



SAFETY Factor

**WHERE IS THE DISCONNECT?
PLAN FOR THE SAFETY FACTOR**

Tracy Kaleo – GC Safety Manager



AMERICAN
SUBCONTRACTORS
ASSOCIATION
METRO WASHINGTON
THE FIRST & FOUNDING CHAPTER OF ASA

STRETCH-N-FLEX

Prevents Injuries

Get Up & Stretch!



Agenda



01. Introduction

Presentation Request

Objectives

Who is the presenter?

Who is the audience?

03. What does the contract say?

Don't SKIP the SAFETY FACTOR of the CONTRACT!

02. What the heck are they talking about?

Brain Teaser – Safety's secret language – decode the acronyms.

04. Common Thread

Each Project Manager is the coach of his project team.

Know the playbook before you send them out to the field!

05. Scenario Reviews

Case studies,

Share your personal experiences?

Presenter Request

Be in the Room – Make Your Time Count!

- Prisoner
- Tourist
- Partner

Silence your phone- avoid answering text during presentation

Address text messages and phone calls during bio breaks and/or step away from room

Respect one person rule

No Question and/or Answer is DUMB!

Workshop space is a Circle of Trust

No RANK in the room

All words are spelled correctly even if they aren't spelled !

All words are said correctly even if you may say it differently

Engage in Break Out groups

Know the proper Emergency Exit procedures

Have FUN!

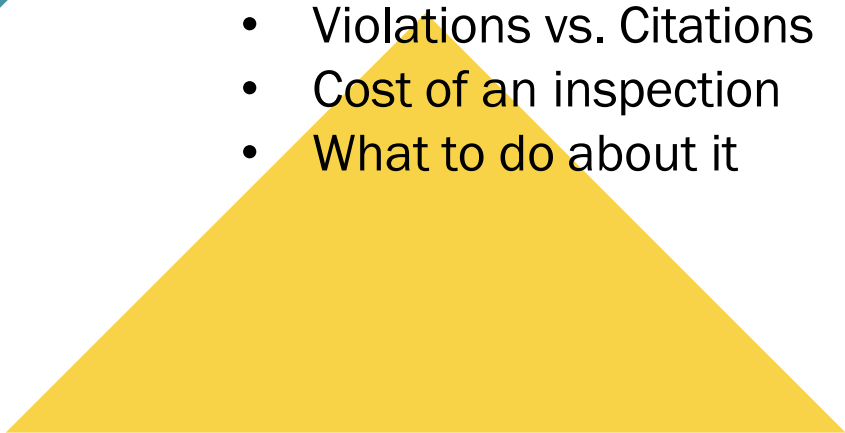



Objectives:

Identify the disconnect and how to fix it.

- Project Team
- Contracts
- Submittals
- Scope of Work unforeseen

Understand an OSHA Inspection

- 
- How does an inspection proceed
 - Violations vs. Citations
 - Cost of an inspection
 - What to do about it
- 

Introduction

Who is the presenter?

Tracy Kaleo
DPR Construction
(813) 520-5309
tracyk@dpr.com
Maryland Safety Manager



Who is the audience?

- Name
- Company
- Title
- Years in the Industry
- What attracted you to a career in construction?



OR





Brain Teaser TIME

What are they talking about?

1. The JHA needs SDS attached.
2. The PTP will need SECP attached, and both need to be posted in CAZ with proper signage.
3. Do not go beyond this point without proper PPE.
4. Provide company EHSP with submittals along with project specific SSSP.
5. Identify your onsite CP with all safety submittals along with training information.

5 MINUTE BRAIN TEASER SHEET



Brain Teaser TIME

What are they talking about?

BREAK OUT GROUP

ONE



HIDDEN COST AND TIME DELAYS IN CONSTRUCTION

Not So Obvious Cost of Construction Delays

How the domino effect cuts into your bottom line; Here are just a few effects:

- Ties up manpower and resources-increases cost for your company and your sub-tiers
- Extended general requirements and conditions – trailers, sea cans, equipment rental
- Disruption to company cash flow- monthly payments come in lower than projected
- Material price increases – being ordered later than originally anticipated
- Increase cost to storing materials off site and onsite – due to extended elements, theft/damage, moving material back and forth for logistics.
- Penalties/fees associated with not meeting schedule demands

AND then there's..... The Safety FACTOR!




