



SAFETYTIMES

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Safety Success Story ~ OAK GROVE CONSTRUCTION, INC.

A great safety program requires a one-team approach



Doug Hamilton, President / Owner of Oak Grove Construction, relies on his 26 years of experience in construction to guide him in the development and execution of his company's safety program. Although Hamilton incorporates the help of a variety of organizations in the training and logistics of his safety programs, his personal experience as a survivor of a trench cave-in back in 1985 gives him a very different perspective on the dangers posed at the jobsite.

As a general engineering construction company, Oak Grove Construction's work includes grading, paving and underground construction. The company's showcase projects include Sonoma Academy, Carneros Inn and several Kendall Jackson Wineries. According to Hamilton wineries account for close to 65 percent of the company's projects, while commercial and high-end residential projects make up the remaining work. Heavy equipment like Graders, Excavators, Backhoes and Bulldozers are common machinery along with jackhammers and cut-off saws. Every jobsite has the potential for grave injury when safety is ignored.



Infineon Raceway Paving and slide repair.

Roger Hermsmeyer founded Oak Grove Construction Inc. in 1980. Hamilton completed his buyout of the company in 2005 and is pleased that Hermsmeyer has stayed with the company as a marketing specialist, equipment fleet manager, and as the company safety officer. The company has a staff of 7 office personnel and a current crew of 38 in the field.

Oak Grove Construction has a "one-team" philosophy when it comes to safety concerns and requires that all personnel, whether in the office or in the field, are trained to respond to any safety situation. Every member of the

"Safety really does pay when it comes to a lower mod rate and uninterrupted workflow."

company is trained to look out for the other guy, and each individual employee is required to attend training that is both specific to the individual's job and

general safety as well.

According to Hamilton, "I have a passion for safety because I care about people. My personal accident is a benchmark for understanding that just because a trench may be legal in the eyes of OSHA, it doesn't necessarily mean that the trench is safe. Experience is so important and having every member of Oak Grove Construction watching out for safety concerns improves our overall safety experience."

Safety starts at the top with the owner, key managers and superintendents being responsible for enforcing safety guidelines and directives. When it comes to safety, Hamilton personally interacts with each of his employees, both at the time of hire and throughout their term of employment.

Hamilton says, "I meet with every new hire and discuss our concerns for safety and

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COMP CORNER

Hallie Fraser
Workers' Comp &
Safety Director



STATE FUND FILES AN AVERAGE 10 PERCENT PREMIUM DECREASE

State Compensation Insurance Fund filed its sixth consecutive rate reduction, reflecting an average collectible premium decrease of 10 percent on new and renewal workers' compensation policies with an effective date on or after July 1, 2006. The filing also continues an additional 10 percent workplace safety credit for small employers (premium between \$1,000 and \$75,000 annually) with superior safety records.

Rates for State Fund policyholders have steadily fallen since July 2003, and now reflect a cumulative savings of 44 percent below pre-2004 rate levels. Contributing to the 10 percent reduction in collectible premium is a 6 percent reduction in manual rates. Policyholders renewing in July through December 2006 will see an average decrease of 24.4 percent below their expiring policies resulting from the combined effect of a 16 percent decrease taken in January 2006 as well as this 10 percent decrease effective on July 1st.

"This rate filing validates our commitment to pass on the savings from the 2004 reform legislation bringing further rate relief to California employers," said State Fund acting President James C. Tudor. "This filing ensures State Fund's continued financial strength to fulfill our mission to California

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Heat Illness Prevention Program

By Hallie Fraser, NCBE Workers' Comp & Safety Director

It's official. The heat illness standard (Section 3395 of the General Industry Safety Orders) was approved by the Occupational Safety and Health Standards Board at their June meeting. It is now a "permanent" regulation rather than an "emergency" regulation. The OAL (Office of Administrative Law) still needs to approve the final regulation and set the effective date, however, it is expected to be approved and the effective date is expected to be immediately.

