss control practitioners are slaves to the "error as a crime" dogma. The book is an inviting exposition of *Morissette*.

Whence Whack-a-Mole

It's a generational thing. To the younger professionals it is perfectly obvious that the title is a play on the ubiquitous game. "Watching the moles pop up, the child with the hammer in hand seeks to hit the exposed mole before it retreats back into the safety of its hole" (p. 1). How is that for a simple concept? In the book's case, the mole is a human error and the wallop comes from an enforcer of some description (loss

control professionals are well aware of the omniscience and omnipresence of enforcers, and throw in misguided and poisonous for balance).

On page four of the prologue, the author states the current situation that becomes the theme he explains: "no

"It's a generational thing. To the younger professionals it is perfectly obvious that the title is a play on the ubiquitous game. In the book's case, the mole is a human error and the wallop comes from an enforcer of some description."

harm, no foul." Even at the beginning, Marx is leading toward his solution, which is to devise and deliver better systems in which people can operate. In whacking the mole,

We spent far too much time looking at the severity of the adverse outcome (how bad was it?) and who was the unfortunate soul to be closest to the harm. In turn, we spend far too little time (emphasis added) addressing the system

design that got us there and the behavioral choices of the humans in those systems that might have ultimately contributed to the adverse outcome (p. 4).

Duty & Responsibility

Marx develops duty and responsibility in five chapters. The fundamental premise is that we have these duties and responsibilities to each other. His five chapters of development are: The Duty to Produce Outcomes, The Duty to Follow Procedural Rules, The Duty to Avoid Causing Unjustifiable Risk or Harm, The Duty to Save and The Duty to Mitigate. By the time these chap-

ters occur you have already read, "In a work situation, there's just not much pay-off for reckless behavior in the same way there is in our off-work activities. . . . Human errors and at-risk behaviors are prevalent in the work world; reckless behavior is not" (p. 43).

The curious thing about this book is how it connects to what you have read, practiced and learned to date.

Carl Metzgar
Winston Salem, NC

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