Safety FACTOR of a contract.



- What does the GC EHSP require and where is it located in a contract?
- What are the specific safety requirements for your trade's contract scope of work?
- What are the specific safety requirements for your sub-tier contractor's scope of work which is being supplemented.
- What does the appendix, addendum, exhibit for the contract site specific safety "Best Practices" say?
- Do your JHA/AHA's reflect project specific requirements or are you just submitting your generic template for the scope of work?




What experience can you share that the Safety FACTOR was not considered or understood for a project and insufficient pre-planning cost your bottom-line unforeseen money?



Subcontract

Provide all labor, materials, equipment and supervision required to complete all of the work for the project as specified and as shown and as further modified and/or clarified in the drawings below, which are attached hereto and hereby made a part here of.

- EXHIBIT A** - SUBCONTRACT GENERAL CONDITIONS
 - EXHIBIT B** - SUBCONTRACT BUSINESS TERMS
 - EXHIBIT C** - SCHEDULE OF WORK
 - EXHIBIT D** - SUBCONTRACT PRICING
 - EXHIBIT E** - PROJECT SCHEDULE REQUIREMENTS
 - EXHIBIT F** - SCHEDULE OF DOCUMENTS
 - EXHIBIT G** - PROJECT SAFETY REQUIREMENTS
 - EXHIBIT H** - PROJECT SPECIFIC REQUIREMENTS
 - EXHIBIT I** - RECYCLING ATTACHMENT
 - EXHIBIT J** - INSURANCE REQUIREMENTS
 - EXHIBIT K** - SUBCONTRACTOR MODIFICATIONS
 - EXHIBIT L-1** - PROGRESS RELEASE OF LIEN WAIVER
 - EXHIBIT L-2** - FINAL RELEASE OF LIEN WAIVER
- 



4. THE CONTRACT DOCUMENTS

The contract documents for this Subcontract consist of this Agreement and the following listed documents:

Item / Description / Date:

- Exhibit A - Safety Standards
- Exhibit B - General Scope of Work
- Exhibit C - Trade Scope of Work
- Exhibit D - Construction Schedule
- Exhibit E - Insurance Requirements
- Exhibit F - Contract Drawings and Specifications
- Exhibit H - Subcontractor Final ROL
- Exhibit I - Stored Material Payment
- Exhibit J - Application for Payment
- Exhibit K - BIM Trade Coordination
- Exhibit L - Joint Check Agreement
- Exhibit M - LEED Requirements
- Exhibit N - Site Logistics
- Exhibit O - Prime Contract
- Exhibit P - Environmental Certification
- Exhibit Q - Project Special Requirements

