

CONSTRUCTION CONNECTIONS

A PUBLICATION OF EASTERN CONTRACTORS ASSOCIATION, INC.

SPRING 2021



Risk-Tolerant or Control-Deprived?

Jobsite Productivity and The Law of Diminishing Returns

Building Industry Center: "After 50 Years, It is Our Home"



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MESSAGE FROM EASTERN CONTRACTORS ASSOCIATION PRESIDENT AND CEO, **TODD HELFRICH**

It has been almost a year since the pandemic disrupted and challenged our lives and changed the world forever. 2020 was a hard year for most of us, and the construction industry was no exception. While we are still navigating a new world in which we are currently co-existing with COVID-19, we at Eastern Contractors Association want to focus on resilience and rebuilding.

Historically, events like this have proven to be opportunities for businesses to double down on training and revisit and improve company efficiencies, and those are the businesses that come out bigger, faster, stronger in the end. This

pandemic shouldn't be any different. We encourage our member firms to do what they can to come out of this a better version of themselves. Whether it's learning new things from articles in this edition of Construction Connections – such as “The Data-Driven Construction Business,” “Risk-Tolerant or Control-Deprived?” and “Jobsite Productivity and the Law of Diminishing Returns” – or by taking advantage of the various programs offered by ECA or our Building Trade partners, our members will become better than ever.

Once COVID-19 is long gone, it will

be difficult to picture a world in which we return to our old habits. For example, workspaces can never be as congested as they once were. Luckily, the Building Industry Center recently underwent a major renovation with newly improved working spaces for all its tenants. You can read about it on page 10.

Life will continue to be uncertain and strange for a while, but I believe the construction industry is resilient. We have faced and overcome challenges before, and we will keep doing so. ☺

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To provide leadership in the construction industry through:

- Promotion of a stable labor relations climate
- Development and education of a skilled workforce
- Encouragement of safety in the workplace
- Advancement of economic growth
- Being a resource for construction industry data and information

Eastern Contractors Association, Inc. (ECA) is a trade association of union signatory general contractors and subcontractors, suppliers and service firms engaged in commercial, industrial and institutional construction throughout eastern New York. ECA traces its history to 1890 and is the region's only "full-service" contractor association serving the needs of all segments of the construction industry, providing labor relations assistance, planroom services, networking opportunities and other valuable membership benefits.

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Before: conference room.



After: conference room.

BUILDING INDUSTRY CENTER: 'AFTER 50 YEARS, IT IS OUR HOME'

By Cindy Chan

The Building Industry Center recently underwent a massive modernization to better serve Eastern Contractors Association and its valued members.

Located in Albany, the Building Industry Center was constructed in the early 1970s, according to Todd Helfrich, president and CEO of Eastern Contractors Association (ECA). Helfrich says the Building Industry Center was the first of the buildings constructed in this entire office park area. Not only does ECA work out of this building, but so do several other construction associations.

“Having those construction associations in one structure has been beneficial over the years, as we jointly work on a number of things, such as joint education and training programs and projects,” Helfrich says. However, ECA is the owner of the building and occupies more than half of the square footage.

Renovations on the building ran from September 2019 to September 2020, and this was the first major renovation the center received. Alisa Henderson, president of Duncan & Cahill, was the general contractor on the project. She says the building received a minor renovation about

20 years ago, which included changing the wallpaper, upgrading the bathrooms and adding new furniture, but that was the extent of it. Helfrich says they also completed an HVAC renovation about 25 years ago. However, this recent project was a substantial renovation that comprised the whole building.

“We started with putting the new roof on and performing maintenance work on the exterior masonry. We then gutted the entire interior of the building. Everything is now brand new, from walls, partitions, ceilings and floors,” he adds.

“We had to remove all the sheetrock in



Before: lobby.



After: lobby.

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During: exterior windows.



During: ECA office.

the building to do renovations because we discovered that the walls had asbestos taping compound on them,” Dick Oliver, owner of AOW Associates and chairman of the renovation committee says. “We did a full assessment, and as a result, we decided to pull all the walls and interiors of the building out.”

Because asbestos abatement was a critical part of the construction process, it led to the redesign of the space and new finish selections that would complement the new modern aesthetic, according to Michael Roman, principal and Joseph Aupperle, architectural designer at C2 Architecture.

