PRO Green EXPO

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OSHA Compliance Saves Money, See How They Are Connected

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Hellman & ASSOCIATES
BUILDING PARTNERSHIPS FOR A SAFER WORKPLACE

OSHA VPP Star Site

Why Safety?

OSHA Regulations

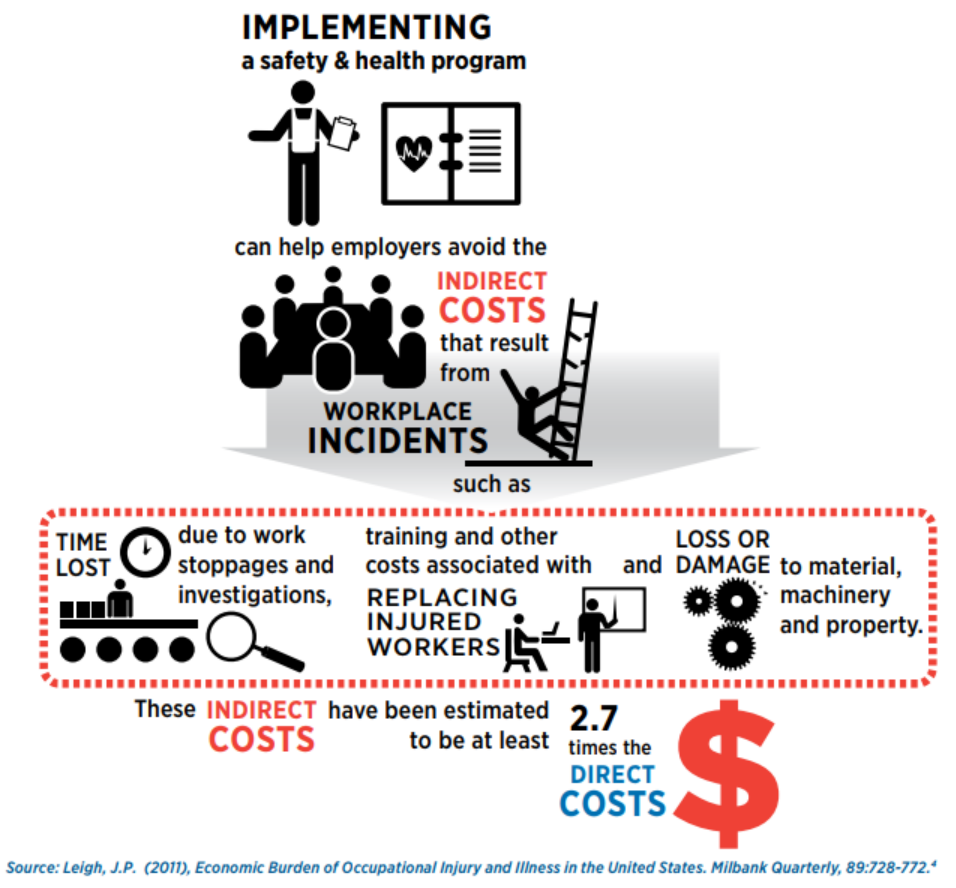
Approximately 50 individual OSHA General & Construction Industry Standards that apply to Landscape Industry

- **Written Program Development**
- **Employee Training and Certification**
- **Injury and Illness Recordkeeping**
- **Medical Surveillance**
- **Certain Equipment or Protective Devices**
- **Industrial Hygiene Monitoring or Gas Detection**

Most Frequently Cited for Industry

Standard	Number of Citations	Number of Inspections	Total Proposed	*Standard Description*
Total	335	149	$824,266	*All Standards cited for Landscaping Services*
19100132	38	29	$56,310	General requirements.
5A0001	35	35	$148,837	OSH Act General Duty Paragraph
19101200	29	12	$11,317	Hazard Communication.
19100067	28	25	$62,215	Vehicle-mounted elevating and rotating work platforms.
19040039	19	19	$48,077	*Recordkeeping OSHA Log*
19100135	18	17	$37,981	Head protection.
19100133	12	12	$11,493	Eye and face protection.
19100333	11	8	$43,994	Selection and use of work practices
19100028	7	7	$21,447	Safety requirements for scaffolding.