Common Thread

- Regional Area GC Safety Committee
- WMASCA Organization
Meetings & Legislation

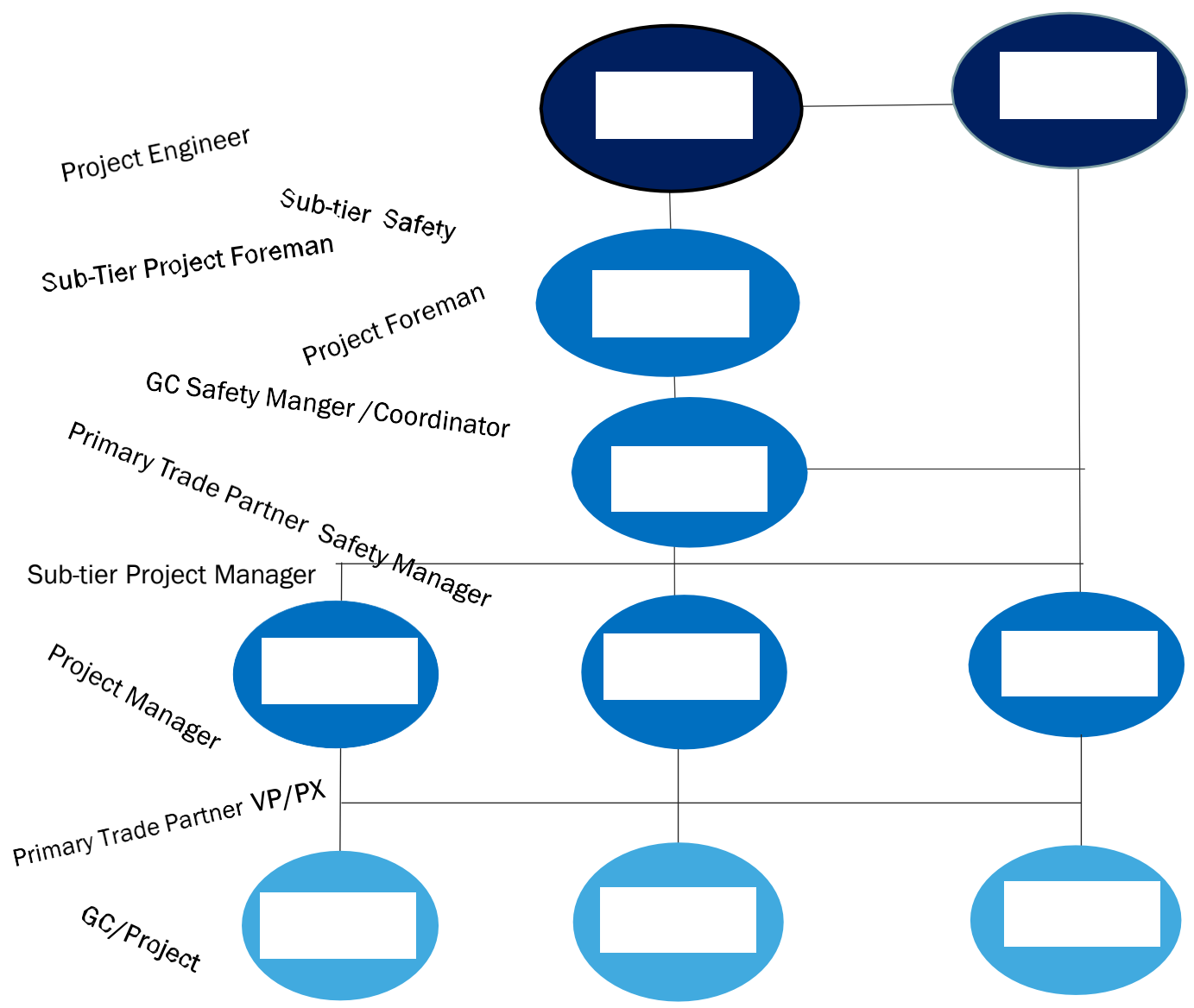
BREAK OUT GROUP

TWO

COACH your project team, this includes your sub-tiers.

