

Safety

SOLUTIONS

ALCA
ASSOCIATED LANDSCAPE
CONTRACTORS OF AMERICA

DECEMBER 2004
Copyright 2004

How Are We Getting into Trouble with OSHA?

It's one of your worst nightmares come true... you're out on a big job checking on a crew when suddenly, an OSHA investigator shows up. Before he even talks with you, he notices that some of your crew members are operating equipment without wearing hearing protection, and that their safety glasses are next to them on the seat. You're in trouble already – and you haven't even learned yet why he is there.

Sound unrealistic? Hopefully, it is. But landscape contractors and other green industry employers who fall under OSHA SICs 0781, 0782 and 0783 are being cited by the federal agency for violations of OSHA's personal protective equipment (PPE) rules.

In fact, in the fiscal year that ended Sept. 30, 2004, OSHA's PPE, General Requirements Standard (1910.132) was the most often cited standard in our industries. Other top cited PPE standards were Eye and Face Protection (1910.133) and Occupational Head Protection (1910.135.)

Tips to avoid trouble

A review of the top cited standards for OSHA's Landscape and Horticultural Services category this past year showed that violations of the agency's Hazard Communication Standard and General Duty Clause also ranked very high. Here are some tips on what you can do:

1. Make sure you understand all of OSHA's PPE requirements. These include conducting hazard assessments, selecting appropriate PPE, and training your employees in the proper use, care, maintenance and disposal of PPE.

2. Have a written Hazard Communication Program. Be sure it includes current MSDSs, a list of all hazardous chemicals you use, properly labeled chemical containers, and employee training.

3. Understand OSHA's General Duty Clause. This standard requires you to provide a workplace free of recognized hazards that could cause death or serious harm to employees.

Green Industry Conference Safety UPDATE

If you missed ALCA's Green Industry Conference in Charlotte, NC last month, here's an update on some of the safety-related activities that took place:

ALCA/OSHA Alliance: Our OSHA Alliance coordinator, Rick Harris, along with two OSHA representatives from the North Carolina Department of Labor, handed out educational materials and were available for questions from GIC/GIE attendees. The request Rick received most often from landscape contractors and other green industry employers was for employee training and education in both English and Spanish. This is an area that we are actively working on through our Alliance, and we will keep you updated. In the meantime, watch for safety checklists/tips in English and Spanish starting in our next issue of *Safety SOLUTIONS*.

STARS Safe Company Program: ALCA's Safety/Insurance Committee discussed several issues related to the STARS program. To date, more than 430 companies have joined this free program that's open to all landscape contracting companies. Committee members discussed the importance of assisting STARS members in benchmarking, marketing their involvement in STARS, and sharing "success stories" with other STARS members. STARS members now also receive monthly OSHA compliance checklists, safety-related policies and forms, and other practical ready-to-use tools.

If you haven't yet joined the STARS program, call ALCA at 800/395-ALCA.

ALCA/CNA Safety Awards: This year, the ALCA/CNA Safety Contest resulted in 262 awards to safety-minded companies in the landscape industry. A total of 214 companies entered this year's contest (companies can win more than one award), and recipients present at the awards dinner were recognized.

Did You Know...

- that an estimated 25 percent of all of the fatalities investigated by federal OSHA are in some way related to language or cultural barriers...
- that in 2003, Hispanic/Latino workers continued to have the highest rate of fatalities recorded by the Bureau of Labor Statistics among all racial/ethnic groups...
- and that according to a recent Associated Press survey, one Mexican worker per *day* is dying on the job in the U.S.?

Many of these fatalities, including those in our industries, are avoidable. In our next issue of *Safety Solutions*, we'll give you more tips on this critical issue.