Cost of Workplace Injury

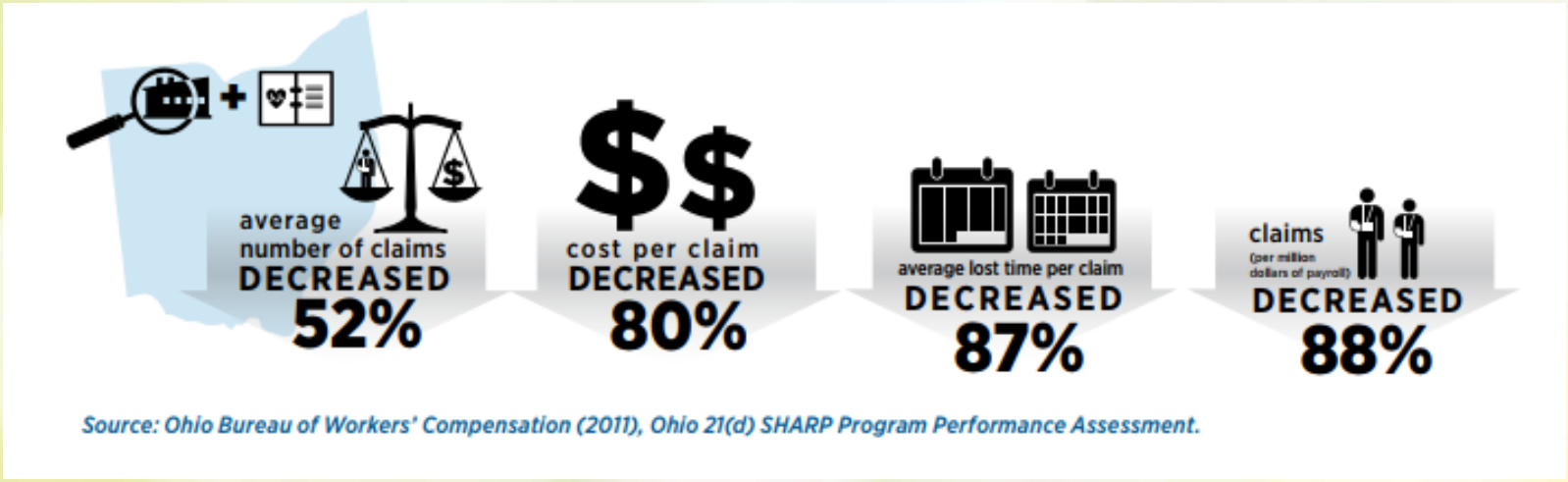


The renewed or enhanced commitment to safety and health and the cooperative atmosphere between employers and workers have been linked to:

- Improvements in product, process, and service quality.
- Better workplace morale.
- Improved employee recruiting and retention.
- A more favorable image and reputation (among customers, suppliers, and the community).

Workers Compensation and Safety Management

A study of small employers in Ohio found that workers' compensation claims fell dramatically after adopting a comprehensive safety management system



Core Elements of S&H Program

MANAGEMENT LEADERSHIP	• Top management demonstrates its commitment to continuous improvement in safety and health, communicates that commitment to workers, and sets program expectations and responsibilities. • Managers at all levels make safety and health a core organizational value, establish safety and health goals and objectives, provide adequate resources and support for the program, and set a good example.
WORKER PARTICIPATION	• Workers and their representatives are involved in all aspects of the program—including setting goals, identifying and reporting hazards, investigating incidents, and tracking progress. • All workers, including contractors and temporary workers, understand their roles and responsibilities under the program and what they need to do to effectively carry them out. • Workers are encouraged and have means to communicate openly with management and to report safety and health concerns without fear of retaliation. • Any potential barriers or obstacles to worker participation in the program (for example, language, lack of information, or disincentives) are removed or addressed.
HAZARD IDENTIFICATION & ASSESSMENT	• Procedures are put in place to continually identify workplace hazards and evaluate risks. • Safety and health hazards from routine, nonroutine, and emergency situations are identified and assessed. • An initial assessment of existing hazards, exposures, and control measures is followed by periodic inspections and reassessments, to identify new hazards. • Any incidents are investigated with the goal of identifying the root causes. • Identified hazards are prioritized for control.