Common Thread

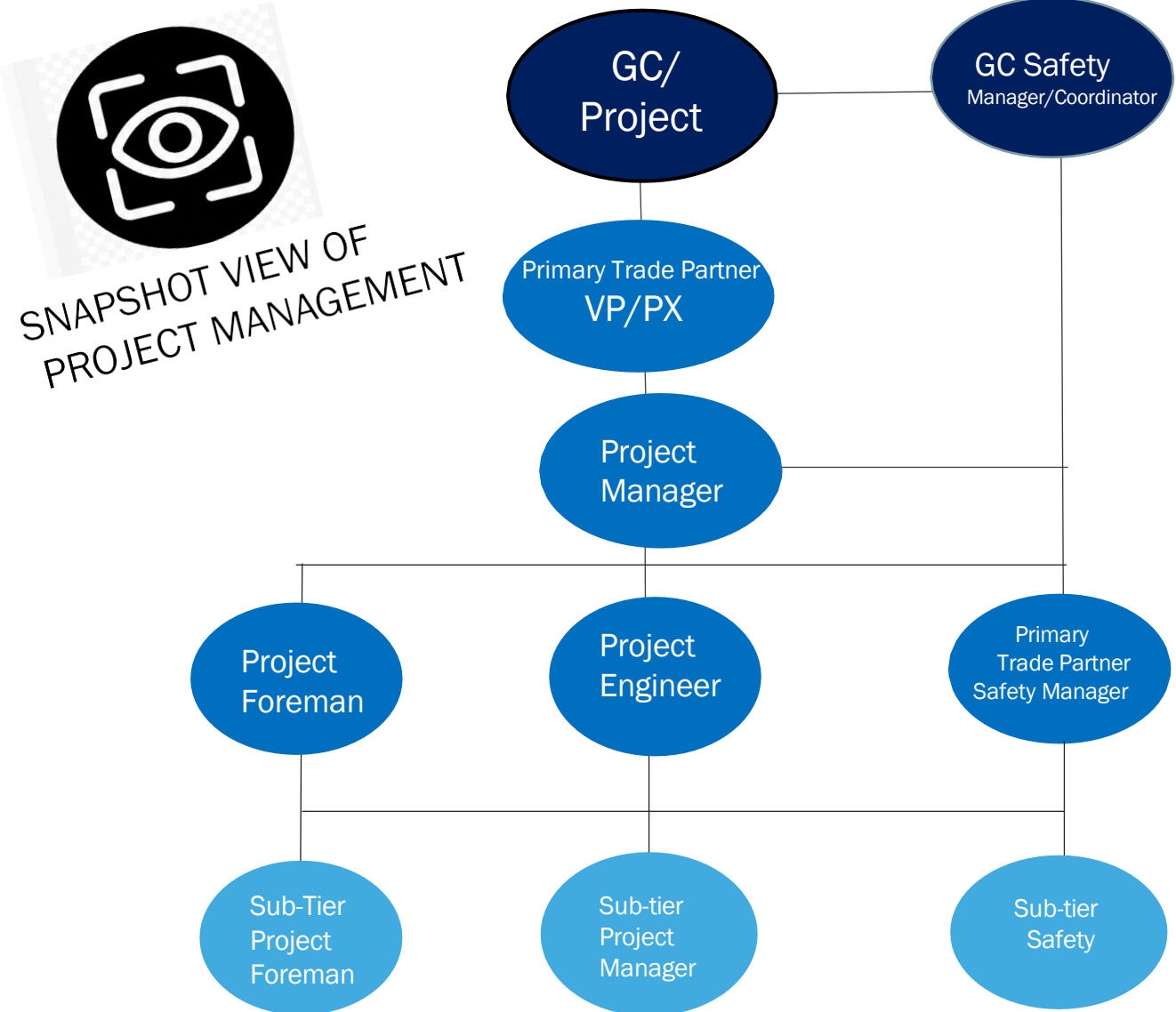
HAND OUT ACTIVITY



Common Thread

Regional Area GC Safety Committee – Meetings & Legislation

COACH your project team, this includes your sub-tiers





Common Thread



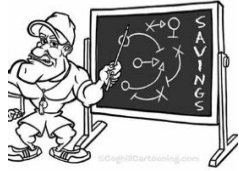
FOOTBALL METAPHOR



HEAD COACH

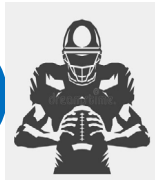


OFFENSIVE COORDINATOR



OFFENSIVE LINE COORDINATOR

Project Foreman



Project Engineer



SPECIAL TEAMS

Sub-Tier Project Foreman



Sub-tier Project Manager

GC Safety Manager/Coordinator

GC/Project

Primary Trade Partner VP/PX

Project Manager

Primary Trade Partner Safety Manager

Sub-tier Safety

The Competition Committee - rules and regulations



PLAN FOR THE SAFETY FACTOR?



