YOUR FABRICATION BUSINESS AND OSHA

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I am NOT an OSHA expert and this presentation is not a substitute for any sort of real safety training!
In 2017 we logged 39,000 Man Hours with No Lost Time Accidents!
We have recently survived a surprise OSHA Inspection without sustaining a financial fine.
Safety is in our culture by choice and habit and starts at the top.
Why Care About Safety?

Forgoing any Discussion in the Quality of Life your friends and co-workers enjoy when they return from work uninjured;

Safety Pays Right To The Bottom Line for Employees and Employers:

Safe Workers are Happy Workers, They Return to Work, Their Families Do Not Miss Paychecks Because They Do Not Get Injured

That Means More Hours Worked Productively

Lower Insurance Premiums

And Lower Administrative and Secondary Costs
The Cost of Accidents – OSHA Safety Pays Calculator
https://www.osha.gov/dcsp/smallbusiness/safetypays/estimator.html

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<th>Injury Type</th>
<th>Instances</th>
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3% profit margins

20% Profit Margins
Why Do We Need OSHA?
Before OSHA was created in 1970, an estimated 14,000 workers were killed on the job every year. Today, workplaces are much safer and healthier, going from 38 fatal injuries a day to 12.

The Total US population was 205MM in 1970, Contrast that with 330MM today, a 50% increase in population with a 70% decrease in Fatalities.
<table>
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<th>Rank</th>
<th>Standard</th>
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<td>1.</td>
<td>Fall protection, construction</td>
<td>29 CFR 1926.501</td>
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<td>3.</td>
<td>Scaffolding, general requirements, construction</td>
<td>29 CFR 1926.451</td>
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<td>5.</td>
<td>Control of hazardous energy (lockout/tagout), general industry</td>
<td>29 CFR 1910.147</td>
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<td>9.</td>
<td>Fall Protection–Training Requirements</td>
<td>29 CFR 1926.503</td>
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<td>10.</td>
<td>Electrical, wiring methods, components and equipment, general industry</td>
<td>29 CFR 1910.305</td>
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Regardless of an OSHA Inspection and Potential Fines; The cost of implementing a safety program and maintaining a safe workplace far outweighs the cost of even a small accident or fatality.
Civilian Occupations with High Fatal Work Injuries

Chart 3. Civilian occupations with high fatal work injury rates, 2016

- Logging workers: 91, 135.9 (Total fatal work injuries = 5,190, All-worker fatal injury rate = 3.6)
- Fishers and related fishing workers: 24, 86.0
- Aircraft pilots and flight engineers: 75, 55.5
- Roofers: 101, 48.6
- Refuse and recyclable material collectors: 31, 34.1
- Structural iron and steel workers: 15, 25.1
- Driver/sales workers and truck drivers: 918, 24.7
- Farmers, ranchers, and other agricultural managers: 260, 23.1
- First-line supervisors of construction trades and extraction workers: 134, 18.0
- Grounds maintenance workers: 217, 17.4

Number of fatal work injuries
Fatal work injury rate (per 100,000 full-time equivalent workers)
Chart 2. Fatal occupational injuries by major event, 2015-16

- Violence and other injuries by persons or animals: 866 (2016), 703 (2015)
- Contact with objects and equipment: 761 (2016), 722 (2015)
Eliminating the Fatal Four would save 631 workers' lives in America every year.

These "Fatal Four" were responsible for more than half (63.7%) the construction worker deaths in 2016, BLS reports.

1. Falls — 384 out of 991 total deaths in construction
2. Struck by Object - 93 (9.4%)
3. Electrocutions - 82 (8.3%)
4. Caught-in/between* - 72 (7.3%)
What is OSHA?

OSHA’s mission is to prevent work-related injuries, illnesses and deaths.

OSHA, The Occupational Safety and Health Administration, founded in 1970, is an Agency that operates within the US Department of Labor with the responsibility of ensuring safety at work and a healthful work environment.