The bottom line is that people are dying of heat related illness. There were 25 heat related enforcement investigations in 2005 and a little over half of the cases were deaths. 29% of all the cases were in the construction industry. If you haven't been complying with this standard and you are in construction, agriculture, or any "outdoor places of employment" where there is a risk of heat illness, you need to comply.

It is advisable that employers add their heat illness prevention procedures as an addendum to their IIPP (Injury and Illness Prevention Program). Here is what you need to do according to the standard:

- ▶ **PROVIDE WATER (§3395 (c)):** "Employees shall have access to potable drinking water meeting the requirements of Sections 1524, 3363, and 3457, as applicable. Where the supply of water is not plumbed or otherwise continuously supplied, water shall be provided in sufficient quantity at the beginning of the work shift to provide one quart per employee per hour for drinking for the entire shift."
- ▶ **ACCESS TO SHADE (§3395(d)):** "Employees suffering from heat illness or believing a preventative recovery period is needed, shall be provided access to an area with shade that is either open to the air or provided with ventilation or cooling for a period of no less than five minutes. Such access to shade shall be permitted at all times. Except for employers in the agriculture industry, cooling measures other than shade (e.g., use of misting machines) may be provided in lieu of shade if the employer can demonstrate that these measures are at least as effective as shade in allowing employees to cool." "Shade" is defined as blockage of direct sunlight. One indicator that blockage is sufficient is when objects do not cast a shadow.
- ▶ **TRAINING (§3395(e)):** "Training in the following topics shall be provided to all supervisory

and non-supervisory employees. (A) The environmental and personal risk factors for heat illness; (B) The employer's procedures for complying with the requirements of this standard; (C) The importance of frequent consumption of small quantities of water, up to 4 cups per hour, when the work environment is hot and employees are likely to be sweating more than usual in the performance of their duties; (D) The importance of acclimatization; (E) The different types of heat illness and the common signs and symptoms of heat illness; (F) The importance to employees of immediately reporting to the employer, directly or through the employee's supervisor, symptoms or signs of heat illness in themselves, or in co-workers; (G) The employer's procedures for responding to symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary; (H) The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider; (I) The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders."

In addition specific supervisory training must be provided: "Prior to assignment to supervision of employees working in the heat, training on the following topics shall be provided: (A) The information required to be provided by section (e)(1) above. (B) The procedures the supervisor is to follow to implement the applicable provisions in this section. (C) The procedures the supervisor is to follow when an employee exhibits symptoms consistent with possible heat illness, including emergency response procedures."

The standard also requires that the employer's procedures shall be in writing and shall be made available to employees and to representative of the Division upon request. You can find the full regulation and other resources (such as training tools) at <http://www.dir.ca.gov/DOSH/HeatIllnessInfo.html>

You may ask, what exactly are "heat related illnesses"? They include heat rash, heat cramps, heat exhaustion, and heat stroke.

- ▶ **MILD HEAT STRESS** – The least serious form of heat stress, is always reversible, and normally isn't dangerous unless the symptoms are

WORKERS' COMP TRUST (WCT)

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NCBE

WORKERS' COMP & SAFETY DIRECTOR

Hallie Fraser
NCBE
(707) 542-9502
(707) 542-2027 fax
hallie@ncbesafety.com

WORKERS' COMP & SAFETY REP

Kelley Keogh
(707) 542-9502
(707) 843-1632 cell
kelley@sonic.net

Workers' Comp Trust
P.O. Box 8070
Santa Rosa, CA 95407

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Heat Illness Prevention Program

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ignored. Signs and symptoms of mild heat stress include: Excessive sweating, painful spasms in muscles (heat cramps) that can occur during or after activity, red bumps on your skin and a prickling sensation (called heat rash or prickly heat), irritability, mild dizziness and/or weakness. Treatment includes: Rest in a cool or shady area out of the sun/heat, drink water and/or other fluids, use warm compress and massage for muscle cramps, use a mild lotion to relieve heat rash and keep skin dry and clean.

