

# Managing and Enforcing Construction Safety Programs

## Managing Safety and Health in Construction

Implementing an effective safety and health program for your construction operations can help minimize loss, reduce employee turnover, and improve operational efficiencies. Proactive contractors that strive to implement best practice controls, instead of just meeting OSHA Standards, have the greatest success in managing their safety and health program. Management personnel should provide the necessary support and direction, and involve employees in all safety and health related matters, without trying to control the entire program. Contractors that attempt to control the safety and health program, from inception through implementation, rarely gain the trust and cooperation from their employees.

According to OSHA, the five basic program elements which comprise an effective contractor safety and health program are:

- Management's Commitment
- Employee Involvement
- Worksite Analysis
- Hazard Prevention and Control
- Safety and Health Training

### *Management's Commitment*

Protecting workers from occupational hazards takes leadership and commitment from top management, including ownership. Management should provide the general direction, motivating force, and the resources for the safety and health program. In an effective program, management regards worker safety and health as a fundamental value of the organization and demonstrates their concern for all workers throughout the company. Top management should assign responsibilities and authorities to supervisory personnel and hold them accountable, remain visibly involved in all aspects relating to safety and health, and ensure that workers are encouraged to report hazards, symptoms, injuries and illnesses.

### *Employee Involvement*

Employee involvement provides the means through which workers develop and express their own commitment to

safety and health, for both themselves and their fellow workers. In order to gain their trust and cooperation, employees need to be involved in all phases of the safety and health program because:

- Laborers are the persons most in contact with potential safety and health hazards at construction worksites. They have a vested interest in effective protection programs.
- Group decisions have the advantage of the group's wider range of experience.
- Employees are more likely to support and use programs in which they have input.
- Employees who are encouraged to offer their ideas and whose contributions are taken seriously are more satisfied and productive on the job.

Employees should be consulted when developing site-specific rules, be asked to participate on the safety committee, and be included in incident investigation and hazard correction procedures. In addition, experienced workers are a valuable resource to help train and mentor less experienced staff. If employees are not involved in the safety and health program, they will consider it just another management driven requirement that they must follow. Remember, active employee involvement is a means to gain trust and is an essential element in a successful contractor safety and health program.

### *Worksite Analysis*

Worksite analysis involves regularly scheduled jobsite surveys to identify existing hazards as well as conditions and operations in which changes might create hazards. Supervisory personnel should actively analyze construction worksites and operations to anticipate and prevent harmful occurrences. Components of an effective worksite analysis program include:

- Supervisors receive formal training in hazard identification and they fully understand the principles of controls.
- New equipment, materials, operations, or processes are evaluated before purchase and implementation.

- A written procedure for reporting hazards is developed and hazard abatement is verified in writing.
- Identified hazards and abatement measures are reviewed during employee training programs (i.e. toolbox meetings) and safety committee meetings.
- Site inspections and incident investigations are documented in writing.
- Injury and illness records are reviewed for trends and corrective action implemented to reverse identified trends.

### ***Hazard Prevention and Control***

An essential element in a contractor safety and health program is the timely correction of hazards that occur despite the overall efforts to prevent worksite hazards. Documentation is important so that management and employees have a record of the correction and can take the necessary precautions to prevent a reoccurrence of the hazard. Completed hazard correction forms should be reviewed during committee meetings and employee training sessions (i.e. toolbox talks).

The first approach and best strategy is to control the hazard at its source using engineering controls such as equipment redesigns, enclosures, barriers (i.e. guards, guardrails), and ventilation. After all reasonable engineering measures have been evaluated to control a worksite hazard, administrative controls should be considered. Examples of administrative controls include job rotations, relief workers, and safe work practices. When exposure to hazards cannot be engineered completely out of normal operations or maintenance work, and when safe work practices and other forms of administrative controls cannot provide sufficient additional protection, a supplementary method of control is the use of protective clothing or equipment, commonly termed personal protective equipment, or PPE. The use of PPE is usually the least protective method and should not be considered a primary method of control.

### ***Safety and Health Training***

Training of employees and supervisors is a means to communicate the company's safety and health program and is most effective when integrated into the company's overall performance requirements and job practices. Employee training should be conducted during jobsite orientations and reinforced during frequent meetings (i.e. toolbox talks). Employee training programs should include:

- All hazards that may be present at all work areas of the site (site specific)
- Established controls in place

- Rules and safe work practices
- Use and limitations of PPE
- Emergency procedures and drills

Request feedback following each training session to ensure that employees understand the training provided and make revisions to the training program as necessary. The ultimate goal of an employee training program is to ensure that all employees fully understand and accept their roles and responsibilities regarding safety and health.

Training of supervisory personnel is a vital component of a successful contractor safety and health program. Supervisors should be reminded of their roles and responsibilities and be encouraged to visibly support the program and always set a good example. Supervisors should receive training in company policies and procedures, hazard detection and control, incident investigation, handling of emergencies, and other technical safety subjects. In addition, non-technical training, such as ways to motivate employees and leadership skills should also be included.