Occupational Safety and Health Act of 1970 “To assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health...”
You have the right to a safe workplace. The Occupational Safety and Health Act of 1970 (OSH Act) was passed to prevent workers from being killed or otherwise harmed at work. The law requires employers to provide their employees with working conditions that are free of known dangers. The OSH Act created the Occupational Safety and Health Administration (OSHA), which sets and enforces protective workplace safety and health standards. OSHA also provides information, training and assistance to employers and workers.

This applies to your workshop, your vehicles and employees who are in transit as well as the jobsite!
The OSH Act gives workers the right to safe and healthful working conditions. It is the duty of employers to provide workplaces that are free of known dangers that could harm their employees. This law also gives workers important rights to participate in activities to ensure their protection from job hazards.
Workers’ Rights under the OSH Act

- File a confidential complaint with OSHA to have their workplace inspected.
- Receive information and training about hazards, methods to prevent harm, and the OSHA standards that apply to their workplace. The training must be done in a language and vocabulary workers can understand.
- Review records of work-related injuries and illnesses that occur in their workplace.
- Receive copies of the results from tests and monitoring done to find and measure hazards in the workplace.
- Get copies of their workplace medical records.
- Participate in an OSHA inspection and speak in private with the inspector.
- File a complaint with OSHA if they have been retaliated against by their employer as the result of requesting an inspection or using any of their other rights under the OSH Act.
- File a complaint if punished or retaliated against for acting as a “whistleblower” under the additional 21 federal statutes for which OSHA has jurisdiction.

OSHA strives to make sure that every worker in the nation goes home unharmed at the end of the workday, the most important right of all.

A job must be safe, or it cannot be called a good job.
Employers have the responsibility to provide a safe workplace. Employers MUST provide their employees with a workplace that does not have serious hazards and must follow all OSHA safety and health standards. Employers must find and correct safety and health problems.

OSHA further requires that employers must try to eliminate or reduce hazards first by making feasible changes in working conditions – switching to safer chemicals, enclosing processes to trap harmful fumes, or using ventilation systems to clean the air are examples of effective ways to get rid of or minimize risks – rather than just relying on personal protective equipment such as masks, gloves, or earplugs.
Employer Responsibilities

- Prominently display the official OSHA poster that describes rights and responsibilities under the OSH Act. This poster is free and can be downloaded from www.osha.gov.
- Inform workers about hazards through training, labels, alarms, color-coded systems, chemical information sheets and other methods.
- Train workers in a language and vocabulary they can understand.
- Keep accurate records of work-related injuries and illnesses.
- Perform tests in the workplace, such as air sampling, required by some OSHA standards.
- Provide hearing exams or other medical tests required by OSHA standards.
- Post OSHA citations and injury and illness data where workers can see them.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation or loss of an eye.
- Not retaliate against workers for using their rights under the law, including their right to report a work related injury or illness.
Who Does OSHA Cover?

Private Sector Workers
Most employees in the nation come under OSHA’s jurisdiction.
OSHA covers most private sector employers and employees in all 50 states, the District of Columbia, and other U.S. jurisdictions either directly through Federal OSHA or through an OSHA approved state plan. State-run health and safety plans must be at least as effective as the Federal OSHA program.

To find the contact information for the OSHA Federal or State Program office nearest you, call 1-800-321-OSHA (6742) or go to www.osha.gov
Who is Not Covered under the OSH Act?

Self-employed

Immediate family members of farm employers

and Workplace hazards regulated by another federal agency (for example, the Mine Safety and Health Administration, the Department of Energy, or Coast Guard).
Worker Rights in State-Plan States

States that assume responsibility for their own occupational safety and health programs must have provisions at least as effective as Federal OSHA’s, including the protection of worker rights.

