

# “THE CORE”

[www.COREsafety.com](http://www.COREsafety.com)

Your Safety Resource

Volume 1, Issue 1

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- Introduction to CORE Safety Group. Protecting Your Greatest Assets: PEOPLE.
- OSHA Regains Power to Cite General Contractors for Subcontractor Hazards

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## Introduction to CORE Safety Group

Introducing...CORE Safety Group! Born out of a Safety conscious construction company, CORE understands first-hand the day-to-day challenges construction companies face in providing safety and health for their employees. CORE distinguishes itself from other consulting companies by not only being able to identify common jobsite hazards, but also being able to provide solutions in resolving the issues at hand.

With 4 offices located in Chattanooga, Dallas, Boston and Sacramento Core can assist your organization in all aspects of safety from Coast to Coast. Core Safety Group is comprised of degreed and credentialed

health and safety professional with hands-on experience in all aspects of safety management including loss control, claims management, training and OSHA defense. Our consultants are highly experienced with on-site safety



management of large-scale construction, hospital renovation, industrial retrofit and demolition projects. Core Safety Group has developed, implemented and managed corporate safety programs,

policies and procedures that impact the overall safety performance for our valued clients. Additionally, we have aided in the development and management of owner safety programs, including OCIP and CCIP projects. Core Safety Group has also developed and implemented job-specific safety plans and job-site hazard analysis for critical construction activities for pharmaceutical, health care, chemical, manufacturing, aviation, generating stations and wind energy industries. For more information on how CORE can help you, please visit our website at [www.COREsafety.com](http://www.COREsafety.com) or call us at 1-423-643-2045

## OSHA Regains Power To Cite G.C.

Background: In June of 2003 Summit Contractors Inc. a general contractor was issued a citation based on the multi-employer policy which allows for the general contractors who "control the worksite to be liable under the OSHA Act regardless of whether they have exposed employees. Summit Contested....

In May of 2007 the decision was overturned by the Commission (OSHRC) (Secretary of Labor v. Summit Contractors Inc., OSHRC.). The review commission concluded that the Multi-employer policy unlawfully expands on an employer's duties

by requiring it to protect another employer's employees.

Appeal: February 2009 - Contrary to (OSHRC) decision, the Eighth District Circuit Court of Appeals recently concluded that the verbiage of 29 C.F.R 1910.12(a) does not exclude or contradict OSHA from issuing citations to the controlling employer regardless of whether that employer's employees were exposed to any hazards relating to the violation.

The current interpretation of the law in Summit greatly increases OSHA's ability to issue

safety citations to general contractors, construction managers, and other entities that, while involved in construction work, typically do not have employees who are exposed to alleged safety hazards. General contractors, construction managers, and owners now have a greater need to be cognizant of all happenings on a worksite in order to avoid liability and legal exposure that can arise out of safety infractions and workplace injuries.

To learn more about the Summit Case go to <http://www.ca8.uscourts.gov/cgi-bin/new/getDocs.pl>



Safety Photo of the Month!

"Core Safety Consultants have the knowledge and skills to boost your organization's safety training effectiveness. Visit us at [www.CORESafety.com](http://www.CORESafety.com)

Did You Know?

- The National Safety Council (NSC) estimates that workers compensation and medical costs associated with employee slip and fall accidents are approximately \$70 billion a year.
- 71% of all crane related incidents involved mobile cranes. - Bureau of Labor Statistics
- In 2008 Scaffold violations were the most frequently cited violations by OSHA, totaling 9,511 citations.

**A Look At Workers Compensation** by: Russ Bartholomew— Core Safety Group

Unlike most cost the cost of workers compensation claims can be aggressive and effectively managed. With the ever-increasing rise in medical and indemnity costs, owners are paying larger percentages of their payroll to provide coverage for their workers. Nevertheless, only 10 percent of employers audit workers compensation costs. The overall effect leads to a high experience modification rate and a higher premium. Take the following example:

Annual Premium	\$200,000	Annual Premium	\$200,000
EMR	x 1.25	EMR	x .75
Total Cost =	\$250,000	Total Cost =	\$150,000

\$250,000 - \$150,000 = \$100,000 Total Savings

ACME has an annual premium of \$200,000 and an EMR of 1.25. Once the Annual Premium is taken times the EMR, the premium is now raised to \$250,000. In the second equation, ACME construction has the same annual premium of \$200,000 but an EMR of .75. After taking the premium times the EMR, the premium is now discounted down to \$150,000. This is a total savings of \$100,000 for ACME construction by lowering their EMR. THIS IS AN ANNUAL SAVINGS!

Surveys show that companies with lower experience modification rates are seen by the industry as safe and professional companies. Not only does the experience modification express the effectiveness of the safety program, but it also shows the company's ability to analyze, plan and monitor costs.

**Louisville Ladder Recall**

The fly section on the ladder may bind without locking. Only ladders manufacture dates/date codes of September 2007 and October 2007 are affected. Note: Ladders with two green dots near the bottom of the left side base rail have already been inspected or repaired and are not affected.

If your ladder is affected stop using immediately and call Louisville Ladder toll-free 1800-660-4356 between 8:00am-5:00pm est. or visit [www.louisvilleladder.com](http://www.louisvilleladder.com)



**OSHA NEWS**

\$70,000 Proposed for Fall Exposure. OSHA has cited American Bridge Construction follow a workers fatal fall from a 70 foot girder being constructed over the Tennessee River in Grand Rivers KY. The victim was wearing a harness and lanyard but was not secured to an anchorage point. "This company has a fall protection plan, but managements failure to enforce their own

safety and health policy resulted in this totally avoidable fatality," said William Cochran OSHA's area director in Nashville. A willful violation of \$70,000 which is the maximum allowed by OSHA statue was issued for failing to ensure that employees properly used personal protective equipment while working above heights of 6 feet.

Concrete contractor pays \$750,000 in fines to OSHA A New York based concrete company will pay \$750,000 as a settlement of a proposed \$877,000 in penalties against the company for fall hazards at a condominium project in New Jersey City, N.J.

U.S Dept of Labor—Office of Public Affairs 2/19/2009