- BID WITH THE SAFETY FACTOR KNOWLEDGE
- CONTRACT KNOWLEDGE IS MONEY
- EHS PRE-CON MEETING EXPECTATIONS
- PROJECT SPECIFIC JHA/AHA FIELD READY

PLAN FOR THE SAFETY FACTOR?

- Anchor & Retractable... Or Scaffold Access System?
- A Frame ladder...Or Platform/Podium ladder?
- Ladder...Or Scissor Lift/Lift Pod?
- Scissor Lift...Or Scaffold system?
- Bottle of Water...Or Switch Tank...Or Water Integrated Tool?
- Dry Sweep...Or Wet Sweep...Or WET VAC?
- Regular Filter...Or HEPA Filter?
- Regular Safety Eye Protection...Or Goggles...Or Face Shield?
- General Gloves...Or A Cut Level Glove?
- Tools (handheld)... Or Tethered Tools?



PLAN FOR THE SAFETY FACTOR?

BREAK OUT GROUP

THREE



SCENARIO's

1. Elevated contract scope of work in a five-floor stairwell was planned with use of ladders and scissor lifts for primary subcontractor and their involved sub-tiers. The GC rejects the submitted plan and requires a scaffold access system installed for this stairwell activity for all subcontractors needing access to perform scope of work in this work zone. This activity also requires a spotter at all access/egress points of the CAZ areas.

2. Contract scope of work is elevated and near multiple unfinished shaft openings. Most of the contract scope of work is performed near the shaft openings that will have appropriate guardrail protection, The scope of work has been planned to use A-Frame ladders with PFAS and use of tool bags for the tools. The GC contract requires podium/platform ladders and PFAS for heights over ten feet and specifies NO A-Frame ladders. Along with the specifics for the ladders, the GC contract indicates the requirement for elevated work to use tethers for all tools during the elevated scope of work. This affects primary subcontractor and sub-tier contractors.

3. GC requires all primary subcontractors and their sub-tier contractors to use industrial safety helmet on all their projects. All Primary subcontractors shall require this to all their sub-tier contractors. The Primary subcontractor did not put this stipulation in their contract to each of their sub-tiers that have been awarded the work. The iconic hard hat with removable chin strap is not acceptable, but a sub-tier team of six people tried mobilizing with regular iconic hard hats and no chin strap. They were not allowed to mobilize. This caused them to have to reject a material delivery of product and their fab shop delivery of gang boxes, etc.

4. GC Corp of Engineer/EM385-1-1 project requires all contract field personnel must be American citizens (show proof) and requires all products/material is USA American made. The contract safety details states: Each trade has a competent person onsite at all times, and that competent person must have EM385-1-1 24 HR fall protection certification . The training card is required to be submitted as this training has an annual renewal requirement. How does this affect the primary contractor and their sub-tier contractors.

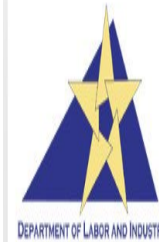
5. GC safety details require that if a trade/subcontractor has 15 workers or more they shall have a full-time safety representative onsite This is required of primary contractor, and each of their sub-tiers. That safety representative will be required to be provide full time safety support and can not hybrid their roles and responsibilities, this individual will also have to have technical means to provide a daily safety observation on the GC's safety inspection software platform (GC can provide training). The GC project team require a resume review of this individual prior to mobilization to accept their credentials.

OSHA COMES A KNOCKIN'

MOSH



VOSH



Department of Labor and
Industry ↗

[HTTP://WWW.DOLL.VIRGINIA.GOV/](http://www.doll.virginia.gov/)

OSHA COMES A KNOCKIN'

Agenda

1. OSHA COMES A KNOCKIN

The 3 E's of safety on a construction site
TOP 10 Most Cited OSHA Violations of 2022
Construction Industry incident STATS for USA

2. OSHA penalties

OSHA Violations vs. Citations
Type of Violations
Facts on OSHA Violation Penalty Fees
Posting requirements

3. OSHA INSPECTION GUIDE

What provokes a safety investigation
The Four Main Stages of an OSHA Inspection

4. BREAK OUT GROUP

Review and Discuss

5. CONCLUSION

PLAN FOR THE SAFETY FACTOR?

