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TABLE OF CONTENTS

NOVEMBER / DECEMBER 2019

5 President's Message

Yet another way to demonstrate safety practices

6 OSHA Rules Cause Confusion

Standards for walking and working surfaces sought consistency

8 Effective Compliance is Achievable

OSHA's fall protection standard in the construction industry

12 Is Your Case Really Closed?

Understanding exposure after injury settlement

16 World-Class Safety Performance

What ABC's STEP Safety Management System can do for you

20 Associated Builders and Contractors New Members

22 Associated Builders and Contractors Events

WORLD-CLASS SAFETY

WHAT ABC'S STEP SAFETY MANAGEMENT SYSTEM CAN DO FOR YOU



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FROM OUR PRESIDENT

Yet another way to demonstrate safety practices



WORKPLACE SAFETY IS VERY SERIOUS. IN CONSTRUCTION, IT SHOULD BE THE PRIORITY IN YOUR OPERATIONS.

Safety dominates what we do at ABC. We are pleased when we see members taking advantage of all that we have to offer regarding safety, including a wide range of safety training throughout the year and a full day of safety education for managers and field workers at SuperCon in February. Members also tap into our four full-time safety experts who are available to answer your questions, conduct jobsite inspections and even assist you with issues regarding OSHA. We provide educational tools regularly, with items such as toolbox talks and articles like those in this safety issue of the Wisconsin *Merit Shop Contractor* magazine.

There are also safety evaluation and recognition programs, such as the STEP Safety Management System and the Wisconsin Safety Awards that allow you to evaluate how close your company is to achieving world-class safety. While members can complete STEP throughout the year, the call for the

Wisconsin Safety Awards entries will come within the next few weeks.

We have also introduced a new safety awards program from the chapter Safety Committee. The Wisconsin Safety Best Practices Awards is a two-fold program. First, it recognizes the excellent work companies do to prevent and reduce hazards. It will also allow us to distribute those best practices to other employers so they may share them with employees to keep jobsites safer.

A best practice is defined as any specific, identifiable change implemented to reduce or eliminate a worker's exposure to a hazard at a work site. The Safety Committee will judge the entries, but contractor names will not be made known to the judges.

It's the goal of the ABC of Wisconsin Safety Committee to develop a "library" of best practices that could be shared across the membership. As with any program, participation is important.

I hope you will consider taking part at www.abcwi.org/SafetyBestPractices.

— John Mielke

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IT'S THE GOAL OF THE ABC OF WISCONSIN SAFETY COMMITTEE TO DEVELOP A "LIBRARY" OF BEST PRACTICES THAT COULD BE SHARED ACROSS THE MEMBERSHIP.



OSHA RULES CAUSE CONFUSION

*STANDARDS
FOR WALKING
AND WORKING
SURFACES
SOUGHT
CONSISTENCY*

By Charles Palmer — Michael Best

In late 2016, OSHA announced new rules for walking and working surfaces in general industry. Prior to the final rule, OSHA had announced that its intention was to make general industry standards consistent with construction industry standards. Unfortunately, OSHA was not entirely successful in its plans, and it created some new inconsistencies that contractors are just now realizing.

While contractors are still operating under the same construction industry standards that predated the 2016 changes, the new general industry standards matter to construction employers for several reasons. First, non-construction employers, whose employees are present at

jobsites, may be required to comply with a different set of standards, especially when construction is not occurring on the site. Second, the end user of a building will be subject to these new standards. Therefore, for liability and warranty purposes, contractors need to be aware of the differences between general industry and construction industry standards.


The most obvious of the differences, and one that most contractors know about, is the requirement to provide fall protection at heights of four (4) feet under the general industry standards, while the construction requirements apply at six (6) feet. If non-construction employers, such as vendors, customers, and even government employees are exposed to a four (4) to six (6) foot fall hazard, this could expose a contractor to liability,

even though there may be no violation involving the contractor's own construction employees. This is especially problematic when contractors are engaged in renovation of an active workplace, in which non-construction employees are present.

A much more subtle and confusing difference arose when OSHA issued the final rule for general industry regarding stair rail systems. Under the construction industry standard, a rail system on an open-sided stair is compliant if it has a 36-inch high top rail, and a mid-rail. The top rail can also serve as the hand rail. It had also been true that the top rail could serve as a hand rail under the general industry standards, and it appeared that would continue to be the rule under the new standard. However, when the final rule came out, the new general industry requirement stated that stair rails must have a top rail at least 42 inches high. Because the standard also states that hand rails cannot be greater than 38 inches high, the 42-inch top rail would be too high to be used as a hand rail. This created a design in which a stair rail must have a top rail, a mid-rail, and a separate handrail. (The three (3) rail system.)

