OSHA ISSUES NEW GUIDELINES

By Jacqueline Bollas Caldwell, Esq.

Residential Construction: OSHA recently issued its new Compliance Guidance for Residential Construction, (STD03-11-002). This guidance was issued to assist residential building contractors to comply with the new Occupational Safety & Health Administration directive on preventing construction falls. On April 8, 2011, OSHA released a 20-page guidance document illustrating acceptable fall prevention measures. In brief, the new directive requires residential contractors to have OSHA-approved fall prevention measures in place where workers are six feet or higher above a floor or the ground. The employer guidance document has 36 photographs of construction sites with OSHA-approved fall prevention measures. The guide does not, however, address what is sufficient content for the required “site specific” fall prevention plan or explain OSHA’s definition of “residential construction.”

Cranes and Derricks: Likewise, on March 8, 2011, OSHA released a guidance document to assist small businesses in the construction industry to comply with the revised crane and derrick construction rule, published in August 2010. Among other things, the revised crane and derrick rule requires employers to pay for crane operators to be certified by a third party, inspect crane towers before they are moved and erected at a site, and to follow new rules in and around power lines.

Forthcoming Nail Gun Guidance: Finally, a new guidance document for those employers using nail guns has been announced. Look for that new guidance shortly.

Should you desire more information or have questions, please contact Jacqueline Bollas Caldwell at: 330-244-2864 or jcaldwell@kwgd.com.

NOTE: This general summary of the law should not be used to solve individual problems since slight changes in the fact situation may require a material variance in
Establishing a Safety Culture

By Larry Baum

You have the best written programs in place, great management support including a generous commitment of resources, and a well trained safety professional on staff, but you continue to have injuries and poor participation from your employees. What’s the problem? Take a good hard look at your safety culture. The difficult part is you can’t see your culture, you can’t touch it, you can’t easily define it or point it out. And worst of all once you’ve decided your culture needs to change it’s not a quick fix, you can’t flip a switch and have it start working for you.

But you will know when you have it because your employees will start identifying hazards on their own, they will start helping each other in regards to injury prevention, and they will get involved because they want to not because it is the expectation. In the end injuries will drop off dramatically.

The following are suggestions to get your employees involved and let them take ownership and pride in a program that they helped develop and maintain.

- Lead by example, always wear your PPE and make sure every manager does the same. Correct managers and your boss, in front of others if necessary just like you would shop employees. Show that safety is for everyone and no one is above the law.
- Safety Suggestion Program – Develop a form for employees to submit safety ideas, reward the individual at the next safety meeting by awarding them an inexpensive item such as smoke detectors, flashlights or tools to take home.
- Incident Investigations – Train them to perform Root Cause Analysis on all incidents not just injuries and allow them to develop the corrective actions.
- Have them attend safety seminars and classes. The Canton BWC and Youngstown branch of National Safety Council offers excellent training in EH&S.
- Show your employees that you care about their safety at all times. Dedicate part of each meeting to safety off the job and at home. Use topical references, lawn safety in the spring, water safety in the summer and hearing protection during hunting season for example. These small reminders can send a powerful message.
- Let them train new hires to safety programs that are particular to their work area.
- Involve them in making decisions on PPE selection and purchases.
- Have them perform plant-wide inspections for discovering hazards and violations.
- Provide milestone lunches or donuts at breaks for achieving goals. But use Leading not Lagging criteria. Examples...use proactive measures such as number of hazards identified and corrected.
- Let them hold their own departmental safety meetings and have them write department safety rules that are particular to their operations and functions.
- Create unity by recognizing the entire facility not departments, for reductions in Recordable Injuries and LTA’s. But be careful this should be verbal recognition not monetary in a form.
- Use local examples to drive home the importance of vigilance. Use the newspaper to find examples of safety mistakes, injuries and deaths to illustrate the seriousness of your safety mission.
- Above all be patient and consistent. Your culture will take time to change but if you believe in your direction your leadership will make believers out of everyone.

In the end the money and time that you spend developing a safety culture will pay off in more productive and knowledgeable workers and a greatly reduced injury rate. And a safety culture will emerge where your employees participate because they want to not because it is a requirement.