Any interested person or group, including employees, with a complaint concerning the operation or administration of a state program may submit a complaint to the appropriate Federal OSHA regional administrator. This is called a Complaint About State Program Administration (CASPA).
OSHA standards are rules that describe the methods that employers must use to protect their employees from hazards. There are four groups of OSHA standards: General Industry, Construction, Maritime, and Agriculture. These standards are designed to protect workers from a wide range of hazards. These standards also limit the amount of hazardous chemicals, substances, or noise that workers can be exposed to; require the use of certain safe work practices and equipment; and require employers to monitor certain hazards and keep records of workplace injuries and illnesses.

Examples of OSHA standards include requirements to:
- Provide fall protection, such as a safety harness and lifeline;
- Prevent trenching cave-ins;
- Ensure the safety of workers who enter confined spaces such as manholes or grain bins;
- Prevent exposure to high levels of noise that can damage hearing;
- Put guards on machines;
- Prevent exposure to harmful levels of substances like asbestos and lead;
- Provide workers with respirators and other needed safety equipment (in almost all cases, free of charge)
- Train workers using a language and vocabulary they understand about hazards and how to protect themselves.
The Hazard Communication standard, known as the “right-to-know” standard, requires employers to inform and train workers about hazardous chemicals and substances in the workplace.

Employers must:
■ Provide workers with effective information and training on hazardous chemicals in their work area. WORKERS’ RIGHTS This training must be in a language and vocabulary that workers can understand;
■ Keep a current list of hazardous chemicals that are in the workplace;
■ Make sure that hazardous chemical containers are properly labeled with the identity of the hazardous chemical and appropriate hazard warnings; and
■ Have and make available to workers and their representatives Safety Data Sheets (SDSs) (formerly known as Material Safety Data Sheets or MSDSs) for each substance that provide detailed information about chemical hazards, their effects, how to prevent exposure, and emergency treatment if an exposure occurs.
Employers must display the official OSHA Poster, Job Safety and Health: It’s the Law, in a place where workers will see it.
OSHA’s Recordkeeping Rule requires employers in higher-hazard industries with more than ten employees to keep accurate and complete records of work-related injuries and illnesses. (Certain low-hazard workplaces such as offices are not required to keep such records).

Employers must record any serious work-related injury or illness on the OSHA Form 300. A serious injury or illness is one that required medical treatment other than first aid, restricted work or days away from work. (Details of each incident are entered on a separate form, the OSHA Form 301). This OSHA Form 300 becomes an ongoing log of all recordable incidents. Each year from February 1 through April 30, employers must post a summary of the injury and illness log from the previous year (OSHA Form 300A) in a place where workers can see it. Workers and their representatives have the right to receive copies of the full OSHA Form 300 log. Following a request, employers must make copies available at the end of the next business day.

These injury and illness logs are important because they provide a comprehensive guide to possible hazards in the workplace that may need correcting. The logs should be used to focus on areas with high injury and illness rates, and to find and fix hazards in order to prevent future occurrences.
OSHA conducts on-site inspections of worksites to enforce the OSHA law that protects workers and their rights. Inspections are initiated without advance notice, and performed by highly trained compliance officers. Worksite inspections are conducted based on the following priorities:

- Imminent danger;
- A fatality or hospitalizations;
- Worker complaints and referrals;
- Targeted inspections – particular hazards, high injury rates; and
- Follow-up inspections.

Inspections are conducted without employers knowing when or where they will occur. The employer is not informed in advance that there will be an inspection, regardless of whether it is in response to a complaint or is a programmed inspection.
Right to File a Complaint with OSHA to Request an On-site OSHA Inspection

On-site inspections can be triggered by a worker complaint of a potential workplace hazard or violation. Often the best and fastest way to get a hazard corrected is to notify your supervisor or employer. Workers and their representatives have the right to ask for an inspection without OSHA telling their employer who filed the complaint. It is a violation of the OSH Act for an employer to fire, demote, transfer or retaliate in any way against a worker for filing a complaint or using other OSHA rights.