But, OSHA also included a sentence in the new standard that says when the top rail serves as a hand rail, it must be 36 to 38 inches high. This implied that the top rail could serve as a hand rail. After the rule was issued, OSHA stated that this sentence only applied to stairs installed before 2017. So, instead of a two (2) rail system, the new standard should be read, according to OSHA, to require a three (3) rail system. Of course, this has been confusing for builders.

Confusing matters further, the diagram in the new standard shows a two (2) rail system for open-sided stairs. After a Wisconsin building supply company challenged OSHA on this interpretation, OSHA stated that the intention of the standard is indeed to require a three (3) rail system. But, OSHA also issued a memorandum indicating it will not enforce that until it publishes a clarifying memorandum, and that, for now, the two (2) rail system with a top rail 36 to 38 inches high will be considered compliant. Contractors should review this memorandum and consider whether, going forward, it is wise to build stair railing to meet the three (3) rail system described above. (i.e. top rail, mid-rail, and separate hand rail.) This may avoid future liability or warranty disputes.

The differences between construction and general industry standards must be considered whenever non-construction employees may be present at a job site. These differences must also be considered when the railings, or other fall protection devices installed by a contractor, will remain in place after the contractor leaves the premises. It is likely that other differences in the walking and working surfaces standards exist, and will create conflicts for contractors. Therefore, it is important that contractors who have any responsibility for fall protection on job sites understand the new general industry rules, consider whether to apply general or construction industry rules, and review their contractual obligations for compliance with these rules. 

Charles Palmer is a Partner and Sub-Practice Leader, Workplace Safety & Health for Michael Best.

IT IS LIKELY THAT OTHER DIFFERENCES IN THE WALKING AND WORKING SURFACES STANDARDS EXIST, AND WILL CREATE CONFLICTS FOR CONTRACTORS.



EFFECTIVE COMPLIANCE IS ACHIEVABLE

OSHA'S FALL PROTECTION STANDARD IN THE CONSTRUCTION INDUSTRY

By Joseph Gumina — O'Neil Cannon Hollman DeJong & Laing, S.C.

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alls have been and remain the number one cause of fatalities in construction. Falls cause one of every three construction worker deaths. These injuries and fatalities occur from falls from roofs, scaffolds, ladders, bridges and other work surfaces. OSHA's fall

protection standard in the construction industry, Subpart M, is quite simple: If you're working at a height six feet or higher, you need fall protection. Injuries and deaths from falls at a work site are preventable; employers just need to know and follow the applicable OSHA standards and have a workplace culture committed to safety. Common sense does not hurt either.

Fall Protection Inspections and Enforcement Remains an Emphasis for OSHA

Despite the simple nature of the six-foot height threshold that triggers the obligation to provide fall protection in the construction industry and the preventable nature of falls, violation of OSHA's general fall protection standard (29 C.F.R. § 1926.501) has been and continues to be the most frequently cited OSHA standard. For the 2019 fiscal year, OSHA assessed over \$29 million in penalties against construction contractors for violation of OSHA's general fall protection standard. It should not be surprising, then, that violation of OSHA's standard regarding training requirements for fall protection (29 C.F.R. § 1926.503) is also included in OSHA's top ten most frequently cited standards. OSHA assessed over \$2.5 million in penalties for the 2019 fiscal year against construction contractors for failing to adequately train their employees on fall protection.

In OSHA's Region V (which covers the states of Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin), over a three-year period (FY 2016 – FY 2018), there have been 90 fatalities resulting from falls. Because of the continued high rate of injuries and deaths from falls nationally and the high number of fall-related deaths regionally, OSHA's Region V, on Oct. 1, 2018, implemented a Regional Emphasis Program (REP) for fall hazards in construction and general industry. This REP expires Sept. 30, 2023. Generally, such regional programs are intended to address hazards for industries that pose a particular risk to workers at a regional level, and the enforcement directive set forth

in the REP is expected to be implemented by all OSHA area offices within the region. Employers within Region

V's jurisdiction will experience increased inspections and enforcement efforts of construction sites where fall hazards exist. OSHA inspections conducted under this REP would be initiated by OSHA Compliance Officers' observations, non-formal complaints, and referrals from outside sources.