What are the 3 E's of safety at a construction site?

The three E's are education, enforcement, and encouragement. We can prevent an accident from happening by educating ourselves and others about safety and having behavior base safety projects.

Enforcement comes into play when any worker deviates from what's outlined by the Education part of our safety plans/programs.

The last E is Encouragement. Encouraging crew members to be safe will help reduce injuries at construction sites.

- Active Safety Cultures-Fundamentals of Safety
- Competent Person vs. Foreman
- Hierarchy of Control-Pre Plan
- Acknowledge a JOB well done!-Attaboy

The Fundamentals of EHS

What are they and how are they measured?

						
Safe Mindset	Engagement	Integration	Competence	Planning	Leveraging Data	Continuous Improvement
I am personally responsible and committed to my own well-being and that of others.	I am actively contributing to an incident free environment.	We Strategically align EHS into our entire business and the entire project lifecycle.	We ensure everyone has the knowledge, skills and behaviors to do their jobs safely.	We establish EHS goals, identify & mitigate risk in every phase of the project.	We capture and apply EHS data to influence and drive change.	We are committed to improving our culture through continued education, innovation and the application of lessons learned.



[Safety and Health Topics](#) / [Competent Person](#)

Competent Person

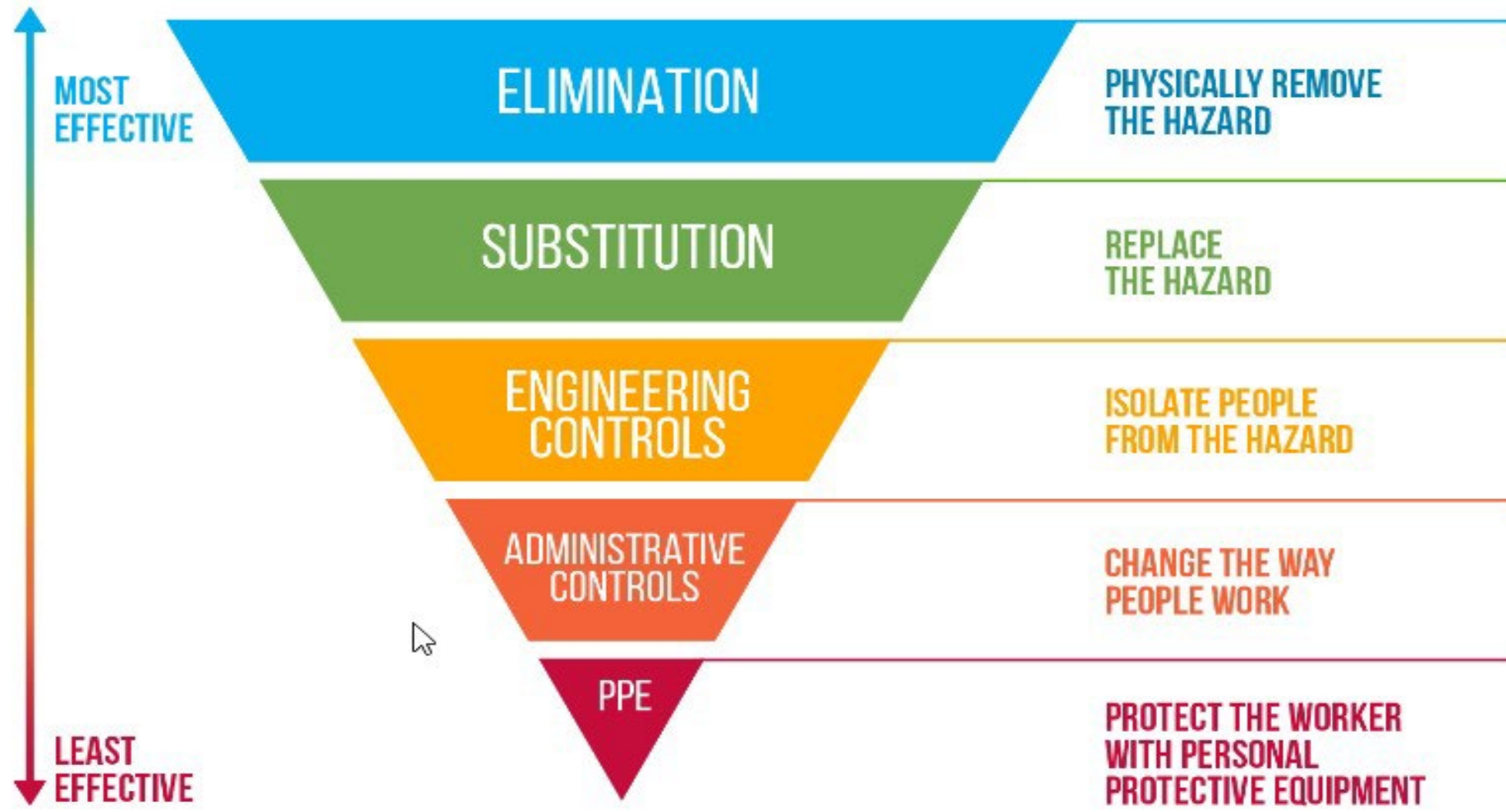


- [Home](#)
- [Standards](#)
- [Additional Resources](#)
- [Workers' Rights](#)

Overview

The term "Competent Person" is used in many OSHA standards and documents. An OSHA "competent person" is defined as "one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them" [29 CFR 1926.32(f)]. By way of training and/or experience, a competent person is knowledgeable of applicable standards, is capable of identifying workplace hazards relating to the specific operation, and has the authority to correct them. Some standards add additional specific requirements which must be met by the competent person.

HIERARCHY OF CONTROLS





PLAN FOR THE SAFETY FACTOR?

OSHA COMES A KNOCKIN'

TOP 10 Most Cited OSHA Violations of 2022

1. Fall Protection
