

OSHA Alliance Annual Roundtable Construction 2023

Kick Off - [Link](#)

Following a few introductions, the day really began with a talk from Doug Parker, Assistant Secretary of Labor for OSHA. He touched on some predictable topics, but the best parts were quite meaningful. In summary...

Compliance and enforcement is critical to ensure employers do what they need to, but a move beyond that is critical. Systematic change through enforcement is a challenge because it is not capable of independently shift culture to a meaningful degree. In contrast, the key to that shift is a community of professionals and workers that can raise the floor through forcing employers to embrace three essential management systems:

Executive Leadership The uppermost level of management must prioritize safety to the same degree they prioritize profit, finances, and operational management.

Worker Participation The workers must be the ones to identify and control hazards. If they cannot be trusted to do that – for whatever reason – then program modification of required. This can be done through a various avenues of communication – representative committees, etc. – between the employer and workers. However, one key is to press leading indicators.

Systematic Approach to Finding & Fixing Hazards Do NOT focus on injury rates; rather, focus on how employees are finding and fixing hazards. Manage performance through pressing leading indicators. The priority is to be proactive.

Some of the other items he brought up were quite important as well:

- OSHA is steadfast in their targeting of employers who display a pattern of ‘disregard for safety’
- OSHA is keenly aware that those employers tarnish competition because those following the rules cannot fairly compete against employers cutting corners
- OSHA has modified their own policy to increase focus on repeat violation employers

The other major point Mr. Parker delivered is something critical to successful safety programs & cultures. “It is incumbent on all of us to create a warm caring environment for employees... [this will] create an inclusive culture which then leads to improved performance.”

OSHA Communication – [Employer](#) & [Employee](#) Links

Broadly, a main theme of the day was OSHA continues working to advance their multimedia capabilities and improve the existing thereof. They are also adamant that they want and need input from the industry on what is missing or inadequate.

- Production: They now have own video producers so advancing their output of in-house content output
- Website: They are working to improve and add content at all times
- Quicktake: Redesign coming up which will further promote the bilingual aspect
- DYK – Timely tidbits for workplace safety

OSHA has several additional resources that they are touting through various web pages. Examples are included in the breakdown of the general themes from the day.

Infrastructure - [Link](#)

OSHA is clearly taking steps to heed their own advice and be proactive in response to the [Bipartisan Infrastructure Law](#). While this received a great deal of lip service throughout the day, in reality, the bulk of the direction was toward the web page and general OSHA talking points, guidance, etc. Because of this overview approach by OSHA, the Infrastructure Web Page is an excellent resource for finding ways to examine, help & build out safety programs of all kinds. Simply put, in the author's opinion [this](#) is the most concise OSHA resource page they have ever created and the value thereof is NOT limited to infrastructure by any means.

At Risk Workers

There are many groups within the construction workforce – undocumented citizen, female, trans, and various races and creeds – which do not always have protection against salacious or abusive acts from employers. This can manifest in many forms of victimization including but not limited to assigning them the most perilous activities, neglecting proper training and sexual assault. These At Risk Workers have the same rights as anyone else, yet are still targeted, and that will require the efforts of all employers to ensure zero tolerance.

Mental Health - [Link](#)

Sadly, there is no indication of meaningful improvement when it comes to mental health within the construction workforce wherein workers have roughly double the suicide rate compared to the rest of the US civilian workforce. In a bleak continuation of patterns from past years, the numbers are bleak in our society as a whole, extremely worrisome within our youth, and difficult to read for construction workers. This is especially true when considering that overdose is typically not considered or represented in suicide totals within construction; yet, substance abuse rates – like depression, mental health challenges and suicide rates - are higher for our industry and result in more overdoses than most subcategories.

Suicide prevention week is [September 4 – 8, 2023](#). Regardless of when you do it, the numbers demand that you address this and offer help to your employees. One document that received attention throughout the day was the OSHA Suicide Prevention: 5 Things to Know Poster available in [English](#) and [Spanish](#).

Heat Illness Awareness & Prevention - [Link](#)

The national emphasis program on heat has increased inspections, and more are coming; there were 1,700 Heat NEP inspections in 2022. OSHA is about to start a big press on all of their NEPs for 2023, especially heat. Beyond the fundamental concepts of this campaign and safety topic, one repetitious highlight was the fact that indoor heat is heat nonetheless and should not be treated any differently in terms of hazard control.

Helmets vs Hard Hats

OSHA is working at updating their 1926 PPE requirements and has been for years. One aspect of their research an preparation is a close look at the major trend of construction employers moving from hard hats to [helmets](#). Throughout the day, OSHA, NIOSH and CPWR as well as various Alliance representatives addressed their efforts to evaluate pros and cons for making that switch with a big focus on the ever clearer pattern of helmets' improved reduction in occurrence & severity of [traumatic brain injury](#). *This was a big topic of conversation in the 2022 Fall Technical Meeting in Memphis, TN.*

Trenching - [Link](#)

As you have likely heard, Trenching deaths rose significantly in the preceding decades, and OSHA has been active in trying to ebb that increase through intense messaging and follow-up. While NEPs allow OSHA inspectors to stop any site wherein the enforcement hazard exists, OSHA has basically mandated that their field operations stop every time they see a trench. Despite this, ***fatalities from trenching basically doubled in 2022.*** OSHA intends to heighten their enforcement in this arena, and there are examples of manslaughter charges brought against those responsible for trenching deaths.

Other Points

A few other noteworthy points from the day:

- Prevention through Design works and the effectiveness correlates directly to consideration and thoroughness of design
- There is an upward trend in construction of worker over 55 yo, but the trends for younger workers leaving construction may be changing back to historical norms.
- Struck By worker injuries account for more non-fatal injuries than any of the other focus four classifications and account for more than 20% of all non-fatal injuries.
- Struck By worker injuries account for more fatalities than electrical and caught between combined.

Construction Top 10 Violations

The top ten violations in construction October 1, 2021 through September 30, 2022:

STANDARD	TOTAL VIOLATIONS	SERIOUS VIOLATIONS	WILLFUL VIOLATIONS	REPEAT VIOLATIONS
1926.501 Fall Protection	5,994	4,828	223	852
1926.1053 Ladders	2,476	2,243	11	124
1926.451 Scaffolding	2,293	2,163	11	66
1926.503 Fall Protection Training	1,780	1,230	7	112
1926.102 Eye & Face Protection	1,583	1,367	25	164
1926.100 Head Protection	859	755	8	54
1926.20 General S&H Provisions	843	686	7	69
1926.651 Excavation Requirements	624	515	11	21
1926.453 Aerial Lifts	681	621	4	20
1926.502 Fall Protection Systems	529	464	0	17