Several employers within Region V have already felt the effects of OSHA's increased inspections and enforcement efforts of construction sites where fall hazards exist. Roofing contractors seem to be at the center of OSHA's enforcement efforts as they account for approximately half of the citations issued under OSHA's fall protection standard. In August 2019, for example, an employer was cited for multiple fall protection violations facing proposed penalties of \$252,136 for exposing employees to fall and scaffolding hazards while working on a commercial building, including failing to provide fall protection, install guardrail system on platforms, safe access to scaffold work platforms, and for failure to document fall protection training. Recently, a commercial roofing contractor faced penalties totaling \$220,249 for failing to provide fall protection, improper use of warning lines during low-sloped roof construction, unsafe use of ladder, and failing to designate a safety monitor. Earlier this year, a residential building contractor faced \$196,905 in penalties for exposing employees to falls and failing to train employees on fall protection.

Eliminate, Prevent, and Control Fall Hazards on the Worksite

Now is the time for all construction employers to make fall protection the centerpiece of their overall safety program to significantly reduce, if not eliminate, fall-related fatalities and injuries on their worksites and to avoid costly, and simply, unnecessary OSHA penalties. To achieve these objectives, construction employers should first focus to eliminate fall hazards at the worksite and not simply rely on personal fall protection systems to protect their workers. Elimination of fall hazards on a worksite is the most effective means of preventing fatalities and injuries due to falls. Elimination of fall hazards on a worksite can be accomplished, for example, by design-

**IF YOU'RE
WORKING AT
A HEIGHT
SIX FEET OR
HIGHER, YOU
NEED FALL
PROTECTION**

WHEN FALL HAZARDS CANNOT BE ELIMINATED ON THE WORKSITE, THEN EMPLOYERS NEED TO IMPLEMENT MEASURES TO PREVENT FALLS FROM OCCURRING IN THE FIRST PLACE.

ing work tasks that do not expose workers to heights greater than six feet from the ground or floor below.

When fall hazards cannot be eliminated on the worksite, then employers need to implement measures to prevent falls from occurring in the first place. Fall hazards can be prevented by use of guardrails and stairs, adequately covering open holes in floors and decking, and by erecting other barriers that prevents a worker from falling.

For workers that do fall, employers need to control the effects of a fall by providing adequate fall protection equipment to its workers. These controls ensure that if workers do fall, they don't die. Such fall protection systems include: (i) personal fall-arrest systems; (ii) positioning device systems; and (iii) safety-net systems. OSHA requires employers to inspect the integrity of the personal fall-arrest and positioning device systems for wear, damage, and other deterioration or defective components prior to each use; that means daily. OSHA requires that safety nets be inspected at least once a week for wear, damage, and other deterioration. It should be noted that while personal fall-restraint systems are not mentioned in OSHA's fall protection standards, Subpart M, OSHA does recognize a fall-restraint system as an effective means of preventing falls if the system tethers a worker in a manner with a proper harness, anchorage, connectors and other necessary equipment that will not allow a fall of any distance.

Fall Protection Training Should be at the Centerpiece of Construction Employers' Safety Programs

However, none of these efforts to either eliminate, prevent, or control falls will be effective without proper and adequate training of your workforce. According to OSHA's fall protection standard, Subpart M, 29 C.F.R. § 1926.503(a)(1) requires that "[t]he employer shall

provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards." Employers should interpret this standard as requiring more than simply having your workers watch a fall protection safety video or showing them the available safety equipment and telling them to use it and not to fall. OSHA's fall protection training standard is more demanding and is multi-dimensional.

First, fall protection training must be conducted by a "competent person." Under OSHA's standards (29 C.F.R. § 1926.32(f)), a "competent person" is a person capable of identifying existing and predictable hazards in the working conditions which are hazardous or dangerous to employees and who has the authority to take prompt corrective measures to eliminate them. The "competent person" must be qualified in the following areas:


- The nature of fall hazards in the work area.
- The correct procedures for erecting, maintaining, disassembling, and inspecting the fall protection systems to be used.
- The use and operation of controlled access zones; guardrail, personal fall arrest, safety net, warning line, and safety monitoring systems; and other protection to be used.
- The role of each worker in the safety monitoring system when the system is used.
- The limitations on the use of mechanical equipment during the performance of roofing work on low-slope roofs.
- The correct procedures for equipment and materials handling and storage and the erection of overhead protection.
- The role of workers in fall protection plans.