This applies equally to the workshop (employer’s control in our industry) and construction site (GC’s Control)
OSHA Assistance, Services and Programs

OSHA has a great deal of information to assist small business employers in complying with their responsibilities under OSHA law. Several OSHA programs and services can help employers identify and correct job hazards, as well as improve their safety and health program without incurring penalties.

https://www.osha.gov/

https://www.osha.gov/dcsp/smallbusiness/index.html
The key to a safe and healthful work environment is a comprehensive safety and health program that is adopted and embraced by the company leadership.

Safety and health programs can substantially reduce the number and severity of workplace injuries and illnesses, while reducing costs to employers.

Most successful safety and health programs are based on a common set of key elements. These include management leadership, worker participation, hazard identification, hazard prevention and control, education and training, and program evaluation and improvement.

OSHA may appear at your workshop or worksite door at anytime for an inspection.

When this occurs it is advisable for you to be very courteous and allow the inspectors access with a guide that is very knowledgeable about the facility and tooling and the safety measures that are already in place.

If this person is not available, then you may be able to convince the inspector to come back later or on another date or they may elect to walkthrough anyway. If that person is available but may be an hour before he/she can be at the inspection site, you may be able to postpone for a few minutes, linger in the office, where they can review the SDS documents, any Safety Program Documents, OSHA 300 Logs and so forth while they wait.

If your crew is working on a jobsite that has an OSHA Inspection (or not), the sub contractors have the same responsibility to protect their own workers as if they were working in the shop. If you as a subcontractor are uncomfortable with the safety on the jobsite, fearing that your crew may be injured by the site conditions or other subs, it is your right and responsibility to bring this to the attention of the GC or if they do not listen then to OSHA by requesting an inspection.
What To Do When OSHA Comes for a workshop or worksite inspection

Alternately, when an OSHA compliance officer arrives for a workplace inspection, the employer has the right to deny entry and to demand that OSHA obtain a warrant to inspect your premises. Your failure to object to the inspection or ask for a warrant constitutes voluntary consent. The compliance officer may also interview employees privately during the course of the inspection.

When an employer grants the inspector entry for a limited inspection, such as one responding to an employee complaint, it may object to expansion of the inspection to other areas of the workplace. If an employer allows the inspector to enter but objects to the inspection of certain portions of the workplace or interferes with or limits any important aspect of the inspection, such as the taking of photographs or videotapes, attaching sampling devices, or questioning employees, OSHA will consider this a refusal of entry and may seek a warrant as above.

It is my opinion that refusal of entry sets a very strong and negative precedent with inspectors, and their inevitable follow up inspection (an hour or day later) will be unforgiving.

The best time to get a line of credit is when you don’t need one and the best time to prepare for an OSHA Inspection is long before it happens.
OSHA inspections can be nerve wracking, but they don’t have to be. Here’s how you stay on top of your game in the event of an inspection:

<table>
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<tr>
<th>DO</th>
<th>DON’T</th>
</tr>
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</table>
| **DO**  
Be honest with the inspector. You could be totally wrong when discussing a subject with the inspector. However, if you perceive it to be an honest answer, then it will not be deemed a lie. Inspectors have been trained to distinguish the difference. | **DON’T**  
Lie to an inspector. Lying to an inspector lessens your credibility. And, if inspectors suspect you are being untruthful, they may dig deeper. |
| **DO**  
Welcome the inspector onto your property in a timely manner. This shows that you are confident, professional, and cooperative. | **DON’T**  
Brush off the inspector and make them wait. If you are contacted by the inspector with a request to visit your business, make it your priority to meet them as soon as possible. If there is a noticeable delay, the inspector might think you are hiding something. |
| **DO**  
Allow your employees to speak with the inspector. While holding your next safety meeting, bring up the topic that a visiting OSHA Inspector may have a few questions and that a simple “yes” or “no” is fine, if the question allows. On the other hand, if a question asked by the inspector cannot be answered by a simple “yes” or “no,” the employee should answer with as brief an answer as possible. Inspectors do not have the time to listen to extraneous or irrelevant information. | **DON’T**  
Discourage your staff from talking to the Inspector. If an inspector gets the feeling that your staff has been told not to talk, the inspector can compel them to do so—even going so far as to issue a subpoena. If this happens, you can be assured that your inspection will become more aggressive. |
Wiemann’s Safety Program

