



Meeting Minutes

11-11-21

Skanska Granite Lane Office in Maitland, FL with
Virtual Option via Teams

<u>Member</u>	<u>Member Company</u>
<i>Alejandro Baralt</i>	Prince Contracting
<i>Alison Sanders</i>	Ranger Construction
<i>Brady Engle</i>	Allison Transmission
<i>Zach Stoutamire</i>	Atkins Global
<i>Brandon Houston</i>	Ranger Construction
<i>Brett Buxbaum</i>	Ardaman
<i>Eric Green</i>	Ajax Paving
<i>Jamie Bertoch</i>	ACME Barricades
<i>Mandy Kustra</i>	Ajax Paving
<i>Mark Ligon</i>	Vecellio Group
<i>Phillip Russell</i>	Ogletree Deakins
<i>Roy Schofield</i>	RK&K
<i>Wayne Baxter</i>	Leware
<i>Adam Massimo</i>	Arrive Alive Traffic Control
<i>Morgan Reid</i>	Workcomp Solutions
<i>Kathy Thrash</i>	Florida 8-1-1
<i>Steven Thomas</i>	Walsh Group
<i>Crystal McGowan</i>	Road Safe Traffic
<i>Dave Asselin</i>	Ranger Construction
<i>Jeremy Hostetler</i>	Lane Construction
<i>David Boyer</i>	South Florida Milling
<i>Scott Passmore</i>	FDOT
<i>Aaron Watt</i>	FDOT
<i>Keith Darbeau</i>	Skanska
<i>David Feise</i>	Arrive Alive Traffic Control
<i>Mark Hollister</i>	Sims Crane
<i>George Carr</i>	Sims Crane
<i>Glen Hansen</i>	My TTC Online

- 1) Roll Call, Housekeeping, Tech Setup
 - a) Minutes from September's meeting were approved.
 - b) In-person attendees passed around a sign-in sheet and introduced themselves.
 - c) Jamie explained the meeting set up and asked that members mute their microphones unless they are speaking.

- 2) Phillip Russell OSHA Legislative update
 - a) Phillip hosted a webinar for ARTBA on OSHA's Emergency Temporary Standard for COVID on 11-12-21.
 - b) The 5th circuit court issued a stay of the ETS, its deadlines are not in effect.
 - c) Big labor filed petitions in the 1st, 2nd, 3rd, and 9th circuits against the stay.
 - i) Judicial panel on multidistrict litigation will hold a lottery to randomly select a circuit which acts on the 5th circuits stay and will hold a briefing.
 - ii) Stay could get reversed.
 - d) What do you do?
 - i) Argument against the ETS is that the OSH act violated the constitution by improperly delegating its legislative duty to OSHA by not defining "grave danger."
 - e) Will they look at the intent of the language or the actual language to resolve the dispute?
 - i) Ultimately it will be decided at the supreme court. Possibly within weeks. Probably January or February for a final decision.
 - ii) Watch and wait. Do some preps behind the scenes and keep a close eye on things. Do the things that are not employee facing. Work on policies, procedures, and templates. Wait on the employee facing stuff.
 - iii) Will you mandate vaccine? How will you go about testing? The ETS is paused we are reviewing the information before we move forward (message to employees).
 - f) Not covered by requirements of ETS
 - i) Employee must work outdoors on all days
 - ii) Must not routinely occupy vehicles
 - iii) Duration of workday except minimal use of work vehicles. How does this affect the conflict with the heat stress ETS that is supposed to be forthcoming? One of the recommendations from OSHA is brining employees inside.
 - g) Questions?
 - i) Jamie asked if the employer is required to pay for the test and how does this apply to employees who are claiming an exemption.
 - (1) Phillip-It's not entirely clear. There are issues with Title 7, reasonable accommodation should not put an employee in a worse position than other employees. This issue needs more clarification.
 - ii) Mark asked a question about vaccination status and how the ETS will affect an employer's ability to terminate employees without fear of legal retribution as well as potential civil rights violations that arise.
 - (1) Phillip- Florida will become a state in which vaccination status is protected next week. Governor DeSantis will enact a bill which will protect employees from being forced to get vaccinated. Currently there are no protected categories and no civil rights violations.
 - iii) Desantis' bill will put Florida on its way toward creating its own COVID plan. This does not mean that Florida's plan will be exempt from federal oversight. The plan must be as effective as OSHA's plan.