■ OSHA's fall protection standard as published in Subpart M.

Second, employers are required to verify compliance with these training requirements by completing a certification record of each worker trained that includes the worker's name, the date(s) of the training, and the signature of the "competent person" who conducted the training. Third, if the employer believes that any previously trained worker does not have the understanding and skill required under the fall protection standard or if changes in the workplace render the previous training obsolete, then the employer has an obligation to retrain the worker. Fourth, the training and any written materials associated with the training needs to be in a language that the worker understands.

Finally, workers need to be provided hands-on training on recognizing fall hazards and how to properly don and use adequate fall protection equipment. An employer can't simply toss their workers a set of safety gear and expect them to know how to properly use it. A worker who does

not understand how to properly put on a body harness that fits or uses anchorages, connectors and other fall protection devices while working can hardly be considered adequately trained and is more likely to be injured on the job compared to a worker who receives hands-on training on the proper use of the fall protection equipment.

Employers must commit themselves to making sure that each worker exposed to a fall hazard is properly and adequately trained to use fall protection equipment and to work safely at heights where a fall hazard exists, such as roofs, open floors, ladders and scaffolds. Construction employers that embrace a fall protection program as part of their overall safety program can effectively prevent falls from heights on their worksites and avoid becoming another fall protection statistic for OSHA. 

Joseph Gumina leads O'Neil Cannon Hollman DeJong & Laing's Employment Law Practice Group and has extensive experience representing management in a vast array of employment and labor matters.

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IS YOUR CASE *REALLY* CLOSED?

UNDERSTANDING EXPOSURE AFTER INJURY SETTLEMENT

By Robert Sanders — Husch Blackwell, LLP

Imagine, after more than a year of dealing with messy return-to-work issues and litigation surrounding a disputed worker's compensation claim, you receive an email from your insurance carrier letting you know the case finally settled. You breathe a sigh of relief

knowing that you can finally put that case behind you.
... Or can you?

Worker's Compensation Compromise Agreements

In Wisconsin, most worker's compensation cases settle. When there is a dispute about the cause or extent of the injury, cases settle by way of a compromise agreement.

***DEPENDING ON THE TYPE OF INJURY,
THE EMPLOYEE MAY HAVE 6 YEARS,
12 YEARS, OR AN UNLIMITED TIME
TO BRING ONE OF THESE CLAIMS.***

When an agreement is resolving any and all worker's compensation claims, the agreement is known as a "Complete Compromise Agreement." These agreements are sometimes referred to as a "full and final settlement." Unless the agreement specifically resolves all worker's compensation claims, including any claims that must be identified in the agreement by statute, certain claims may remain open. If any claims are left open, the agreement is known as a "Limited Compromise Agreement." However, even a Complete Compromise or Full and Final Agreement may, in reality, be a Limited Compromise Agreement if certain claims remain open, whether intentionally or by poor drafting.

Once drafted, Compromise Agreements are sent to the Department of Workforce Development Worker's Compensation Division for review and approval by an administrative law judge (ALJ). The ALJ will review the agreement to confirm that there is a material issue of dispute giving rise to the agreement, and either approve, modify or deny the terms of the agreement. If the ALJ

approves or modifies the agreement, the ALJ will issue an "Order Approving Compromise Agreement," setting forth the obligations of the parties under the agreement and providing the insurance company and/or employer 21 days to make the appropriate payments. Once the payments are issued, the worker's compensation carrier will inform the employer that the case settled, which is when most employers think they are off the hook.

Potential Remaining Exposure

Many Wisconsin employers assume that when their worker's compensation insurance carrier hires an attorney, the employers' interests will be protected. Unfortunately, that is not always the case, especially when the attorney is hired to represent the insurance carrier with little or no involvement with the employer.

If the worker's compensation agreement does not specifically resolve certain claims, they are deemed to be left open. This includes the following claims that the employee may assert directly against your company. By

SAFE PLACE STATUTE

IF YOUR COMPANY FAILS TO FOLLOW **OSHA REGULATIONS** AND IT CAN BE PROVEN THAT SUCH A FAILURE CAUSED **THE EMPLOYEE'S WORK INJURY**, YOUR COMPANY MAY BE ORDERED TO PAY AN ADDITIONAL

15%

OF
COMPENSATION,
UP TO

\$15,000

AS A "SAFETY VIOLATION
PENALTY" UNDER
**WIS. STAT. § 102.57
AND WIS. STAT. § 101.11**

statute, these are not insurable claims but are the employers' responsibility to pay or defend against.