### ***Enforcing Safety and Health Programs***

Once the five program elements of a contractor safety and health program are fully developed and implemented, a means to evaluate and enforce it should be established. Construction worksites should be evaluated on a continuous basis (i.e. daily) to ensure compliance with regulatory requirements, such as OSHA standards, and to ensure compliance with all provisions of the company's safety and health program. A safety and health program that is not enforced is worthless and will fail to meet the goals of the program.

The means to enforce a contractor's safety and health program is usually a complex issue. Relying solely on disciplinary procedures and/or a contractor fine structure for non-compliance is a strictly negative approach which may create tension, and thus little trust, between management and labor. Conversely, using only a positive approach to ensure compliance, such as with incentives, may not achieve the desired results since it wouldn't penalize potentially dangerous work conditions (i.e. employees not tied-off while working on elevated structures). The most effective method to ensure compliance with a company's safety and health program is to penalize poor behavior and reward exemplary behavior. Balancing these two approaches on a daily basis is a difficult task for the program administrator (i.e. Risk Manager or Safety Director).

### ***Disciplinary Action***

Although considered to be a form of negative reinforcement, the use of disciplinary action to penalize or punish non-compliance with the company's safety and health program can be quite effective. The written disciplinary policy should be incorporated into the company's safety and health program. The policy should be introduced to new employees during orientation training and clearly communicated to all employees on a regular basis, such as during weekly toolbox talks. Whatever form of discipline that is to be used, it must be clearly identified in writing so all personnel (supervisory and laborers) fully understand the consequences for failing to adhere to the program. An effective disciplinary policy leaves no room for interpretation and clearly identifies consequences for non-compliance and in the order of sequence if the penalty is based on more than one offense.

In order to be effective, the disciplinary policy must be enforced fairly amongst all employees and supervisors. The same policy and consequences should apply to a new employee that would apply to a seasoned foreman or to a member of top management. Allowing exceptions to the disciplinary policy will cause mistrust and will eventually lead to an ineffective policy. Employees will trust and respect management's disciplinary policy if they feel that all personnel will be treated fairly and equally.

Worksite inspections are the means to monitor compliance with the safety and health program, and thus must be conducted using the same level of frequency and detail for each jobsite. For example, if some foremen are more diligent than others in performing worksite inspections, then the disciplinary policy will not be enforced equally from job to job. Consistency among supervisory personnel, in both frequency and level of attention, is one of the most important elements of an effective disciplinary policy; however, it is most often lacking with the majority of contractors.

### ***The Action Should Fit the Crime***

It is unrealistic to administer the same penalty for every violation of a company's safety and health program. Some actions are either so egregious or severe that they could contribute to a catastrophic loss (i.e. lack of fall protection when working from heights) while others are relatively minor offenses (i.e. not wearing safety glasses). If the disciplinary policy doesn't distinguish types of unacceptable actions, by listing examples or grouping types (i.e. minor, moderate, severe), then it's trying to use the "one size fits all" policy which will cause much confusion and will lead to inconsistent

enforcement. The goal is to establish a policy that all personnel fully understand which is administered fairly and consistently for all personnel. The policy should not change by supervisor, work crew, or job site.

### ***Specific Action for Fall Protection***

A contractor's disciplinary program should include a specific policy regarding fall protection since non-compliance can easily result in severe or fatal loss. The term "100% fall protection" must be clarified since it can be interpreted differently among contractors. A true 100% fall protection plan:

- requires all personnel (employees, supervisors, subcontractors, guests, etc.) to be protected from falls six feet or greater, or less than six feet if dangerous equipment and/or materials are below;
- incorporates fall protection from the design stage through to project completion;
- requires employers to reexamine "traditional methods" of fall protection and utilize new fall protection technology and design; and
- does not allow alternative fall protection systems, such as controlled decking zones (CDZ), controlled access zones (CAZ), warning lines, or safety monitors to be the sole means of fall protection.

Since "100% fall protection" may mean different things to different people, specify exactly what the company allows and doesn't allow in regards to fall protection. In addition, specify the established consequence for the first and future offenses.

### ***Contractor Fines***

Another form of negative reinforcement is the use of contractor fines which penalizes the contractor whenever their employees are found in non-compliance with the project safety and health program. Many large construction projects incorporate a contractor fine system that helps ensure that a project will be completed as designed, on time, on budget, and with limited loss. The fine structure for a project is established by the building owner, construction manager (CM), and/or the general contractor (GC) and is usually included in the contractor specifications. Most specifications will list fines (\$) that may be levied against any contractor working on the site based on timeliness, quality, budget, and safety. For example, the contractor specifications could have a fine structure based on:

- Frequency and/or severity of injuries that occur
- Violations of the site safety program
- MOD rates
- OSHA penalties

Contractor fines are levied directly against a contractor working on a site for safety violations committed by any of their employees. Thus, one employee not using fall protection when required could result in their employer issuing disciplinary action against the employee as well as a fine levied by the GC against the subcontractor. Contractor fines help persuade subcontractors to adequately monitor and enforce their worksite on a regular basis. Similar to disciplinary action plans, contractor fines should fit the crime (or safety violation). Therefore, the contractor fine structure should be based on the gravity of the safety violation.