- iv) Unknown Speaker asked a question about possible legislation being passed that allows employees to file a lawsuit against an employer for adverse reactions from mandated vaccines. Is that legislation going through and how does that affect employers?
 - (1) Phillip will review the legislation. He will update before end of meeting. There are five categories with which an employee can raise an objection to mandated vaccines.
- 3) Glen Hansen with MyTTC Online: Using Technology to Communicate Effectively with Your Virtual Audience
 - a) Is it challenging to keep remote workers engaged during virtual training?
 - i) Glen and his team implemented the video studio to help with engagement during remote training.
 - ii) My TTC Online has been the fastest growing provider of online MOT training this year. In the past TTC training was not typically done online, but COVID has changed that.
 - iii) Most people provide virtual training by talking to their audience through the computer and using screen share.
 - iv) How many people use the ancillary options and tools inside of the virtual meeting platform like polling the audience, chat, etc...?
 - v) How many people multi-task during training?
 - vi) A video studio is an attempt to imitate the sense of familiarity of an in-person training.
 - (1) How much of a budget is needed for a video studio? It depends on how extravagant you want to be. Ask the question: What do you really need to convey the information effectively. Necessities: A computer, at least two cameras (to create a more realistic feel). Your presentation reflects the level of effort you expect from your students.
 - (a) Require that your students are on camera throughout the entire training. It is important to dedicate a screen to viewing your audience so that the instructor has feedback.
 - (b) A professional video studio is worth the investment.
 - (c) A video switcher is a good tool to have.
 - (d) Set up is very easy.
 - b) Glen offered to assist any members who would like to contact him about setting up a professional video studio. 407-901-0206 glen.hansen@myttconline.com.
- 4) Subcommittee Updates
 - a) Training
 - i) Safety breakout session for 2022 Construction Conference have been finalized. Topics and presenters are:
 - (1) Phillip Russell and Deanna Hays, OSHA Update
 - (2) Phillip Russell and David Fusco, Responding to High Stakes Construction Disasters
 - (3) DEKRA, The Anatomy of a Safe Decision: Human Performance Integration that Drives Critical Error Prevention.
 - (4) DEKRA, Fostering Wellbeing in Construction: Tackling Stress, Urgency, Inattention and Error.
 - ii) Jamie has been to a couple of DEKRA presentations and has been very impressed. Their content is very interesting and encourages people to think outside of the box about safety, psychology, and decision-making. He encourages all members who haven't seen any of their presentations to attend.
 - iii) ARTBA will offer a free face-to-face training during the 2022 Construction Conference

- (1) Electrical and Other Main Hazards in Roadway Construction on Wednesday, January 19 from 1pm-5pm.
 - (a) A blast will be sent out to all members to get folks signed-up to attend.
 - b) Technology
 - i) No updates from the tech committee
 - c) Marketing & Membership
 - i) Slap bracelet samples were shared with the group. Final order will be placed soon. Leftover booklets and bags from last year will also be used as SWAG at the booth. Additional funds will be used to jazz up the booth décor.
 - ii) Should we the big raffle items at the breakout sessions and raffle the smaller items at the booth? Two separate QR Codes.
 - iii) Mandy will get in touch with USF to see if they would like to participate in the Safety Village.
 - iv) Heather and Stacy are helping make sure the Safety Village is set up for the conference.
 - (1) Jamie added to be on the lookout for any other exhibitors that might fit well in the Safety Village.
 - (2) Steve Thomas suggested an exhibitor.
 - v) Morgan Reid is working on Quarterly safety newsletter. Goal is to have first issue ready for distribution at the FTBA SC booth at the Construction Conference in January. Morgan will re-send the email to all sub-committee chairs requesting a little content.
 - vi) Still working on coming up with some new meeting locations.
 - vii) Roy Schofield had a suggestion about getting more members involved in meetings from another organization, sounded like ATSSA. Volume was very low. Will check with Roy for clarification.
 - d) Awards
 - i) Jeremy- Awards package is complete and has been sent to Ananth for review. Thank you to Roy Schofield, Steve Thomas, Phillip Russel, and Jamie Bertoch for getting the program fast-tracked.
 - ii) Three separate awards for small, medium, and large companies.
 - iii) There is a questionnaire in the packet which will be evaluated by a pre-established set of criteria.
 - iv) Goal is to present it at the conference in January, applications submitted by March 1st, have decisions made in time to announce awards at the annual convention.
 - v) The FTBA SC Awards will be in addition to the existing FTBA Safety awards.
 - vi) Jamie thanked the Awards sub-committee for their hard work and added that it will be a good way to put contractors on display for their safety efforts.
- 5) Open Forum
- a) Scott Passmore with District 4 FDOT
 - i) FDOT is spearheading a campaign to wrap tailgates with safety messages.
 - (1) There are several different designs to choose from.
 - (2) Graphics can be provided to a vendor to install.
 - (3) About \$150 per wrap, which includes installation.
 - (4) Non-participation for DOT is not an option.
 - ii) District 4 now have contracts in the work with several agencies for speed enforcement in work zones.
 - iii) Red, Amber, Green law has been passed. DOT is in the progress of implementing it with some of their vehicles.
 - iv) Scott demonstrated the Halo lights and encouraged their use during nighttime road work.
 - v) Reach out to Scott for info on tail gate wraps.

- vi) Jamie suggested negotiating a group rate for Halo lights for FTBA SC.
 - vii) Leonard Stone has some info he can pass on to anyone who would like to purchase Halo lights, or a similar product, at a discounted price.
 - viii) Someone in the room mentioned he has a contact through Illumagear and can work on getting a group rate.
 - b) Phillip- Ananth's initial review of FTBA SC Awards program is favorable. He believes he will not have many revisions.
- 6) Planning and Next Steps
- a) A survey will do out to determine the next meeting date and format.