The most common claim that arises following a limited compromise agreement is an "unreasonable refusal to rehire." To meet their burden of proof, an employee only needs to prove that 1) they were an employee of your company; 2) they had a work injury; and 3) your company did not bring them back to work following the work injury. The burden then shifts to you, the employer, to show that your company had reasonable cause for its discharge decision. If an employee prevails on this claim, your company is responsible to pay the employee up to one year's lost wages.


If your company fails to follow OSHA regulations or provide a safe workplace, and it can be proven that such a failure caused the employee's work injury, your company may be ordered to pay an additional 15% of compensation, up to \$15,000, as a "safety violation penalty" under Wis. Stat. § 102.57 and Wis. Stat. § 101.11 ("Safe Place Statute").

If certain actions or inactions by your company result in an "inexcusable delay in payment" of an injured employee's workers compensation benefits, your company may be liable for a penalty equal to 10% of the delayed compensation. If it is determined that the delay was in "bad faith," the penalty is equal to 200% of the delayed compensation, up to a maximum of \$30,000 for each act of bad faith.

These claims do not just go away. Depending on the type of injury, the employee may have 6 years, 12 years, or an unlimited time to bring one of these claims. So, it is critically important that these claims be included in any final settlement.

How to Protect Your Company's Bottom Line

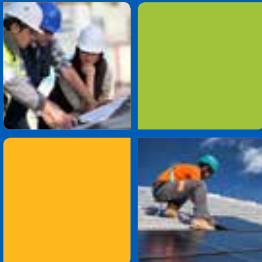
It pays to stay actively involved in your company's worker's compensation claims for a number of reasons. Active involvement often leads to better investigations, quicker return-to-work times and reduced litigation costs. It also provides you an opportunity to monitor any settlement negotiations so that you push for the above claims to be included in any settlement agreement.

Most employers do not have time to stay actively involved. In that case, you should insist that your worker's compensation carrier direct your litigated claims to an attorney that you trust. 

If you have any questions regarding your company's exposure to employment claims, contact Bob Sanders at Husch Blackwell, LLP at robert.sanders@huschblackwell.com.



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- **NETWORKING SOCIAL**
Madison, Dec. 18
- **ESTIMATING CIVIL CONSTRUCTION**
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*WHAT ABC'S STEP
SAFETY MANAGEMENT SYSTEM
CAN DO FOR YOU*

WORLD-CLASS SAFETY PERFORMANCE

By Don Moen — Human Resources & Safety Director ABC of Wisconsin



BC of Wisconsin has had a long history of commitment to construction safety. The ABC Safety Training Evaluation Process (STEP) was first introduced in 1989 by our ABC National Health, Safety and Environment Committee. STEP has been continu-

ously improved by the industry safety leaders allowing us to correlate leading (best-in-class system and process) and lagging (outputs and results) indicators. This strategic objective supports members in their commitment to world-class safety performance.

This article is not part of an academic study, nor is it a research project. The numbers in this article reflects the

actions of real companies delivering real work and constructing real projects. The companies who participate in STEP come from all over the country, building all types of projects, delivering various scopes of work. ABC is building on analysis of nearly a billion hours of work annually from the 2016, 2017, 2018 ABC National safety reports to identify what comprises a world-class safety program.

A company cannot, for example, send out a memo introducing a near-miss program (which is labeled in this report as a “leading indicator”) and simply expect world-class results (labeled in this report as a “lagging indicator”). The company must have a culture which is passionate in its belief that all incidents are preventable; a culture where each person leaves the jobsite in the same—or better—condition than which they arrive, is considered a moral obligation not just for leadership, but for all employees. Without this type of culture, the likes of denial, excuse making and sarcasm will hinder any success. A culture of safety does not exist without leadership taking a stand. That includes unwillingness to compromise safety and modeling this belief in every action.

