

Construction Safety



An Inside Look from ACCSH Acting Chair Stewart Burkhammer

Stewart Burkhammer, P.E., CSP, principal vice president and manager, environment, safety and health services, for Bechtel Corp., is acting chair of the OSHA Advisory Committee on Construction Safety and Health (ACCSH). He was recently named a Fellow by ASSE and also represents the Society on the Board of Certified Safety Professionals. While at the Professional Development Conference in Orlando, FL, Professional Safety spent a few moments getting an insider's view on the operations of ACCSH and on the state of safety in the construction industry.

PS: Provide some background on ACCSH. What is its make-up? Its role?

SB: The advisory committee includes five members from management; five members from labor; two public members; two state-plan members and a member from the National Institute for Occupational Safety and Health. I was appointed to the committee in 1992 as a member representing management and held that position until being named acting chair. The committee also currently has 14 workgroups, covering such areas as cranes, data collection/targeting, fall protection, musculoskeletal disorders (MSDs), noise, sanitation, silica and training.

The advisory committee's role is to advise OSHA on various construction topics and help the agency select appropriate standards to be developed for the construction industry. The committee, through its various workgroups, also shares with the agency what impact standards and certain regulations they are considering will have on the industry.

As far as actual rule development, the various ACCSH workgroups work with the agency's representatives to develop some of the language for actual standards.

PS: What are your thoughts on OSHA's Construction Directorate?

SB: When the directorate was created, many in the industry were skeptical about its role. They wondered what the directorate would do, how would it be perceived by the industry, and whether it would be a helpful resource or hindrance. As a result, the first year was a bit shaky.

However, since Bruce Swanson has become director, the directorate has improved immensely. He has built the staff, bringing in extremely competent individuals on both the engineering side and construction side. In addition, he works well with both management and labor, which is crucial for the directorate to succeed. Thanks to these efforts, the directorate has grown to be well-received by both management and labor.

PS: Will this lead to a greater focus of resources in construction?

SB: Resources are an interesting issue that OSHA battles every year. And, under the circumstances, the agency has

done as well as can be expected. Will funds be more tailored toward construction because of the directorate? I believe they are doing a better job than in the past. The construction industry is an ever-changing, evolving industry. As a result, it is hard to work on the same things for many years. That's why we are concentrating on showing OSHA a better way to get standards out on a quicker timetable—and the agency is showing progress.

PS: In your opinion, is ASSE viewed as a resource both by ACCSH members and by OSHA?

SB: I believe so. I and the other ACCSH members who are also ASSE members promote the Society as a viable industry group, and I believe it is perceived that way.

With 32,000 members, ASSE has an opportunity to have a major impact on legislation in various areas. Is the Society using that power as well as it could? Not quite yet, but the potential is there and the Society is moving in the right direction. ASSE needs to keep playing a positive role and must stay in the forefront by coming to various meetings with the

assistant secretaries and agency directors so those people in a power positions can see that ASSE *does* play a vital role in the safety and health world.

PS: Is this an area where ASSE's Construction Practice Specialty can play a larger role?

SB: Certainly. There is a crying need for a voice in the construction industry. We have had splintered attempts from various agencies and various industry associations. One thing I have long been a proponent of—and some would say a voice in the dark—is that practicing safety and health professionals need to have a greater voice in the regulatory process. These are the people out there implementing the standards, providing safe work environments, making safety decisions each day. That's the voice that really needs to be heard.

PS: What are some of the hot topics being addressed by ACCSH?

SB: Fall protection is a hot issue. Falls are still killing far too many people. Trenching, shoring and excavation are also important. Ergonomics or MSDs is another, although some would dispute that. Promoting a safe workplace is also key. Despite 30 years of OSHA enforcement, many companies are still waiting to get "caught" before they even consider ways to provide a safe, healthful work environment. We have to change that. I recently read that there are now 350,000 construction employers nationwide—from small outfits to large conglomerates. We simply are seeing way too many accidents, way too many fatalities, way too many individuals not returning home at night to their families. That certainly is an area of concern for all of us.

PS: What do you view as the main causes for these continued problems in the industry?

SB: It's a combination of causes, I believe. The aging workforce is a concern. Older employees who have been in the business longer and have sustained various types of injuries over the years tend to get injured more easily.

Lack of training for younger people is another issue, as is lack of communication. Too many workers fail to understand that they have a voice, that they can work safely and don't have to work unsafely. There are other ways to do the work, safer ways that are just as productive, just as cost-

effective. But until employers believe that the old adage, "Safety pays" is true and that they can actually save money by having a strong safety and health program, employees are going to suffer.

PS: Why isn't the "safety pays" message getting through?

SB: I often hear it said, "Well, you—meaning large contractors—can have a good safety program because you have a lot of money and can pay for it." That's not the issue. The real issue is that there are some basic safety elements that any employer can implement. Communication is one of them—explaining to employees the risks involved, allowing them to have a voice to say whether an operation is safe or not. Tradespeople are tremendous at understanding what they do best. If you ask for their input and gain their confidence, they will help you provide a safe workplace because they know where the hazards are. And you need to get them involved in the process. Companies that are seeking worker involvement, who are making a partnership out of the process, are having great results.