- ▶ **HEAT EXHAUSTION** – This stage of heat stress is more serious. The symptoms are normally reversible if treated promptly. Employee with heat exhaustion will need to take a break and may need medical attention: Symptoms include: Excessive sweating, cold, moist, and pale skin (or very flushed skin), thirst, extreme weakness or fatigue, headache, sometimes nausea, or loss of appetite, dizziness or giddiness, and a rapid, weak pulse. Treatment includes: Rest in a cool or shady area out of the sun/heat, drink water and/or other fluids, elevate feet 8 to 12 inches, use cool compresses on forehead, around the neck, and under armpits to help bring down body temperature. Further medical attention may be necessary depending on the severity of the symptoms. When in doubt, get medical attention immediately.
- ▶ **HEAT STROKE** – This stage of heat stress is serious, may be life threatening, and is a medical emergency. The symptoms are reversible but if not treated can lead to permanent brain damage and/or death. Signs and symptoms include: Lack of sweating, hot, dry, flushed skin, deep, rapid breathing, a rapid, weak pulse (may be irregular also), headache, nausea, dizziness, confusion, or delirium, loss of consciousness, and convulsions. Get medical assistance immediately. While waiting for medical personnel to arrive first aid measures that can be taken include: Get the person into a cool, shady place out of the sun, remove outer clothing or soak clothing with cool water, lower their body temperature with cool compresses, ice packs, cold soda cans (anything cold will help), increase air flow around the person. If they are conscious try to get them to drink water.

NCBE can help you comply with the requirements of this regulation. Contact Hallie Fraser, Workers' Comp & Safety Director, at (707) 542-9502 or hallie@ncbeonline.com.

A great safety program requires a one-team approach

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introduce our safety program to them. I also emphasize the importance for each member of the company to keep an eye out for other employees, since enthusiasm to get the job done is often the root cause of bypassing safety guidelines."

There are many facets of Oak Grove's safety program that are considered "zero tolerance." Pre-employment drug screening and functional capacity testing can prevent future accidents and are a part of the hiring process. Once an employee of the company, safety issues relating to drugs and alcohol, failure to use required ladders and shoring, failure to ventilate and sample confined space atmospheres and failure to wear a hard hat or other personal protective equipment when warranted, are grounds for termination.

Employees are required to take part in weekly tailgate meetings with topics relative to current projects. Other required training includes a mandatory computerized safety program provided by Engineering Contractors Association called "Click-Safety." Bi-annual paid training sessions that last up to four hours and end with a company social barbecue are also mandatory for all employees, as are annual reviews and CPR and First Aid training.

Safety really does pay when it comes to a lower mod rate and uninterrupted workflow. In an effort to prevent injuries, Hamilton enlisted the services of a chiropractor, Dr. Sheila O'Halloran, to conduct field observations of laborers and operators to determine lifting and repetitive stress exposures. Her recommendations included prevention exercises.

Hamilton said, "Some employees had reservations about introducing stretching exercises to the daily work schedule, but those expressed concerns soon became compliments when they realized the benefits."

The company asks for employees to interact with the safety program by



Solari Winery, St. Helena

introducing their own safety ideas and suggestions. Each quarter the company newsletter announces the winner of the "Quarterly Safety Award," which gives the employee a \$500 bonus. Introducing the idea and the award through the company newsletter also gives the company an opportunity to communicate their safety concerns with employees' family members.

Hamilton believes the majority of accidental injuries happen away from the jobsite, often in the home. He has hopes that the emphasis on safety in the workplace will carry over the next time a worker decides to clean the chandelier and stand on the "do not step here" level of the ladder.