Leadership takes courage. A commitment to world class safety takes tremendous effort and is fraught with leadership challenges, including departing from status quo, shifting paradigms, and triumphing over setbacks. Transforming a company is difficult. Transforming an industry is daunting. In my many years of experience, I have heard many excuses as to why it can't be done. Together, if we choose to lead, if we choose to commit, if we choose to transform, ABC of Wisconsin members will become the “world class” standard for health and safety.

As leaders, we must demonstrate that safety is important. Through daily actions and conversations, failure to correct unsafe acts and talk more of production issues than safety, gives the appearance to our employees that safety takes a back seat.

The construction industry has long evaluated safety performance based on lagging indicators, including Total Recordable Incidence Rate (TRIR); Days Away, Restricted or Transferred (DART) rate; Experience Modification Rate (EMR), and other permutations of similar data. The overall effect of lagging indicator use as an evaluator of safety performance is that companies have been judged not on the steps taken to prevent disrupted (injuries) and lost (fatalities) lives in the present and future, but on how many—or few—of these incidences have occurred on their jobsites in the past.

However, the past 20 years have seen a gradual shift in how the industry and its affiliated groups (such as insurers) evaluate a company's overall safety performance. At the forefront of this statistical revolution has been Associated Builders and Contractors' STEP Safety Management System, which, since 1989, has evaluated corporate safety programs based on lagging indicator performance and self-evaluation criteria for 24 (formerly 20) key components toward a world-class safety program.

Leading indicators, by themselves, are ineffective evaluators or predictors of a company's true safety performance. This is because, unlike lagging indicators, they do not present statistical data that show a performance outcome. For example, a company may track near-miss/near-hit situations (incidences where,

AS CONSTRUCTION INDUSTRY PROFESSIONALS, WE ALL HAVE A MORAL OBLIGATION TO PROTECT OURSELVES AND EACH OTHER, AND TO ENSURE THAT ANYONE WHO SETS FOOT ON OUR JOBSITES DOES SO IN THE SAFEST MANNER POSSIBLE.

had conditions been different, a disrupted or lost life situation may have occurred), but the tracking or number of near-miss observations does not necessarily tell us if this leading indicator actually protects the employees onsite. The same can be said for site safety committee participation, site-specific orientation programs, and so on. For this reason, leading indicators must be used in concert with lagging indicators in order to effectively evaluate their impact on safety performance.

Until now, relatively few studies have been conducted on the correlation between the use of measures companies can take to keep workers safe on jobsites, or leading indicators, and the number of incidents, accidents and injuries that occur, or trailing indicators. The empirical evidence did not exist. Associated Builders and Contractors created the Safety Performance Report to address this issue. These summaries represent the clearest picture to date of the remarkable impact that leading indicators use has on a company's safety performance. In fact, companies that engage in leading indicator use are statistically safer than their peers.

The Methodology

The 2019 ABC Safety Performance Report is based on submissions of unique company data gathered from members that deployed STEP in 2018. ABC collects each company's trailing indicator data as reported on its annual OSHA Form 300A (Summary of Work-related injuries and illnesses) and its self-assessment of leading indicator practices from its STEP application. Each of the 35 data points collected is sorted using statistically valid methodology developed by the U.S. Bureau of Labor Statistics for its annual Occupational Injuries and Illness Survey and combined to produce analyses of STEP member performance against BLS industry average incident rates.

The Data

Leadership Commitment – C-suite Engagement and Commitment Matters

Employer involvement at the highest level of company management produces a 63% reduction in TRIR, in high scoring ABC STEP member firms.

Cultural Transformation – New Hire Safety Orientation

New-hire orientations are standard practice throughout the construction industry and are designed to onboard new employees into the culture, policies and procedures of their new employer. This process is normally conducted before an employee sets foot on a jobsite or enters into a training program, and can vary in length. The onboarding process can take many forms, but the most important aspect is introducing a new employee to the culture and norms of the company to indoctrinate them and help them understand the how's and why's of what a company does and expects of the new employee. Here the CEO or senior leadership delivers that introduction of the companies' safety culture and core values. This process experiences nearly 50% lower incident rates than companies that limit their orientations to basic safety and health compliance topics.

Eight Core Leading Indicators

A leading indicator is a system or process used to identify hazards and eliminate or minimize the condition to prevent injury. ABC focuses on eight core leading indicators that have the most dramatic impact on safety performance.

