



WHAT CAN WE ALL LEARN FROM THE MRCA ELITE SAFETY AWARD PROGRAM?



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What can we all learn from the MRCA Elite Safety Award Program? I am going to take this opportunity to recap some of the issues that I have identified in reviewing MRCA members' applications in the Elite Safety Award Program. For those if you have never participated in this program you are missing a wonderful opportunity to have 8 to 10 segments of your safety program reviewed by me and to **receive a detailed analysis of each section of your program with your score for that section in a confidential letter from me to you.** I'm surprised each year by the low number of MRCA members that take advantage of this opportunity to have key portions of their safety program evaluated by someone who has spent 44 years defending employers in OSHA matters and working with employers to understand and comply with the myriad of rules and regulations that exist in both federal and state OSHA standards. The applications the MRCA receives are redacted so no employer information is included in the applications when I grade them. While my goal is to

ensure that all employees have the safest environment possible in which to work, I spend quite a bit of effort and time in providing comments with regards to each applicant's compliance with existing OSHA standards and interpretations. In this article I'm going to touch upon just two of the questions which were asked in the 2020 application. I hope to cover additional questions in future articles.

Question #2 on the 2020 application asked the applicant to describe how they train employees and indoctrinate them into their safety program and expectations. The applicants were also asked to provide a list of topics covered during orientation, a description of the orientation program, and information on how they continually ensure the levels of safety knowledge of their employees every day. That is a broad question but one that is pretty straightforward. As I graded this training question, I was surprised at the number of applicants who indicated that they provide initial orientation on safety to employees on a very limited number of topics. I was pleased to see that

everyone indicated that they trained on fall protection, but I was disappointed that several applicants did not indicate they provide any training on ladder safety, hazard communication training, fire safety and the use of PPE. Only a very few applicants indicated that they train employees on hazard recognition and/or on their safety enforcement program. As I have already indicated, my primary focus when it comes to safety and OSHA is real employee safety. There are times that it is apparent to me (and I am sure to you) that the federal government gets caught up in its own bureaucracy in adopting safety and health standards. They seem to lose focus on what should be their real mission. So, in grading the applications, I am usually understanding if the response demonstrates a real attempt to protect employees even if all of the T's have not been crossed from an OSHA compliance standpoint.

With this in mind, the bottom line is that whether your safety rules entirely agree or not with the

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applicable OSHA standard, **those rules are worth nothing to you and to your employees unless you have a mechanism in place to see that employees comply with those rules.** Please do not forget the goal is to keep your employees safe. So, your safety orientation training program should take **whatever time is necessary** to cover all of your safety rules to the extent necessary to ensure that your employees understand those rules, and the fact that you will be an forcing those rules. I know that the new employee is not contributing to production while he/she is sitting in a classroom learning about your safety program. But he/she is going to be worth even less to you if early in their career with your company they are injured because you did not spend sufficient time with them in training to be sure they understood all the safety rules that govern how they are to do their job. The same is true if they see that you have a work environment that

does not emphasize and/or require safety compliance.

To this end, it is important to train your employees with regards to your safety enforcement program. Your employees need to understand that for their own safety **you cannot and will not tolerate any employee who fails to comply with Company safety rules.** This article is not intended to address what type of safety enforcement program you should have, but rather that you **absolutely need** a safety enforcement program and you need to be sure your employees fully understand it. After you instill that information in your employees, you then need to consistently and objectively enforce the safety program.

The other topic missing from many safety orientation programs concerns hazard recognition. Even those applicants who listed hazard recognition as a topic discussed in orientation frequently misinterpreted what needs to be covered with this topic and the importance of it. Most companies, when they discuss their hazard recognition training program limit training to expected hazards in the work environment. While this training is essential, hazard recognition training needs to go far beyond this. In fact, **hazard recognition training should be tied into a distracted working program.** It is important that employees are “tuned in” to their work environment, whether they are in a manufacturing setting or on a roof, 100% of the time. They need to be constantly aware of their surroundings, including both sights and sounds, so that they can immediately be aware of changes in those conditions that may indicate a hazard entering their work area. They should also be trained that when such a situation arises they do they do the following:

- Stop what they are doing
- Investigate the source of the change
- Take whatever action is necessary to protect themselves if they detect a new hazard entering the work area

This is part of, and needs to be included in, any hazard recognition training program.

The second area, which is Question #4 on the 2020 application, addresses the need for safety audits/ jobsite inspections. This is part of a safety enforcement program. In my opinion, a safety enforcement program without a means for monitoring the performance of employees in compliance with that program is less than

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half a safety enforcement program. What message are you sending to your employees if you provide them with safety rules, instruct them on the penalties for violating

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those rules, but then indicate to them, by your actions (or inaction) that their compliance is not important enough to you for you to monitor their behavior? Quite a few applicants for this year's Elite Safety Award Program indicated that they do have a site inspection/safety audit program, but when they described it they indicated that their safety director only visits each jobsite one time a week. Others indicated that the site foreman checked on safety compliance once a week and that the Company safety director did a formal safety audit at least one time a month. Neither of these is sufficient to ensure that your employees are complying with your safety rules and working safely. My recommendations to every employer in the construction industry, and for that matter in the manufacturing industry, include the following:

- Assign the crew leader, area manager, or foreman the responsibility of performing at least two random and unannounced site audits (checking only for safety compliance) at least twice a day
- Have them record these site audits
- Include a record of any safety violations which should have a contemporaneous record of

action taken under the safety enforcement program

- Assign your Company safety director to develop a one-page safety audit checklist that the site foreman will complete during his/her site audit
 - Include (but don't limit to) the condition of PPE being used by employees
 - Whether or not employees are using the PPE that your safety rules require
 - Whether or not employees are using the PPE correctly
 - Also include items like housekeeping, proper ladder set up, kettle safety, and if applicable, safety monitor performance

As already indicated, these are just some suggestions, and by no means should you limit your safety audit list to these items.

To supplement these walkaround audits, I suggest making good use of your site supervisor's smart phone. Have your safety director at some randomly selected time each morning and/or afternoon either text or call your site supervisor and direct that individual to immediately take a photograph of a part of the work area (this might include items such as ladder set up, photographs of one or two employees to evaluate their use of PPE, etc.). The request from the safety director to the site supervisor should require a response by the supervisor within a very short period of time (perhaps thirty seconds?). **I suggest you use this to supplement your written site audits as it will demonstrate your commitment to having safety compliant work sites.**

Those comments are all that I have time or space to address in this article. In the next Gary's Corner, unless other safety concerns arise, I will address one or two other topics from the 2020 Elite Safety Award Program.