Oak Grove Construction, Inc

3354 Regional Parkway
Santa Rosa CA 95403
(707) 525-1910



Sonoma Academy Keyway excavation, Santa Rosa





Safety Snippets

Upcoming NCBE Workers' Comp & Safety Seminars

No seminars are currently planned for July and August. Look for an updated listing for the Fall Seminar Series in the next SafetyTimes. You can also check online at www.ncbesafety.com for all safety-related seminars and www.ncbeonline.com for all seminars offered by NCBE.

Six Unsafe Attitudes

A poor attitude toward health and safety or a safe workplace can have just as much influence on behavior (negatively) as a positive attitude can. Attitude can make the difference in many parts of a person's life from public speaking to weight loss to relationships. When it comes to safety, it can be the difference between a great safety program where people feel good about coming to work and a work environment where people get hurt (or killed).

Six common phrases that can reflect an unsafe attitude are:

- 1) **"We don't have time"** – Investing time in safety training ultimately saves far more time than it loses for companies when you factor in lost work time for an injury or illness.
- 2) **"I know a short cut"** – Shortcuts, such as "walking" a ladder instead of climbing down, moving the ladder, then climbing back up, can lead to injuries.
- 3) **"I think this is the right way to do it"** – When in doubt refer to applicable regulations or ask someone who may know such as a supervisor, manager, safety person, etc.
- 4) **"Regulations don't change that often"** – Regulations should be considered works in progress, and employers need to stay updated on the rules that apply to their operations.
- 5) **"We'll fix it later"** – No employee should have to operate equipment that is broken or damaged or work in a danger-

ous area because an employer won't fix something. Defective items need to be taken out of service immediately.

- 6) **"It's not in the budget"** – While regular safety training is an expense, the costs (indirect and direct) of OSHA fines or an employee's injury or death are considerably more.

Now that you've recognized some of the unsafe attitudes, you can change them. Start chipping away at them one at a time. Don't allow shortcuts on your jobsites, make sure supervisors know there is zero tolerance; know what regulations apply to your industry and stay on top of changes and new regulations; fix faulty equipment immediately or take it out of service and fix items you find in an inspection right away; the time issue is a big one, think of training as an investment in your company and your employees. Carve out or budget time to do what needs to be done. Last but not least, make sure your employees know they can ask questions and come to a supervisor or manager with safety related issues and make sure your supervisors/managers listen and respond. Combining positive reinforcement with disciplinary action will turn around unsafe attitudes.

NCBE Safety Hotline

Have a safety question? Need a copy of a regulation? Want to set up a site inspection? Is OSHA coming to visit and you need urgent assistance with getting into compliance? Call NCBE's new Safety Hotline. It's a direct line to someone who can help. (707) 542-SFTY (7389).

COMP CORNER

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employers and their injured employees." He added, "We remain committed to ensuring a stable California marketplace."



NEW LAW WILL REQUIRE ALL ROOFING CONTRACTORS WITH ACTIVE LICENSES TO HAVE WORKERS' COMP COVERAGE

A new law signed by Governor Arnold Schwarzenegger on Friday, May 26th affects roofing contractors in California. AB881 contains new licensing requirements for all 6,000 licensees with an active Roofing (C-39) classification. If you hold the Roofing (C-39) classification you must take action as outlined below or your right to perform roofing work in California will be suspended until you comply with the new law.

Beginning January 1, 2007, all active licensees holding the Roofing classification must have either a valid Certification of Workers' Compensation Insurance or a valid Certification of Self-Insurance on file with the CSLB. AB881 amends Section 7125 of the Business and Professions Code to require that all Roofing contractors carry workers' compensation coverage, regardless of whether or not they have employees.

In addition, AB881 adds Section 11665 to the Insurance Code, requiring insurers who issue workers' compensation insurance to Roofing contractors to perform an annual payroll audit for the contractor. The insurer may impose a surcharge on the policyholder for the audit.



Contact Us

WORKERS' COMP TRUST

P.O. Box 8070
Santa Rosa, CA 95407
(707) 542-9502
(707) 542-2027 fax
email: hallie@ncbesafety.com
<http://www.ncbesafety.com>