Core Elements of S&H Program

HAZARD PREVENTION & CONTROL	• Employers and workers cooperate to identify and select methods for eliminating, preventing, or controlling workplace hazards. • Controls are selected according to a hierarchy that uses engineering solutions first, followed by safe work practices, administrative controls, and finally personal protective equipment (PPE). • A plan is developed to ensure that controls are implemented, interim protection is provided, progress is tracked, and the effectiveness of controls is verified.
EDUCATION & TRAINING	• All workers are trained to understand how the program works and how to carry out the responsibilities assigned to them under the program. • Employers, managers, and supervisors receive training on safety concepts and their responsibility for protecting workers' rights and responding to workers' reports and concerns. • All workers are trained to recognize workplace hazards and to understand the control measures that have been implemented.
PROGRAM EVALUATION & IMPROVEMENT	• Control measures are periodically evaluated for effectiveness. • Processes are established to monitor program performance, verify program implementation, and identify program shortcomings and opportunities for improvement. • Necessary actions are taken to improve the program and overall safety and health performance.

Core Elements of S&H Program

COMMUNICATION AND COORDINATION FOR HOST EMPLOYERS, CONTRACTORS, AND STAFFING AGENCIES	• Host employers, contractors, and staffing agencies commit to providing the same level of safety and health protection to all employees. • Host employers, contractors, and staffing agencies commmunicate the hazards present at the worksite and the hazards that work of contract workers may create on site. • Host employers establish specifications and qualifications for contractors and staffing agencies. • Before beginning work, host employers, contractors, and staffing agencies coordinate on work planning and scheduling to identify and resolve any conflicts that could affect safety or health.

OSHA Regulations – General Industry

- **1910.22, General requirements**
- **1910.23, Ladders**
- **1910.27, Scaffolds and rope descent systems**
- **1910.134, Respiratory protection**
- **1910.136, Foot protection**
- **1910.138, Hand protection**
- **1910.147, The control of hazardous energy (lockout/tagout)**
- **1910.151, Medical services and first aid**
- **1910.178, Powered industrial trucks**
- **1910.243, Guarding of portable powered tools**
- **1910.268, Telecommunications (e.g., when trimming near communication lines)**
- **1910.332, Training**
- **1910.334, Use of equipment**
- **1910.1030, Bloodborne pathogens**

OSHA Regulations – Construction Industry

- **1926.25, Housekeeping**
- **1926.50, Medical services and first aid**
- **1926.51, Sanitation**
- **1926.100, Head protection**
- **1926.101, Hearing protection**
- **1926.102, Eye and face protection**
- **1926.307, Mechanical power-transmission apparatus**
- **1926.403, General requirements (Electrical)**
- **1926.451, General requirements (Scaffolds)**
- **1926.501, Duty to have fall protection**
- **1926.600, Equipment**
- **1926.601, Motor vehicles**
- **1926.602, Material handling equipment**
- **1926.604, Site clearing**
- **1926.651, Specific excavation requirements**
- **1926.1000 - 1003, Rollover protective structures (ROPS) for material handling equipment**
- **1926.1060, Training requirements**

OSHA Regulations – Written Programs

- **Health and Safety Program**
- **Emergency Preparedness and Fire Prevention**
- **Hazard Communication**
- **Hearing Conservation**
- **Personal Protective Equipment**
- **Respiratory Protection**
- **Electrical Safety**
- **Silica Exposure Control**
- **Bloodborne Pathogens Exposure Control Plan**
- **Fall Protection**
- **Excavations***
- **Safe Work Practices***
- **Powered Industrial Truck***
- **Traffic Safety***
- **Utility Locate***
- **Vehicle Safety***