Safety & OSHA Resources

- **OR-OSHA Spanish/English training resources.** Oregon-OSHA has an excellent new online training tool (the PESO program) with ready-to-use bilingual tailgate lessons and PowerPoints. Click on: www.cbs.state.or.us/external/osh/educate/peso.html

Knowing OSHA's SICs

How familiar are you with OSHA's Standard Industrial Classifications (or SICs)? If you're not certain which SIC you fall under, here is an explanation:

OSHA breaks down its Landscape and Horticultural Services category into three different SICs – 0781, 0782 and 0783. ALCA and PLCAA members generally fall under one or more of these three SICs. They are as follows:

- **Landscape Counseling and Planning (SIC 0781).** Includes garden planning; horticultural advisory or counseling services; landscape architects; landscape counseling and planning.
- **Lawn and Garden Services (SIC 0782).** Includes Bermuda sprigging services; independent cemetery upkeep; garden maintenance; garden planting; lawn care; lawn fertilizing, mowing, mulching, seeding, spraying and sprigging; mowing highway center strips and edges; seeding highway strips; sod laying; turf installation, except artificial.
- **Ornamental Shrub and Tree Services (SIC 0783).** Includes arborist services; ornamental bush or tree planting, pruning, bracing, spraying, removal and surgery; utility line tree trimming.

Why is this so important? Once you know your SIC, you can search OSHA's web site for SIC-specific data for most often cited violations.

You can also get information on company inspections that have taken place within your SIC. Here is how to do that: Click on: www.osha.gov. Then click on "Inspection Data" under "Statistics" on the bottom of the right hand side of the home page. Then click on "Search Inspections by SIC."

Note: You can safely use OSHA's web site without being targeted for enforcement. The Federal Communications Act prohibits OSHA from doing any data mining on any federal government web site. All the agency can do is capture "hits."

Leading by Example

The New Jersey Landscape Contractors Association has a new safety program called *Safety First*. Board Chairman Jim Stewart spearheaded the program by writing two safety articles for the association's newsletter. NJLCA's Board members and officers also watched a 55 minute video emphasizing the importance of using safety equipment and following safety procedures. And Lou Lento, an area OSHA representative, spoke at a recent general membership meeting.

NJLCA's officers and directors have made a "commitment to safety" and will soon be developing a program to assist their members.

Reminder: ALCA's new Safety Hotline is now available to all ALCA and PLCAA members. Contact Safety Specialist Barb Mulhern at Ph: 608/848-3758 or E-mail: bamu100@aol.com

Safe Driving in Poor Weather Conditions

Motor vehicle crashes are the leading cause of work-related deaths in the United States and are a major concern to our industries, due in large part to the amount of time crews spend on the road. Reducing injuries associated with motor vehicle crashes is also a major goal of the ALCA/OSHA Alliance. Poor weather conditions such as snow, rain or fog increase the chances of a motor vehicle accident. The following checklist is aimed at helping your crew members drive safely in inclement weather.

- Know that driving in poor weather conditions increases your chances of an accident.
- Snow, ice, rain, sleet or hail can cause the roads to become very slippery.
- These conditions – as well as fog – can also greatly reduce your visibility.
- SLOW DOWN if you are driving a vehicle in any of these conditions.
- Make sure that your seat belt is buckled and that you keep it on.
- Federal highway officials estimate that the use of seat belts saved close to 12,000 lives and prevented nearly 325,000 injuries in motor vehicle crashes in 2000.
- Know that you may suddenly encounter an icy patch, “black” ice, or a pool of water. If you do, avoid slamming on your brakes. This can cause you to skid and lose control.
- Only pass another vehicle if it’s absolutely necessary.
- Avoid stopping suddenly, and don’t get too close to the vehicle in front of you.
- Keep your headlights on when driving in fog or other poor weather conditions. Know that in fog, it’s best to use the low beams, rather than your bright lights.
- If conditions are too dangerous to drive, pull over as soon as it’s safe to do so. It’s better to be late than to not make it at all.
- Don’t use your cell phone when you are driving unless you need to call for emergency help. If you must use your cell phone for other reasons, pull over when it’s safe and stop.
- Never drive in any conditions when you are under the influence of alcohol or other drugs. Talk with your supervisor if you are on prescription medication that makes you fatigued.
- Avoid making turns or taking curves too fast. Slippery roads increase the chances that you will wind up in an accident.
- Have a first aid kit, a blanket, and an emergency vehicle kit with you.
- Make sure you have sunglasses with you, even in winter. The reflection of sunlight off the snow can reduce your ability to see.

*Barbara Mulhern, Safety Specialist
Ph: 608/848-3758
E-mail: bamu100@aol.com*

**ASSOCIATED LANDSCAPE
CONTRACTORS OF AMERICA
950 Herndon Parkway, Suite 450
Herndon, VA 20170
800/395-2522 Fax: 703/736-9668
Web site: alca.org**