❶ **Toolbox Safety Talks** – Can you brief employees on safety too much? No matter what you may have heard, there is no negative effect to conducting daily toolbox safety talks; brief, single topic training session of 15 to 30 minutes held on the jobsite for all employees. The less frequently this type of training is conducted, the fewer safety topics covered, the higher the training indicators. Companies that conduct daily toolbox talks reduce TRIR by 85% compared to companies that hold them monthly

❷ **Substance Abuse Programs** – One-third of all incidents on construction jobsites are drug or alcohol-related. Companies with substance abuse programs/policies with provisions for drug and alcohol testing where permitted are 60% safer than those without a program. Plus, substance abuse testing can be an effective method of incident prevention if used properly.

❸ **Safety Program Performance Review** – A biannual review of safety program performance by executive leadership that evaluates whether the program is producing expected results and identifies opportunities for improvement leads to a 59% reduction in TRIR and a 60% reduction in DART rates.



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④ **Taking Action on Trailing Indicators** – Training personnel to know the meaning and relevance of key safety rates and numbers such as EMR, TRIR and Dart leads to a 57% reduction in TRIR and a 62% reduction in DART rates.

⑤ **Employer Supervisory Safety Meetings** – Conducting weekly safety meetings with supervisors and distributing minutes for review leads to a 56% reduction in TRIR and a 59% reduction in DART rates.

⑥ **Use of Personal Protective Equipment** – Having a written PPE Policy that is consistently and universally enforced, conducting an annual needs assessment and continually investing in new equipment leads to a 55% reduction in TRIR and DART rates.

⑦ **Pre-planning for Jobsite Safety** – Integrating safety pre-planning into the estimating, bid and pre-mobilization phases of a project leads to a 53% reduction in TRIR and a 54% reduction in DART rates.

⑧ **Safety Program Goal Setting** – Implementing a formal process to annually assess safety program need and estab-

lish safety goals lead to a 48% reduction in TRIR and a 50% reduction in DART rates.

The STEP Safety Management System provides a clear picture of what world-class safety looks like. Analysis of each of the 24 Key Components' scores against lagging indicator performance will continue to provide statistical evidence of how individual elements of a safety program contribute to performance. Using the resources developed by ABC and the construction industry—and in development—companies are able to identify and develop singular elements of their safety program to improve their safety performance further.

As construction industry professionals, we all have a moral obligation to protect ourselves and each other, to ensure that anyone who sets foot on our jobsites does so in the safest manner possible. Through this analysis, and by identifying the elements that lead to improved safety performance, we can achieve our ultimate goal—to send every single construction employee home in the same—or better—condition than which they arrived, every day. 🇺🇸

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For membership information, contact **Bill Stranberg**, Membership Director
Associated Builders and Contractors of Wisconsin – 608-244-5883

SEPTEMBER 2019

- **Electrical Dimensions**

Roly Tvedt

500 S. Main St.

Verona, WI 53593

Phone: 608-845-3006

Description: Electrical Contractor

Sponsor: Dan Bertler, Supreme Structures, Inc.

Beam Club Members-to-date: 37

- **Midwest Alarm Services**

Joe Gage

2323 N. 109th St. #175

West Allis, WI 53227

Phone: 608-577-4743

Description: Supplier Member

Sponsor: Jay Zahn, R&R Insurance Services, Inc.

Beam Club Members-to-date: 44

- **Northern Fleet Solutions**

Michael Kaul

N922 Tower View Dr., Suite 117

Greenville, WI 54942

Phone: 920-858-1540

Description: Supplier Member

Sponsor: Troy Carlson, McClone

Beam Club Members-to-date: 15

- **Park Bank**

Elyse Smithback

P.O. Box 8969

Madison, WI 53708

Phone: 608-278-2848

Description: Associate Member

Sponsor: Dan Bertler, Supreme Structures, Inc.

Beam Club Members-to-date: 38

- **Rock Mechanical, LLC**

Shari Olson

4009 Felland Road, Ste 107

Madison, WI 53718

Phone: 608-320-8565

Description: Mechanical Contractor

Sponsor: Troy Windorff, Marco

Beam Club Members-to-date: 3

- **Top Tier Grading Company**

Taylor Johnson

2004 Logger's Lane

Baraboo, WI 53913

Phone: 608-434-3421

Description: Site Work Contractor

Sponsor: Randy Rudisill, LASAR Construction LLC

Beam Club Members-to-date: 2

OCTOBER 2019

- **Able Distributing**

William Halliburton

1650 S. 108th St.

West Allis, WI 53214

Phone: 262-896-1900

Description: Supplier Member

Sponsor: Greg Jones, Dave Jones, Inc.