### **Financial Incentives**

Financial incentives can be an effective means to positively motivate safe behavior in construction. Examples include money (i.e. safety bonus), gift certificates, and profit sharing. Details of a company's incentive program should be included in their safety and health program and should clearly identify which job titles are eligible to receive financial incentives. Incentives should be based more on practicing safe behavior (i.e. maintaining safe work practices, following all elements of the safety program, developing a safer means of performing a work activity), and less on achieving a certain number of days without injuries. Basing an incentive program solely on the number of accidents is using a "reactionary" approach to safety and may reward a group (i.e. work crew) that has just been lucky. Using a "proactive" approach, which rewards safe behavior, will lead to reduced accidents and illnesses. As with disciplinary action, consistency and level of attention are required for an effective incentive program. The goal is to reward the same level of safe behavior across all jobsites.

#### **• Who's Eligible?**

Unfortunately, many financial incentive programs in construction are for supervisory personnel only. How motivated will an employee be on a jobsite if they know only their supervisor will be rewarded (financially) for safe behavior experienced by the work crew? Extending some form of financial incentives to employees (laborers), as well as supervisors, will provide employees with a feeling of ownership and empowerment. It will also send the message that management and ownership cares about them equally which will help gain the trust of their employees.

### **Peer Rewards**

The use of peer rewards are also a positive motivation tool that works very well along with financial incentives. Recognizing a supervisor or employee for exemplary behavior regarding safety can provide them with a feeling of accomplishment. Recognizing the individual

in front of their peers, such as during a safety meeting or awards celebration, is even more effective. Other examples of peer rewards include opportunity for job advancement, being selected for the safety committee, and being selected to mentor other employees.

### **Other Incentives**

Construction companies use a wide variety of other incentives that are neither financially based or peer awards but can be equally effective in motivating employees. Examples include:

- Group lunch
- Barbeque
- Jackets
- Shirts
- Hats
- Time off (early days, extra vacation day, etc.)

Incentives that reward groups (i.e. work crews, operational departments), rather than individuals, helps create a team environment and encourages employees to "watch out for each other". Management should be thoroughly involved in all incentive activities and enthusiastic when milestones are reached.

### **Balancing Incentives**

The milestones needed to achieve any form of incentive should be clearly defined, realistic in nature, and reasonably attainable. Avoid offering incentives that are so tempting that they contribute to unnecessary peer pressure and even possibly underreporting of injuries and illnesses. Do not include high value items (i.e. truck, flat screen TV, week's vacation, super bowl tickets) as safety incentives to avoid these issues. The incentive should be the reward and recognition for safe behavior (i.e. "pat on the back" for a job well done), not the primary driving force for safe behavior.

### **Monitoring**

A contractor's disciplinary policy and incentive program must be monitored on a continuous basis to ensure they're being administered fairly and consistently across the organization. If employees sense any unfair practices, exceptions, or favoritisms in the policies, they will not be motivated to work safely and they will not trust management. Worksite inspections are the means to monitor both the disciplinary policy and incentive program, and thus must be conducted using the same level of frequency and detail for each jobsite. All personnel assigned to monitor these programs must do so using the same criteria to ensure that all worksites are treated equally. Supervisory personnel should be monitored by senior management, safety personnel, and/or a third-party such as a consultant.

### Training

A contractor's disciplinary policy and incentive program should be reviewed with all affected personnel during orientation trainings, jobsite trainings (i.e. toolbox talks), formalized trainings (i.e. classroom training seminars), and during safety committee meetings. The level of training must be specific enough so all personnel fully understand the consequences they will face for non-compliance with the safety and health program (disciplinary policy). In addition, employees must be clear as to who (i.e. job titles) will monitor and enforce the disciplinary policy. All training programs should also include an outline of the company's incentive program, who is eligible for these incentives (supervisors and/or employees), criteria which must be met to achieve these incentives, and the frequency at which they will be available. Employees should be reminded that the incentive program can not, and will not, diminish accident reporting in any shape or form.

### Successful Enforcement

#### A SAFETY AND HEALTH PROGRAM THAT:

- Uses both disciplinary action and incentives;
- Is specific and well defined;
- Is clearly communicated;
- Is administered fairly and consistently; and
- Involves employees



#### WILL CREATE AN ENVIRONMENT:

- Of trust between employees and management
- To help change attitudes toward safety
- Of "teamwork"



#### WHICH WILL LEAD TO:

- Increased safe behaviors
- Less turnover
- Decreased incident rates
- Reduced costs
- Increased quality
- Operational efficiencies

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