1. A Written Safety Manual which is reviewed annually or more often with changes to equipment and tooling.
2. A Complete SDS Catalog which is kept up to date.
3. A Part-Time Facility and Safety Manager dedicated to monitoring and scheduling our safety program.
4. Monthly “Safety Lunch” which is provided by the company, employees are paid, where we bring in trainers from the local Vo-Tech to present the top 10 OSHA General Industry Topics every year. Each Presentation is followed with a quiz and sign in sheet and is mandatory for PM’s and Shop Employees.
5. Annual Vehicle Inspections.
6. Annual Fit Test and Respiratory Testing for Painters.
7. Semi-Annual Hearing Tests.
8. Annual Fire Extinguisher, Overhead Crane and Pressure Vessel Inspections.
9. Job Site Safety Review by PM Upon Arrival to any new Construction Site each Day. PM returns daily logs for activity attached to time sheets.
10. Numerous Improvements to Equipment + Facilities
11. Any Employee who operates a forklift and a bridge crane must have certification.
12. All Shop and Site Employees have OSHA 10 Certification
13. We maintain health insurance in addition to short term disability policy for all employees to discourage fraudulent work comp claims as well as improve the wellness of all employees.
14. We have standardized accident reporting forms which we hope we never use. These will be filled out by the supervisor for any accident that requires a trip to the doctor or time off work.
15. Our insurance providers schedule an annual walk through inspection to offer pointers on safety items they see as a risk to us (and them).

Everything here is documented and readily available on demand by inspectors and employees alike.
OSHA has compliance assistance specialists throughout the nation located in most OSHA offices.

Compliance assistance specialists can provide information to employers and workers about OSHA standards, short educational programs on specific hazards or OSHA rights and responsibilities, and information on additional compliance assistance resources.

For more details, visit www.osha.gov/dcsp/compliance_assistance/cas.html or call 1-800- 321-OSHA (6742) to contact your local OSHA office.
Free On-site Safety and Health Consultation Services for Small Business by OSHA

On-site consultation services are separate from enforcement and do not result in penalties or citations.
Consultants from state agencies or universities work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management programs.

OSHA’s On-site Consultation Program offers free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites.

Each year, responding to requests from small employers looking to create or improve their safety and health management programs, OSHA’s On-site Consultation Program conducts over 29,000 visits to small business worksites covering over 1.5 million workers across the nation.

For more information, to find the local On-site Consultation office in your state, or to request a brochure on consultation services, visit www.osha.gov/consultation, or call 1-800-321-OSHA (6742).
OSHA 10-Hour General Industry topics include:
1. Slip, Trip and Fall Hazard Protection
2. Fixed and Portable Ladder Safety
3. Fire Prevention, Protection and Emergency Egress Safety
4. Dangers of Electrical Hazards
5. Using and Choosing PPE (Personal Protective Equipment)
6. Causes and Prevention of MSD and RMD Injuries
7. Workers’ Rights to Know the Chemical Makeup of Materials Found in Their Workplace
8. Difference Between Chronic and Acute Health Ailments
9. Hazards of Spray Finishing, Dipping/Coating, Combustible Liquids and Compressed Gases
10. Dangers of Unguarded Equipment

OSHA 10 and 30 Hour Training

The 10-hour General Industry training program is suitable for entry level workers and as a refresher for seasoned workers. The 30-hour training program is designed to provide workers with greater depth and variety of training.

All training is intended to cover an overview of the hazards a worker may encounter on a job site or workshop. Training emphasizes hazard identification, avoidance, control and prevention, not OSHA standards.

OSHA maintains a list of authorized Outreach Trainers who conduct 10- and 30-hour courses in Spanish

THANK YOU FOR ATTENDING

Please make sure to complete your session survey.