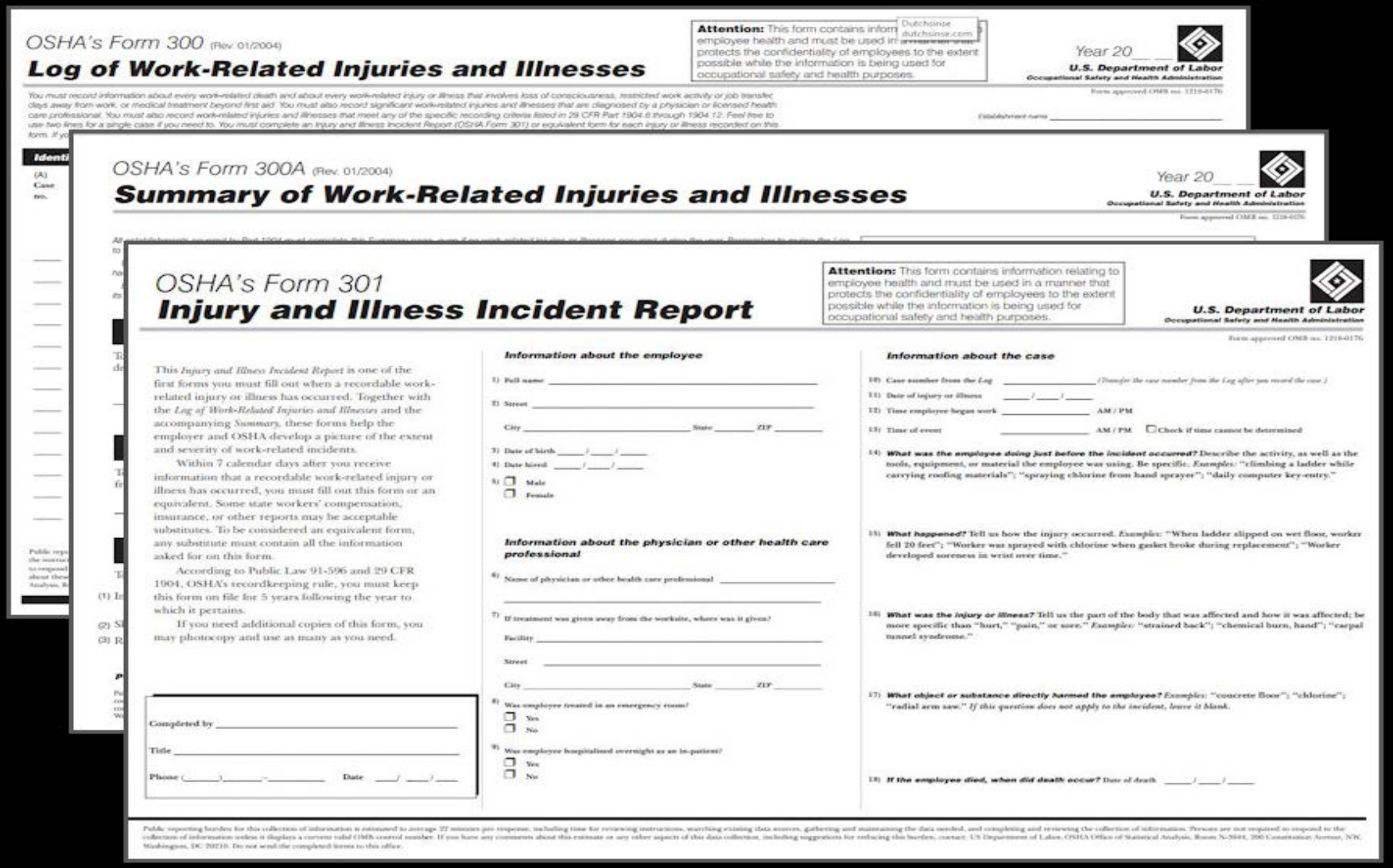
*Best Practice

Health and Safety Program

- Policy Statement
- Roles and Responsibility
- Hazard Identification, Prevention and Control
- Injury and Illness Analysis and Recordkeeping
- Incident Investigation
- Safety Rules and Procedures
- Designated Medical Provider, Claims Management
- Program Review and Evaluation
- Subcontractor Management