2. Hazard Communication
3. Ladders
4. Respiratory protection
5. Scaffolding
6. Lockout/Tagout
7. Powered Industrial Trucks
8. Fall Protection- training requirements
9. Personal protective and lifesaving equipment – eye and face protection
10. Machine Guarding

PLAN FOR THE SAFETY FACTOR?

OSHA COMES A KNOCKIN'

TRIVIA FACTS:

Can OSHA Fine Employees?

- No, OSHA does not fine employees for workplace and jobsite safety violations. It is the employer's duty to provide and ensure a safe and healthy working environment that complies with all OSHA standards.

Where Do OSHA Fines Go?

- Fines are not used to fund OSHA and its operating expenses directly. Instead, collected fines go to the U.S. Treasury's general fund.

Are OSHA Fines Tax Deductible?

- No deductions may be taken regarding any fines or penalties paid to the government for violating any law.

Top Surprising Construction Industry Injury STATS for USA

1. Workers Compensation due to Construction accident and injuries estimate to be \$2.5 Billion in USA.
2. Construction companies can save an average of \$32,000 for medically consulted injury they prevent from happening
3. Construction injuries can cost a company more than \$50,000. For every \$1.00 invested in a safety program/training, a company saves \$8 on an incident or injury by implementing behavior base safety.(9% project cost consumes for site injuries where an EHSP program consumes 2.5% cost)
4. 150,000 construction workers injured every year. That is 1 in every 10 workers.
5. 25% of construction workers worry of getting injured. 55% construction workers feel they need safety training.
6. Construction laborers are ranked highest risk to fatal hazards/situations
7. Construction industry suffers a statistic average of 1,000 fatalities a year
8. 1.1% construction workers that suffers severe injuries and time away from work stay on long term disability.
9. Construction injury rates are 71% higher than other industries.
10. Self employed construction workers with up to 10 employees account for half of all fatal injuries.

Useless Trivia: Israel construction industry has the highest rates of construction accidents and injuries. Israel rates are twice as high as the European average.

