

Workplace Safety

Are You Proactive or Reactive?

By Adam Stone

When workers slip and fall, most employers know enough to help them up off the wet floor. But maybe the floor never should have been wet.

Safety comes in twos: What you do before and what you do after. Employers may know how to react, but many don't know how to be proactive by planning, training and documenting to manage the financial and human cost of injuries.

How to be proactive? What follows are three scenarios that help to spell it out, one from retail, one from a warehouse and one from the construction sector. We asked experts to talk about the proactive steps that might have been taken before these injuries occurred.

Put a Plan in Place

A liquor store employee is held up at gun point and assaulted. As in the case of most workplace injuries, the response protocols are clear enough, said Jessica Hawthorne, employment law counsel at the California Chamber of Commerce. Seek medical attention immediately. Notify the police. Inform your worker's comp carrier. For hospital stays of more than 24 hours, Cal/OSHA must be notified. The event must be noted in Cal/OSHA's [300 Log](#), a system for recording and tracking injuries. Informal responses might include employee counseling and perhaps additional training on how to handle such situations.



In addition to these after-the-fact actions, there is much proactive work that could and should have gone on beforehand.

"The single most important thing an employer can do is to have an injury and illness program," said Cal/OSHA Chief Len Welsh. "It is probably the most effective low-tech way to get a handle on safety issues in the workplace."

In fact, California employers must have an Injury and Illness Prevention Program. Employers with more than 10 employees must have a written IIPP.

In the case of the liquor store, Welsh said, such a plan would likely have given rise to a range of safeguards. "You can put in bulletproof windows. You can give people training on how to handle an irate customer," he said. "You can have controlled entry to the premises. You can have good lighting, alarms systems, surveillance systems."

In addition to these mechanical parameters, a solid IIPP would have ensured that everyone was up to speed on the proper responses, well in advance of any incident.

"Management is responsible for making sure that each subordinate receives safety information and training," said Amelya Stevenson, president of Roseville, Calif.-based HR consultancy e-VentExe. "Every new hire that comes into a company should be trained on safety by their manager or supervisor."

Business Ramifications

Depending on the situation, these basic responses and essential planning steps can take a number of forms.

In our second scenario, we're in a warehouse, watching as a heavy box tips off a forklift, strikes a worker and breaks his arm. Call the doctor, call Cal/OSHA, and get the paperwork moving. This in itself can lay the foundation for a more solid proactive stance.

"You learn about accidents when they occur. You learn about near misses, and then you can look for root causes," Welsh said. "Usually, there is a lot to be learned in looking for root causes: This thing can be organized differently in the future. It could be better run in the future."

California law requires a forklift safety poster be mounted any place where such a machine is in use. The law also requires a basic Cal/OSHA poster be displayed in every workplace. There are penalties for failing to comply. Cal/OSHA can fine a business \$7,000 for something as simple as failing to hang a poster, Stevenson said. A serious violation, such as not reporting a worker's death, can draw a \$25,000 fine. Failure to remediate a problem can cost as much as \$15,000 per day.

All the more reason to lay careful plans in advance. In this scenario such plans might take a number of forms. For example, a proactive position would call for regular inspections to find and remove physical hazards, Stevenson said. And it's not enough to inspect. You've got to have a policy that calls for problems to be fixed. "Otherwise, that's when you get into criminal penalties, when you know the problem exists, but you turn the other cheek," Stevenson said.

The plan also would call for ongoing training, rather than a one-off session. "There may be turnover of management, and maybe the new people don't get trained on the physical nature of the plant, or maybe they don't know all the protocols of particular equipment. So, it is hard for them to train their employees," unless they too have been trained, she said.

Finally, the plan ought to address not just physical safety but also workplace issues that could impact safety.

"Sometimes, to get the job done quickly, employees don't use common sense. They know that walking on a ladder in flip-flops is not smart, but their manager is screaming at them to get the box right now, and they are going to react to that," Stevenson said. "That's a procedural issue that can be addressed in the safety plan."

Knowing What You Need

Our third scenario takes us to a construction site, where temperatures have been hovering in the 100s for days. A construction worker passes out from heat illness.

The proactive approach to this is dictated by state law, California Code of Regulations, Title 8, section 3395, which applies to any employer with outdoor workers. The regulations call for water to be provided in sufficient quantity at the beginning of the work shift to provide one quart per employee per hour for drinking for the entire shift. Employees also should have ready access to nearby shade.

Mandatory posters? Specific quantities of water? State regulations can be fairly detailed, as any business owner in any industry will surely know. If portions of a safety plan are indeed mandatory, many small business owners may feel themselves pressed just to keep abreast of the law.

"Fortunately you have partnerships," Stevenson said. "With your workers comp or property and casualty insurance company, those are partners who will be your source of information"

In addition, Cal/OSHA offers a consultation program through which employers can access a range of resources and support related to safety, including on-site visits, telephone support, publications, online tools and educational outreach. All consultation services are free of charge to business owners.

CalChamber also offers support in this area, with a guide to walk employers through the basic steps involved in creating an IIPP. The [IIPP Administration Guide](#) also offers a step-by-step introduction to the various required elements of the IIPP.

At the [HRCalifornia Web site](#), employers can assess their needs with the free [2008 Required Posters and Current Revisions Chart](#). The site store sells an [all-in-one employer poster](#), as well as the [heavy lifting poster](#) and other specific posters. Related products include a [heat illness prevention kit](#), [mini-book](#) and [poster](#).

With so many tools available, it is not that difficult to be proactive, to take a positive stance on injury prevention. It requires setting some policies, establishing procedures for various aspects of the operation, and training - in reality business owners are supposed to be doing that anyway.

"Once you get your IIPP in place, it is not difficult to follow, and there are templates out there to help employers create that IIPP," Stevenson said. "All it takes is time."

First Steps Toward a Proactive Safety Plan

Want to go from being a passive player on the field of workplace safety to an employer who is ready to carry the ball?

The first steps toward a proactive safety plan lie in the planning: Specifically, state law requires all employers to have an Illness and Injury Prevention Program. Employers with more than 10 employees must have their plans in writing.

The plan must cover a range of specific subject areas. It must, for example, lay out a system to identify workplace hazards, establish a plan for periodic scheduled inspections, define procedures for investigating injuries and so on.

A few guidelines can help a business owner develop an IIPP that does more than just sit on a shelf. For example, don't go generic. Tailor your plan to the specific business circumstance.

"How well do you know your store? How well do you know your industry?" said Jessica Hawthorne. "If your liquor store is in a huge shopping center, that is going to be a very different safety situation from a standalone store where everything nearby is closed in the hours that you are open."

"Create a task force to think about safety, to look at where problem areas exist," said Amelya Stevenson, president of Roseville, Calif.-based HR consultancy e-VentExe. "Then you can use that along with an IIPP template to help you create a program. Then add in open discussion with employees about health and safety issues."

Finally, give up on the idea that a proactive safety stance is a burden. In fact, this is just good business, said Cal/OSHA Chief Len Welsh.

"Take something like ergonomics. That not only prevents injuries but can also lead to the reorganization of business processes to make things run more efficiently and demand less time and exertion to get a task done," Welsh said.

Moreover, you are probably doing this stuff already.

"A lot of business owners don't have an injury and illness prevention program, and they should. But they still go through that exercise every day," Welsh said. "They look for things going wrong. They have systems for dealing with problems. They have ways of addressing safety even unconsciously, because they want the task to be done. The point of the IIPP is to institutionalize that and, ultimately, make it more effective."

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