Injury & Illness Recordkeeping

- Under OSHA's recordkeeping regulation, employers are required to prepare and maintain records of serious occupational injuries and illnesses using the OSHA 300 Log.
    - Exempt: Employers with 10 or fewer employees
- Recordable injury: injury that results in any of the following: death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness.
- Must generate, sign to certify, and post OSHA Form 300A, Summary of Injuries and Illnesses, February 1st through April 30th annually.
  - **20 to 249 employees must submit injury and illness summary (Form 300A) data to OSHA electronically Injury Tracking Application (ITA) NAICS 5617 (561730 Landscaping Services)**
  - **https://www.osha.gov/injuryreporting/**
  - **Maintain records for *5 years*.**



OSHA's Form 300 (Rev. 01/2004)

Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 20__

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

Year 20__ __

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

OSHA's Form 301

Injury and Illness Incident Report

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

This *Injury and Illness Incident Report* is one of the first forms you must fill out when a recordable work-related injury or illness has occurred. Together with the *Log of Work-Related Injuries and Illnesses* and the accompanying *Summary*, these forms help the employer and OSHA develop a picture of the extent and severity of work-related incidents.

Within 7 calendar days after you receive information that a recordable work-related injury or illness has occurred, you must fill out this form or an equivalent. Some state workers' compensation, insurance, or other reports may be acceptable substitutes. To be considered an equivalent form, any substitute must contain all the information asked for on this form.

According to Public Law 91-596 and 29 CFR 1904, OSHA's recordkeeping rule, you must keep this form on file for 5 years following the year to which it pertains.

If you need additional copies of this form, you may photocopy and use as many as you need.

Completed by _____

Title _____

Phone (_____)_____–_____ Date ____/____/____

Information about the employee

1) Full name _____

2) Street _____

City _____ State _____ ZIP _____

3) Date of birth ____/____/____

4) Date hired ____/____/____

5) ☐ Male
☐ Female

Information about the physician or other health care professional

6) Name of physician or other health care professional _____

7) If treatment was given away from the worksite, where was it given?

Facility _____

Street _____

City _____ State _____ ZIP _____

8) Was employee treated in an emergency room?
☐ Yes
☐ No

9) Was employee hospitalized overnight as an in-patient?
☐ Yes
☐ No

Information about the case

10) Case number from the Log _____ *(Transfer the case number from the Log after you record the case.)*

11) Date of injury or illness ____/____/____

12) Time employee began work _____ AM / PM

13) Time of event _____ AM / PM ☐ Check if time cannot be determined

14) ***What was the employee doing just before the incident occurred?*** Describe the activity, as well as the tools, equipment, or material the employee was using. Be specific. *Examples:* "climbing a ladder while carrying roofing materials"; "spraying chlorine from hand sprayer"; "daily computer key-entry."

15) ***What happened?*** Tell us how the injury occurred. *Examples:* "When ladder slipped on wet floor, worker fell 20 feet"; "Worker was sprayed with chlorine when gasket broke during replacement"; "Worker developed soreness in wrist over time."

16) ***What was the injury or illness?*** Tell us the part of the body that was affected and how it was affected; be more specific than "hurt," "pain," or sore." *Examples:* "strained back"; "chemical burn, hand"; "carpal tunnel syndrome."

