

Cold Weather Precautions continued

What Should Be Done: (land temp.)

1. Call for emergency help.
2. Move the person to a warm, dry area. Don't leave the person alone. Remove any wet clothing and replace with warm, dry clothing or wrap the person in blankets.
3. Have the person drink warm, sweet drinks (sugar water or sports-type drinks) if they are alert. Avoid drinks with caffeine (coffee, tea, or hot chocolate) or alcohol.
4. Have the person move their arms and legs to create muscle heat. If they are unable to do this, place warm bottles or hot packs in the armpits, groin, neck and head areas. **DO NOT** rub the person's body or place them in warm water bath. This may stop their heart.

What Should Be Done: (water temp.)

1. Call for emergency help—body heat is lost up to 25 times faster in water.
2. **DO NOT** remove any clothing. Button, buckle, zip and tighten any collars, cuffs, shoes and hoods because the layer of trapped water closest to the body provides a layer of insulation that slows the loss of heat. Keep the head out of the water and put on a hat or hood.
3. Get out of the water as quickly as possible or climb on anything floating. **DO NOT** attempt to swim unless a floating object or another person can be reached. Swimming or other physical activity uses the body's heat and reduces survival time by about 50 percent.
4. If getting out of the water is not possible, wait quietly and conserve body heat by folding arms across the chest, keeping thighs together, bending knees, and crossing ankles. If another person is in the water, huddle together with chests held closely.

Workers Are at Increased Risk When...

1. They have predisposing health conditions such as cardiovascular disease, diabetes and hypertension.
2. They take certain medication (check with your doctor, nurse or pharmacy and ask if any medicines you are taking affect you while working in cold environments).
3. They are in poor physical condition, have a poor diet and/or are older.

Site-Specific Safety Plans

Practical techniques
accomplish OSHA
compliance and create a
defense against negligence

By Robert Baldwin, President of Safety Resources, an Indianapolis-based company dedicated to workplace safety, corporate loss control and regulatory compliance, www.safetyresources.com

We all have the basic responsibility under the law to act with care in the conduct of our affairs. The word negligence is defined as "the failure to exercise the care that a reasonable person would exercise under the circumstances." In order to win a negligence lawsuit against a company, a plaintiff must prove four elements of negligence:

1. A duty of reasonable care
2. Breach of duty of care
3. Injury caused by the breach of duty of care
4. Damages sustained by the plaintiff.

In civil cases, the duty of care is an obligation imposed by the law on the basis of what is necessary to protect others from harm. This obligation is not a fixed standard; it is flexible, based on what a reasonable person would do under the same circumstances. The reasonable person is a fictional character whose conduct is judged by other persons in the same or similar circumstances as opposed to the general conduct of society. How does this relate to workplace safety?

Employers are obligated by the OSHA General Duty Clause. Thus, the first condition is satisfied. Does this mean employers will always be liable for negligence if an injury happens? The practical answer is no. The challenge for safety professionals is to accurately define the limits of employers' duty with integrity and in a defensible manner.

One approach is the site-specific safety plan. This establishes a structure by which the employer can take a formal approach to determining or anticipating the potential hazards existing within a given set of circumstances, acknowledging the hazards, formulating a response plan to the hazards, implementing the plan, and monitoring for compliance and changing conditions. Developing a site-specific safety plan provides a mechanism by

Site-Specific Safety Plans continued

which the hazard exposures and the duties of all those involved can be specifically delineated. In other words, for every employer involved, a specific can be established. The risk responsibility of duty can then be shared.

Developing a Site-Specific Plan

The mechanics of setting up site-specific plans are straightforward and follow these three simple but powerful questions:

- What do I have?
- How can these hazards hurt employees?
- What can I do about them?

Developing a site-specific plan then follows the sequential thinking imposed by these questions:

What Do I Have?

Having some understanding of the discrete tasks to be accomplished and the human resources that will be assigned to these tasks is critical in determining the nature and existence of hazards. Tasks may involve inherent hazards. For instance, working with any form of machine contains the inherent hazard of energy control; performing work on any construction site involves the inherent hazard of load handling and working at elevation. Understanding tasks serves to focus on just those hazards encountered by the task-performance group. In addition, asking the question, "What do I have?" provides a focus on the environment in which work is to be accomplished. Issues of vehicle-traffic management, confined space, elevated work, weather conditions and industrial hygiene are components of the hazard analysis. Therefore, the "What do I have?" question provides the basis for determining hazards within the context of what is to be done and who will do it.

How Can It Hurt?

The next question provides focus on the issue of exposure. If we understand what is to be done and by whom, then we can narrow the efforts of our planning to the issue of what hazards the task group will be exposed to while accomplishing its work. When multiple employers are involved in the task accomplishment process, the answer to this question is particularly critical because it assists with determining the limits of duty for each employer. Assuming that all employer work groups thoroughly determine their hazard exposures, the comprehensive hazard exposures for the entire efforts are determined as an accumulation of these discrete task groups' hazard exposures. The importance of this concept is critical to the owner or general contractor's risk management. One may not necessarily be accountable for the determination of all hazards if all work groups have made an adequate self-determination. The existence of each and every self-hazard determination is the cornerstone of the knowledge affirmative defense with OSHA.

Don't miss the presentation "Safety: How to Develop and Implement a Site Specific Safety Plan" at our upcoming Winter Technical Meeting, Tuesday, March 7, from 9-10 a.m., in Bal Harbour, Fla. A representative from OSHA and the SIA (Scaffold Institute Association) will present how to identify jobsite hazards and develop a site plan for your workers. Employers are obligated by the OSHA General Duty Clause—come hear them speak and make sure YOU are in compliance.



NEW at OSHA

A new construction module has been added to the Compliance Assistance Quick Start tool at www.osha.gov (add hyperlinks). The new module helps employers and employees identify the major construction requirements and guidance materials that may apply to their jobsites. Compliance Assistance Quick Start introduces employers and employees, especially those at new or small businesses, to the compliance assistance resources on OSHA's Web site. Compliance Assistance Quick Start also includes modules for general industry workplaces and Hispanic Outreach.

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