PS: Recordkeeping is another hot topic right now. What are your thoughts on OSHA's revised standard?

SB: Before becoming acting ACCSH chair, I chaired the recordkeeping workgroup. After several years of trials and tribulations, starts and stops, we came up with what I believe is a better standard. It eliminates many gray areas, especially in terms of what is and is not recordable. Overall, I think it's a fairer recordkeeping standard than what we've had.

PS: How does it impact interaction with subcontractors?

SB: With subcontractors, the big issue is who keeps the records. The prime contractor is responsible for making sure that subcontractors keep their records. This can be a challenge, though, especially when you have a large, multi-employer site, which can have up to 120 subcontractors, some there for one day, some for several days or weeks, others longer. The key is to understand your site and know who is there and what they are doing. You must have a process in place to ensure that the proper records are kept.

PS: Speaking of multi-employer worksites, what has been the indus-

try's perception of the multi-employer citation policy?

SB: ACCSH played a large role in redrafting the directive on defining multi-employer sites. It is very controversial and will continue to be so. Everyone has a different view of what the definition should be.

I believe the way the workgroup developed it—and OSHA used a lot of ACCSH language in the final policy—it is about the best we can get right now. Over the years, OSHA has struggled with defining who is in charge at a construction site. What the agency needs to understand is that on multi-employer sites it is very difficult to understand who is responsible. Inspectors must keep in mind that in many cases, when you get down to the root-cause of an accident, there are many contributing factors that may have been caused by other employees—not specifically by the employee who was injured. That will play a large role in how OSHA will issue citations.

PS: Much debate has surrounded the proposed general industry ergonomics standard. Although it won't apply to the construction industry, how large an issue is ergonomics in the construction industry?

SB: We have a workgroup that addresses musculoskeletal disorders. I was the original chair of that workgroup. When we first started assessing MSDs, we gathered volumes of data. And what that data showed very clearly, at least to me, was that there is a problem in the construction industry with work tasks that are repetitive in nature. Iron workers tying rebar involves a continuous, repetitive motion that twists the wrist; hammering in the carpenter trades; jack-hammering and its vibration. The list is long. Yet, despite these facts, some still contend that we do not have an MSD problem in the industry.

In September 1999, the MSD workgroup produced a document, the "Draft Report on Preventing Musculoskeletal Disorders in Construction Workers," that contains management tools, jobsite tips and checklists designed to help employers minimize MSD risks. It's basically a "best practices tool."

However, many people in the industry are concerned that even though the document is not a formal standard, OSHA will use it like one and issue citations based on it. I don't foresee this. I believe it is a valuable tool, a living document that will be improved as more is learned about MSDs and their prevention.

PS: ASSE continues to express concern about the professional qualifications of OSHA compliance officers. What are your thoughts on this and how it affects the construction industry?

SB: I believe OSHA has come a long way in building the competency of its compliance officers. Today, when a compliance officer visits a construction site, s/he is much more qualified to look at some things than in the past.

Many of the current compliance officers have come out of the trades, or have graduated from college safety and health programs, so they either have a construction background or a college degree with an internship in the field. As a result, when they arrive on site, they have a better understanding of what they are seeing. That's a positive development.

In addition, we're seeing more industrial hygienists assessing the health aspects of construction sites. That's something which was unheard of in the past.

PS: International safety issues are another growing concern. Bechtel is known worldwide for its superior safety performance. How does the company maintain this performance on its international sites?

SB: Bechtel doesn't differentiate between national sites and international sites. Our core programs and principles are adaptable and applicable to any project around the world, regardless of culture. Certainly, we tailor them to the specific scope of the work, type of work, country of origin, educational level of the workforce, etc. Many companies that are expanding internationally want their contractors to bring a strong North American influence in environmental, safety and health programming to their international worksites.

Bechtel also uses standard recordkeeping practices, so a case is a case is a case. This helps us make accurate comparisons. We also strive to ensure that communications are provided so that all involved understand our goal is to prevent injuries.

For example, when Bechtel was hired to help extinguish the Kuwait oilfield fires following the Gulf War, we had 23 different languages on one site. Many of our safety professionals are bilingual; site managers are bilingual. We also hire many local professionals. Through this process, we develop a partnership with the employees and people of the country in which we are working.

PS: Final thoughts?

SB: The ESH discipline has grown tremendously over the years. Any young person graduating and entering this field has a phenomenal future. Safety changes everyday, with new aspects and issues emerging continually. So it's a great challenge to join this profession. I am really pleased to see the number of people graduating from schools that offer safety and health degrees.

I'm also pleased to see the number of

people seeking certification. Certification is the future of safety. More and more owners are asking that one of the key site personnel be a CSP. Clearly, these owners see the designation as saying, "This individual took the exams and has the required experience. I know I'm getting a top-notch professional for my project."

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