17) ***What object or substance directly harmed the employee?*** *Examples:* "concrete floor"; "chlorine"; "radial arm saw." *If this question does not apply to the incident, leave it blank.*

18) ***If the employee died, when did death occur?*** Date of death ____/____/____

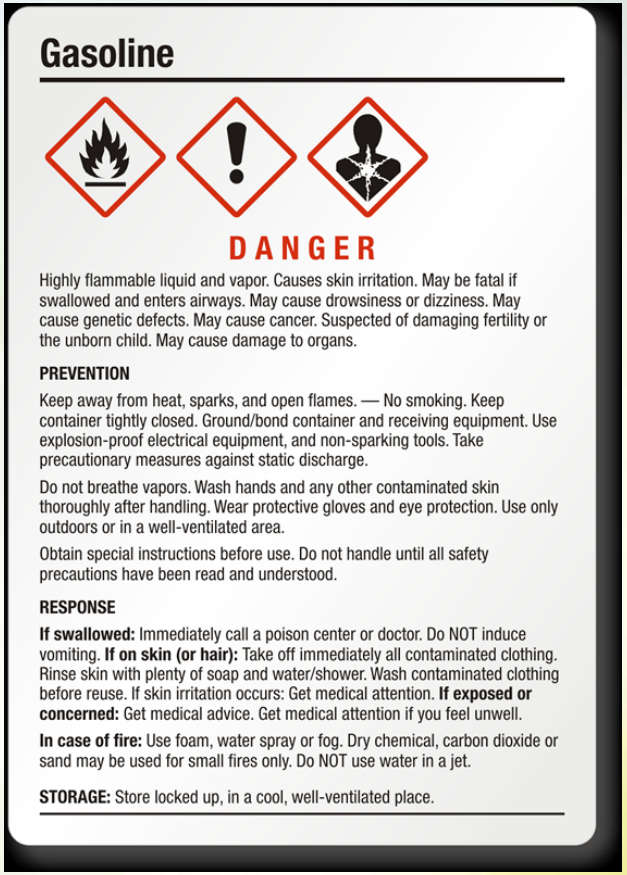
Public reporting burden for this collection of information is estimated to average 22 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons are not required to respond to the collection of information unless it displays a current valid OMB control number. If you have any comments about this estimate or any other aspects of this data collection, including suggestions for reducing this burden, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

Emergency Preparedness and Fire Prevention

- Procedures for reporting a fire or other emergency;
- Procedures for emergency evacuation, including type of evacuation and exit route assignments
- Procedures to be followed by employees remaining for critical plant operations before they evacuate;
- Procedures to account for all employees after evacuation;
- Procedures to be followed by employees performing rescue or medical duties; and
- The name or job title of employees who may be contacted when more information about the plan or an explanation of duties is needed.
- Annual Training

Hazard Communication Program

- Inventory of all hazardous chemicals in the workplace
- Labeling or marking each container of hazardous chemical
- Maintenance of Safety Data Sheets (SDS's) on the project
- Performing non-routine tasks with chemicals
- Employee training on the hazards from these chemicals

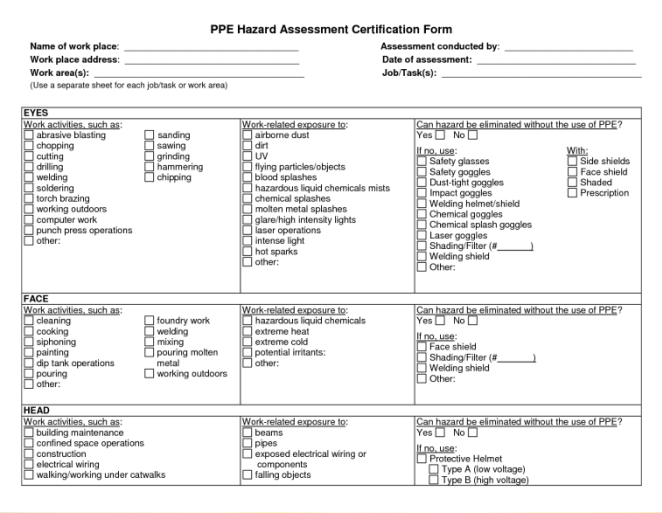


Hearing Conservation Program

- Occupational noise levels must be evaluated to determine if a hazard exists and if so, what controls must be implemented.
- If noise levels exceed OSHA standard at or above an **8-hour TWA of 85 or 90 (General vs Construction) decibels**, then a formal Hearing Conservation Program must be established, to include:
  - Noise monitoring
  - Provision of hearing protection
  - Employee training
  - Initial and periodic hearing examinations

Personal Protective Equipment
Hazard Assessment

- Each employer is required to perform and document a certification of hazard assessment of the workplace to determine if hazards exist that make the use of personal protective equipment (PPE) necessary. General Industry required, best practice for Construction.