Citations vs. Violations

Citations- usually corrective action motivated- (a warning that has a benchmark to correct). Sometimes has a financial penalty.

Violations- once an employer has failed to remedy the situation, citations become violations and depending on the severity of the violation, OSHA can decide on the fine value.

<u>TYPE</u>	<u>OSHA VIOLATION FIVE BROAD TYPES</u>	<u>FINES up to</u>
<p><u>Serious violations</u>- when life is threatened, and employees are at extreme or known risk. Example: Fall Hazards either of humans from up high or objects that could hit humans on the way down. *Penalties range from the height of the danger are called gravity based.</p>		\$14,502 per violation
<p><u>Other than serious violations</u>- violations that don't result in injury or death but can still compromise health. OSHA has room whether to assess a violation or citation and can waive fines up to 95% from the \$13,653 rate.</p>		\$14,502 per violation
<p><u>Willful or repeated violations</u> - occur usually when a violation is repeated within three years. Penalties can reach up to \$136,532.00 per violation. Willful violation is done almost on purpose and no resolution attempted.</p>		\$145,037 each/per day
<p><u>Posting requirement violations</u> - happen when you don't post OSHA required violation notices near an incident area</p>		\$14,502 per day
<p><u>Failure to abate violations</u>- are a failure to adequately respond and rectify a safety violation you've been warned about.</p>		\$14,502 per day unabated



Posting Requirements

When you receive an OSHA Notice, you must post it (or a copy of it) at or near the place where each violation occurred to make employees aware of the hazards to which they may be exposed. The OSHA Notice must remain posted for 3 working days or until the hazard is abated, whichever is longer. (Saturdays, Sundays and Federal holidays are not counted as working days).

Employer Options

As an employer who has been cited, you may:

- Correct the condition by the date set in the OSHA Notice and/or,
- Request an Informal Conference within 15 working days from the time you received the OSHA Notice with the OSHA Area Director to discuss the violations and/or the abatement dates.

PLAN FOR THE SAFETY FACTOR?

OSHA COMES A KNOCKIN' WHY?

Employee complaint inspection: employee complains about an occupational health or safety hazard.

Imminent danger inspection: These take priority over the other three types of inspections. If OSHA has reasonable certainty there is imminent danger that could lead to death or physical harm to employees, an inspection will occur within 24 hours

Programmed inspection: OSHA conducts random inspections in selected industries that involve hazardous or dangerous work to lower the number of hazards in the workplace.

Fatality and accident inspections: if an occupational fatality was recorded, a compliance officer will perform an inspection to determine whether the accidents occurrence was the employer's fault

PLAN FOR THE SAFETY FACTOR?

OSHA COMES A KNOCKIN'

The Four Main Stages of an OSHA Inspection

1. Presenting OSHA credentials

The compliance officer will immediately establish person in charge and present their OSHA credentials

2. The opening conference

The opening conference is performed and is usually only a brief presentation to explain:

- What triggered an OSHA inspection
- The purpose of the visit, and
- The scope of the inspection and the walkaround procedures

3. Walk around procedures

They will identify any hazards, especially pertaining to the reported incident or complaint.

Observations are documented via photographs and videos

If compliance officer sees necessary, private interviews that are voluntarily may be conducted.

Tools can be used to monitor and measure exposure to:

- Noise
- Air contamination such as dust and fumes
- Any other hazardous substances

4. Closing Conference

The officer will disclose the violations they observed and offer 4 suggestions to correct the observed workplace hazards

PLAN FOR THE SAFETY FACTOR?

OSHA COMES A KNOCKIN'

OSHA INSPECTION GUIDE

OSHA COMPLIANCE INSPECTION FORM

PLAN FOR THE SAFETY FACTOR?

BREAK OUT GROUP

FOUR



PLAN FOR THE SAFETY FACTOR?

What is the Hierarchy of Control Formula?

Share an example of a contract scope of work in which you have applied the Hierarchy of Control and has been reflected in the project specific JHA/AHA.

SAFETY IS EVERYONES RESPONSIBILITY!

