



## *Fines and Time or Safety*

Dear Valued Client,

As you may know, OSHA has been informing employers they will be fining serious injury and fatality incidents with more costly fines. Moreover, where acts by the contractor or supervisor are found to be negligent, whether by not following OSHA regulations or the company safety programs, these cases will and are being turned over to the local district attorney for prosecution. Well, these are not just words on paper; here is a recent example:

“A San Rafael-based engineering firm and an ex-foreman face misdemeanor charges in a 2015 fatal construction accident in which an employee was crushed to death near the side of Highway 101 by a 7,800-pound concrete pipe. Sonoma County prosecutors allege that the Heavy Civil Contractor and its former supervisor failed to take appropriate safety precautions in the April 15, 2015 accident that killed the employee.”

“The employee was working at a water pipe replacement project on Kastania Road in south Petaluma when another employee operating a forklift unloaded the 40-foot pipe onto sloping land. It began to roll and the employee, who was standing downhill, fell beneath it.”

“The employee struggled to hold the pipe steady until it crushed him and rolled down the hillside toward Highway 101, rolling over a fence and stopping short of the highway,” according to a criminal complaint filed by the District Attorney’s Office.

Prosecutors allege the Company and Supervisor, who was at the scene, failed to use chock blocks or other safety devices that could have prevented the accident. The ex-foreman and the firm are each charged with misdemeanor violations of the state labor code. They face statutory fines totaling more than \$2.5 million. In addition, the company was cited by workplace regulators with Cal-OSHA.

The entire article can be found at the link below.

<http://www.marinij.com/article/NO/20170117/NEWS/170119832>

# SafeALERT



ORCPG 2017 SafeAlert Series



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Please take the time to make sure your safety programs are updated at least annually, employees are trained for the task they are assigned to do, and supervisors are managing safety on the project. Periodically observe everyday work practices by employees. When a deviation from good safety practices occurs, such as complacency or a push for production over safety, correct them immediately and make it into a teaching moment. Effectively utilize the daily pre task planning meetings by making sure employees understand the task and the safe steps to complete it. Have the employees repeat processes or procedures back and discuss with each other. You may also do dry runs to ensure all tools and equipment are available and in place to get the job done safely.