PPE Hazard Assessment Certification Form

Name of work place: _____ **Assessment conducted by:** _____

Work place address: _____ **Date of assessment:** _____

Work area(s): _____ **Job/Task(s):** _____

(Use a separate sheet for each job/task or work area)

EYES

Work activities, such as:	Work-related exposure to:	Can hazard be eliminated without the use of PPE? Yes ☐ No ☐
☐ abrasive blasting ☐ chopping ☐ cutting ☐ drilling ☐ welding ☐ soldering ☐ torch brazing ☐ working outdoors ☐ computer work ☐ punch press operations ☐ other: ☐ sanding ☐ sawing ☐ grinding ☐ hammering ☐ chipping	☐ airborne dust ☐ dirt ☐ UV ☐ flying particles/objects ☐ blood splashes ☐ hazardous liquid chemicals mists ☐ chemical splashes ☐ molten metal splashes ☐ glare/high intensity lights ☐ laser operations ☐ intense light ☐ hot sparks ☐ other:	If no, use: ☐ Safety glasses ☐ Safety goggles ☐ Dust-tight goggles ☐ Impact goggles ☐ Welding helmet/shield ☐ Chemical goggles ☐ Chemical splash goggles ☐ Laser goggles ☐ Shading/Filter (#_____) ☐ Welding shield ☐ Other: With: ☐ Side shields ☐ Face shield ☐ Shaded ☐ Prescription

FACE

Work activities, such as:	Work-related exposure to:	Can hazard be eliminated without the use of PPE? Yes ☐ No ☐
☐ cleaning ☐ cooking ☐ siphoning ☐ painting ☐ dip tank operations ☐ pouring ☐ other: ☐ foundry work ☐ welding ☐ mixing ☐ pouring molten metal ☐ working outdoors	☐ hazardous liquid chemicals ☐ extreme heat ☐ extreme cold ☐ potential irritants: ☐ other:	If no, use: ☐ Face shield ☐ Shading/Filter (#_____) ☐ Welding shield ☐ Other:

HEAD

Work activities, such as:	Work-related exposure to:	Can hazard be eliminated without the use of PPE? Yes ☐ No ☐
☐ building maintenance ☐ confined space operations ☐ construction ☐ electrical wiring ☐ walking/working under catwalks	☐ beams ☐ pipes ☐ exposed electrical wiring or components ☐ falling objects	If no, use: ☐ Protective Helmet ☐ Type A (low voltage) ☐ Type B (high voltage)

Personal Protective Equipment Training

- The employer shall provide training to cover who is required to use PPE to know at least the following:
  - When PPE is necessary;
  - What PPE is necessary;
  - How to properly don, doff, adjust and wear PPE;
  - The limitations of the PPE; and,
  - The proper care, maintenance, useful life, and disposal of the PPE.

- Retraining is required:
  - Changes in the workplace or types of PPE required render previous training obsolete, or
  - Inadequacies in employee's knowledge or use indicate the employee has not retained the requisite understanding or skill.