Beam Club Members-to-date: 20

- **Advanced Fastening Supply**

George Rasmussen

2201 Advance Road

Madison, WI 53718

Phone: 608-441-1950

Description: Supplier Member

Sponsor: Dan Bertler, Supreme Structures, Inc.

Beam Club Members-to-date: 39

- **Amigo Construction, LLC**

Kris J. Bauman

404 England St.

Cambridge, WI 53523

Phone: 608-423-2227

Description: General Contractor

Sponsor: Jon Koch, Stevens Construction Corp.

Beam Club Members-to-date: 1

- **Baird**

Ken Woodford

8000 Excelsior Dr. #302

Madison, WI 53717

Phone: 608-830-3500

Description: Associate Member

Sponsor: Dan Bertler, Supreme Structures, Inc.

Beam Club Members-to-date: 40

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• **Cascade Development**

Luke Stauffacher

1350 O'Keeffe Ave.
Sun Prairie, WI 53590

Phone: 608-354-8748

Description: General Contractor

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 21

• **City Electric Supply Co.**

Luke Jacobson

8810 N. Greenview Drive
Middleton, WI 53562

Phone: 608-347-2006

Description: Supplier Member

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 22

• **Dakota Supply Group**

Mike Meiresonne

845 Berkshire Lane N.
Plymouth, MN 55441

Phone: 612-269-3642

Description: Supplier Member

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 23

• **Duggan Painting, Inc.**

Jason Duggan

5032 Willow Creek Road #E
Machesney Park, IL 61115

Phone: 815-633-7200

Description: Painting Contractor

Sponsor: Kevin Day, Corporate Contractors Inc. (CCI)
Beam Club Members-to-date: 8

• **Focal Point Financial Strategies**

Andrew Klein

525 Junction Road, Ste. 8100N
Madison, WI 53717

Phone: 608-828-4344

Description: Associate Member

Sponsor: Matt Pletzer, Lift Consulting, LLC
Beam Club Members-to-date: 1

• **Kalish Masonry**

Addison Kalish

4319 Twin Valley Road, Suite 14
Middleton, WI 53562

Phone: 608-831-5676

Description: Masonry Contractor

Sponsor: Dan Bertler, Supreme Structures, Inc.

Beam Club Members-to-date: 41

• **Knoll Steel/Crane Inc.**

Ken Knoll

2851 North U.S. Highway 12
Spring Grove, IL 60081

Phone: 815-675-9400

Description: Specialty Contractor

Sponsor: Jacob Gates, Joe Daniels Construction Co.

Beam Club Members-to-date: 1

• **Old Republic Surety Company**

Aron Albrecht

235 N. Executive Drive, Suite 270
Brookfield, WI 53005

Phone: 262-641-4004

Description: Associate Member

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 24

• **Olson Toon Landscaping, Inc.**

Shane Olson

3570 Pioneer Road
Verona, WI 53593

Phone: 608-827-9401

Description: Landscaping Contractor

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 25

• **One Call 365**

Brenda Copus

2421 S. Stoughton Road #2
Madison, WI 53589

Phone: 608-218-4442

Description: Specialty Contractor

Sponsor: Lindsey Yoder, The Blue Book Building & Construction Network
Beam Club Members-to-date: 7

• **Sierra Concepts, LLC**

Mike Thole

6156 Darlin Drive
Dane, WI 53529

Phone: 608-849-1166

Description: Thermal/Moisture Contractor

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 26

• **Sketchworks Architecture, LLC**

Erin Summers

7780 Elmwood Ave., Ste. 208
Middleton, WI 53562

Phone: 608-836-7570

Description: Associate Member

Sponsor: Dan Bertler, Supreme Structures, Inc.

Beam Club Members-to-date: 42

• **State Bank of Cross Plains**

Scott Ducke

1205 Main St.
Cross Plains, WI 53528

Phone: 608-798-5221

Description: Associate Member

Sponsor: Greg Jones, Dave Jones, Inc.
Beam Club Members-to-date: 27

• **T&B Plumbing**

Beth Morawetz

28810 Raab Drive
Waterford, WI 53185

Phone: 262-206-3272

Description: Plumbing Contractor

Sponsor: Jay Zahn, R&R Insurance Services, Inc.

Beam Club Members-to-date: 45

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