



Last Year in the Decade — Welcome to 2009!

By Tyler Nguyen, President-Elect

Contractors are ubiquitous. So are contractor safety programs on your premises. The action or inaction of your contractors in large parts determines the outcome of how effective or successful your workplace safety programs are. This is especially true in a large organization such as ours. Santa Clara County stretches geographically from the city of Palo Alto north to the city of Gilroy south and reaches westward toward the Pacific ocean. The County is also one of the largest employers in the valley employing nearly 15,000 workers.

When I hear contractor safety, my immediate thoughts turn to issues such as: California multi-employer work-sites; exposing, creating, controlling, and correcting employers; liability issues including those civil, criminal, and workers' compensation matters.

Traditionally, we the site safety program administrators, would review contractors' written programs, perform all necessary pre-qualification requirements, entertain risk assessment protocols to ascertain that risk retention and shifting mechanisms are well-thought out, that we can count on contractors to perform the best job in a safe and efficient manner AND that the project will be completed on time, on schedule, and on budget. I know, I know. These are lofty expectations imposed on contractors. But, hey, who says it was easy to take part in commerce under the large contractors umbrella.

January 13, 2009 Membership Meeting, Topic: Contractors Management Toward Achieving World Class Safety Results, Speaker: Rory Callaghan

Rory Callaghan is a Team Leader of ISNetworld's new markets area. Rory works closely with Owner Clients in the Biotechnology and Pharmaceutical industries. Prior to joining ISNetworld, Rory was a principal owner for a contract staffing company. Rory holds a marketing degree from Southern Methodist University in Dallas, TX. During my electronic mail exchange with Rory, I learned that the following are the gist of what Rory will be presenting to the attending members of the Greater San Jose Chapter this month:

1. Lagging, Real Time, and Leading Indicators
2. Drivers or Activities
3. Tools available
4. ISNetworld Overview
5. Due Diligence Process
6. Case Study
7. Benchmarking



The Chapter is fortunate to have Rory presenting on this topic as a precursor to the main event. Rory is also committed to speaking at the American Society of Safety Engineers (ASSE) conference in San Antonio, TX in the June/July 2009 timeframe. Her speaking proposal was one of several selected for the week-long conference out of over 700 proposals submitted. Rory will be sharing and providing a global approach of this process to a wider ASSE audience next summer in addition to members of the Greater San Jose Chapter this month.



A SAFE NEW YEAR

CONTRACTOR SAFETY

By Brenda Buescher, Newsletter Editor

It's a New Year!!! And if it's your New Year's Resolution there's not time like the present to look back to see if you were accident free. **If you were**, CONGRATULATIONS!!! If you weren't, take the challenge — and make it this year's goal to achieve safety excellence.

Having a positive attitude towards safety will help keep your organization, and your co-workers safe and free from hazards at work. Although you should have a written Injury Prevention Plan implemented at your place of employment; **DO YOU HAVE** a safety policy with established guidelines to be followed for contractors who have contracted with your organization or place of employment and do you have a contractor safety policy in place?

If not, perhaps you should implement procedures within your Injury/Illness Prevention Plan. The document should be implemented to ensure your organization safety plan, policies and procedures are communicated to all participating contractors. It should also provide an avenue for contractors to communicate their safety plan, policies and procedures to your organization.

A written contractor safety policy plan also establishes guidelines for contractors to follow when working at your organization or workplace. The rules or policies established by your workplace or organization help provide a safety working environment, govern your workplace relationships with outside contractors, and ensure that contractor's employees and your employees are trained to protect themselves from all potential and existing hazards.

The effectiveness of the contractor safety program depends upon the active support and involvement of all employees. Your program should ensure that all contractor work practices are carried out safely in order to minimize the possibility of injury or harm to the contractor's employees or to your workplace employees.

TYPES OF CONTRACTORS ACTIVITIES

New Construction
Landscaping
Cafeteria Operations
Consultants

Renovation
Technical Consultants
Security
Sales

Building Maintenance
Office Administration
Medical/Ergonomics





American Society of Safety Engineers

Protecting people, property, and the environment since 1911

Greater San Jose Chapter

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You may want to include the following in your Contractor Safety Policy

- Purpose
- Scope
- Administrative Duties
- Your Organization's Responsibilities
- The Contractor Responsibilities
- Guidelines For Contractor Safety



Guidelines could include an evaluation of the contractor's injury records and Experience Modification Rate for workers' compensation the past three years. A contractor's safety record in performing past jobs of similar nature may also be evaluated when the information exists. Your plan should also acquire information on equipment to be used to perform the job safely as well as assure permits, licenses, certifications of skilled trades people, who will be performing the work. Your organization should also acquire current certificates of insurance for but not limited to workers' compensation but also general, and auto liability coverage.

You may also want to implement in your contractor safety policy a Hazard Identification and Risk Assessment Program prior to the start of a program or project. You as the hiring company or organization should conduct a hazard identification assessment to determine the existing hazards or potential EHS associated with the job. Assessment results can aid in writing the contract scope of work for the job. It will also determine the extent of the Contractor's program and requirements.

In addition, and as part of the planning of the work, you could also request the Contractor to perform a Risk Assessment based on the hazards identified in the work being performed. The Contractor's risk assessments must clearly identify and evaluate each hazard and level of risk. It should define who will be at risk from the hazards and identify actions necessary to eliminate or minimize hazards to control risks.

The plan should also include Periodic Performance Review of the contract work. Monitor performance via regular performance reviews determined by the types of hazards involved and reserve the right to inspect the worksite at any time. Conduct a Final Review to evaluate the Contractor's Work. This will aid in determining whether to hire that Contractor again.

It is also important to know you cannot **always** sign away your potential liability of risk and injury to a contractor, but you can go a long way towards controlling the risks associated with contractors by:

- Identifying the risks prior to the start of Contractors work
- Pre-Qualify Contractors
- Obtain up front agreements within the contract
- Ensure all Contractors and Sub-Contractors are qualified to do the work safely—they are trained in safety basics and have completed an orientation to the worksite
- Monitor the work through regular performance reviews and occasional impromptu inspections. Ensure Corrective actions have been completed.



REGULATIONS THAT APPLY TO CONTRACTORS

Title 22 (Cal EPA Environmental)
Title 23 (Waters)
Code of Federal Regulations(40CFR—EPA)
(19CFR—Health & Safety)
California Health & Safety Code
BAAQMD
NFPA
California Code of Regulations
Title 8 (Cal/OSHA) Occupational Health & Safety)

2009

UPCOMING CHAPTER OFFICER MEETINGS

Please add the following dates to your calendar if you have not:

February 10th
March 10th
April 14th
May 12th
June 9th
July 14th



President Jay Jamali presents local member Donna Potts a Certificate of Appreciation for 25 years of service to the American Society of Safety Engineers.





Chapter Officers 2008-09

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Monterey County's Ergonomics Manager Alison Heller-Ono accepts an appreciation certificate and "The One Minute Manager" book as speaker gifts during the December 9th, 2008 Chapter general membership meeting.



U.S. Marines from the San Jose Office accept gift donations from attending members of the Greater San Jose Chapter of ASSE during the Toys for Tots holiday drive, also during the December 9th membership meeting.