Respiratory Protection

- Evaluate employee exposures to determine the need for Respiratory Protection
- Procedures for selecting respirators
- Medical evaluations & annual fit testing procedures
- Procedures for proper use in routine and reasonably expected emergencies
- Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respirators
- Ensuring adequate air quality for supplied air respirators
- Employee training relative to the hazards to which they are exposed
- Employee training (annually) relative to the proper use of respirators
- Procedures for regularly evaluating the effectiveness of the program

Electrical Safe Work Practices

- Document safety-related work practices used to prevent electric shock or other injuries (arc flash) resulting from direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized.
- The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.
- Live Electrical Work Permit and/ or Procedures
- Qualified Electrical Worker Requirements

Silica Exposure Control

OSHA's new standard is referred to as a "Substance Specific Standard"

- New "Action Level" of 25 µg/m3 and new "Permissible Exposure Limit (PEL) of 50 µg/m3 (both as 8-hour TWAs)
- Written Exposure Control Plan
- Competent Person
- Medical Surveillance Program
- Housekeeping
- Respiratory Protection (refers to 1910.134)
- Employee Training

Download Toolkit

http://www.ehscompliance.com/silicatoolkit.html

Use "ProGreen" for 15% savings

Bloodborne Pathogens Exposure Control Plan

If the potential exists for employee exposure to blood or other body fluids in the course of normal duties, the company is required to implement a written program to control exposure including:

- Exposure determination
- Employee training
- Engineering controls
- Personal protective equipment
- Hepatitis B Vaccination
- Post exposure follow-up
- Labeling and color-coding of hazards
- Laundry and waste disposal procedures

Fall Protection

- In General Industry, exposure to a fall of 4 feet or greater requires fall protection and training
- Construction industry it is 6 feet
- Proper use of ladders or scaffolds does not require fall protection
- Guard Rail Systems
- PFAS include a full body harness and lanyard

Trenching and Excavation

- 5 Feet or deeper require protective system
- 20 feet or deeper requires registered PE to design
- Daily inspection by competent person
- Safe access
- General Trenching and Excavation Rules
  - Keep heavy equipment away from trench edges
  - Identify other sources that might affect trench stability
  - Keep excavated soil (spoils) and other materials at least 2 feet (0.6 meters) from trench edges
  - Know where underground utilities are located before digging

Trenching and Excavation

- General Trenching and Excavation Rules
  - Test for atmospheric hazards such as low oxygen, hazardous fumes and toxic gases when > 4 feet deep
  - Inspect trenches at the start of each shift
  - Inspect trenches following a rainstorm or other water intrusion
  - Do not work under suspended or raised loads and materials
  - Inspect trenches after any occurrence that could have changed conditions in the trench
  - Ensure that personnel wear high visibility or other suitable clothing when exposed to vehicular traffic

Safe Work Practices

- General Company Policy
- Hand and Power Tools
- Material Handling Tasks and Tools
- Manual Lifting Policy and Guidelines

Powered Industrial Trucks

- Employee Training and Certification
  - Truck Operations and Limitations
  - Workplace related topics
  - Classroom and driving examination required
  - Training is required every 3 years and/or following an incident

Compliance and Worker Compensation

- Independent, but work closely together
- Core focus on compliance will drive loss out of your business
- The connection is with your Workers Compensation Policy's Experience Modification Factor

Experience Modification Rating (EMR)

- Directly affects Policy Pricing…..more importantly….
  customers use the experience mod as a measure of how safely a company operates--and will shut out companies from bidding on work if their modifier is higher than a 1.00
- Policy Pricing - modifier is 1.25, you get a 25% surcharge on your premium. If your modifier comes out at a .75, you get a 25% discount
- Calculated using past 3 years of policy period….one bad year will impact the rating for three years until is drops out of the calculation

Third Party Contractor Qualification

- How does a customer find out about your EMR?
- Third Party Contractor Qualification evaluation of your company's safety program is increasing
  - ISNetworld®
  - Avetta®
  - PEC Premier®
  - Browz®
  - PICS®
- Critical connection between compliance and workers compensation

Recommendations

- Develop and implement a safety management system
  - Management Leadership
  - Worker Participation
  - Hazard Identification and Assessment
  - Hazard Prevention and Control
  - Education & Training
  - Program Evaluation and Improvement
- Integrate safety practices at same priority as quality and productivity
- Generate safety practices to become a “Habit”

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Thank you!

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Hellman & ASSOCIATES
BUILDING PARTNERSHIPS FOR A SAFER WORKPLACE

OSHA VPP Star Site