The project took place in four phases. Helfrich says they had extra space in the building to move tenants around while the project went on around them. Lowered occupancy allowances due to the state’s emergency coronavirus regulations also made it easier to do work throughout the entire building. Once their respective offices were complete, the tenants were able to move back in.

The Building Industry Center is a one-story, 12,500-square-foot, masonry block

building. Materials used for construction included interior metal studs, a new roof, gypsum wallboard (GWB), carpet and luxury vinyl tile (LVT) and all new dimmable LED lighting. Two new windows

were also cut through the masonry block and exterior stonework. The structure consists of two wings and a front section that comes off the two wings. Henderson says they moved tenants from the first

The construction firms that worked on the project include Duncan & Cahill, Collett Mechanical, T&J Electrical Associates, Quality Painters and Decorators, Euro Tile & Stone, Adirondack Heat & Frost Insulation, VBI, Advance Glass, A.J.S. Masonry, DeBrino Caulking Associates, Flooring Environment, Atlantic Contracting & Specialties, James H. Maloy, Callanan Industries and Titan Roofing.

Eastern Contractors Association is also especially proud to have the following Building Trades Unions involved in this project:

- Bricklayers and Allied Craftworkers Local No. 2 (masonry and tile)
- Carpenters Local No. 291
- Electricians Local No. 236
- Heat & Frost Insulators Local No., 40
- Laborers Local No. 190
- Operating Engineers Local No. 158, District 106
- Painters and Glaziers District Council No. 9
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Before: reception.



After: reception.

wing into a temporary office while they worked on that wing. The next two areas they worked on was the meeting space, lobby, reception area and one side of the main front building. The last phase included the wing with all of ECA's offices and additional tenant spaces.

The center now features a more functional, updated use of the existing space, Roman says. The redesigned conference room includes video-conferencing capabilities, and the modern lobby design is welcoming and features energy-efficient lighting. The large multi-purpose meeting space also includes updated technology such as flat-screen televisions and built-in speakers and microphones, along with brand new seating and tables.

Henderson says the building had some dated features before renovations, including room dividers that had never

been opened, 1970s paneling, book and display cases that were no longer needed, and non-energy-efficient light fixtures. The previous office layout also didn't make the most of its space for tenants.

"It's all new lighting, all new flooring, all new partition layout. We also redistributed the HVAC system; it's not entirely new," Henderson says. "The reception area is all glass so they can see everybody in front." Henderson also adds that the men's and women's restrooms now include ADA compliant facilities.

"One of the advantages from an ECA perspective is our people are able to be brought a little more closer together. Over time, we had spread out over the building. Now we have a couple of office suites where staff can work together and collaborate," Helfrich says.

"Having a new, modern building is better for our various memberships. It

provides a more comfortable space to work.

Everything is more energy-efficient, and all of our offices are designed to be more fresh," Helfrich adds. Prior to the decision to renovate the existing building, ECA had done its due diligence and explored other options from selling to renting another space to building another structure.

However, at the end of the day, ECA decided that renovating the existing building – from removing asbestos to rebuilding interiors – made the most sense.

"After 50 years, it is our home," Helfrich says. "We look forward to welcoming our membership and guests back into our new facility." ☺



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RISK-TOLERANT OR CONTROL-DEPRIVED?

By Dave Rebbitt

Risk is not something we can do away with entirely. The first and easiest way to manage risk is to transfer the risk to someone else. This can take the form of insurance or subcontractor. Insurance would transfer some of the risks, but getting someone else to perform the work can transfer the risk entirely. If the company undertakes the work or operation, then it can use the second method, which is to mitigate the risk using a standard methodology.

Interestingly enough, the type of risk does not matter all that much. Financial and operational risk can be identified and mitigated in much the same way as what we often term safety risk. These two ways

to manage risk are the most common and most widely discussed.

However, there is a third way in which corporations manage risk. They accept it. This is often called residual risk or acceptable risk. This is where we see the term risk tolerance used. How much risk will a company or workplace accept?

In terms of insurance, it means setting the deductible on the policy along with the upper limits. We do much the same with car insurance. The cost for the insurance is based on the probability of you having an incident based on research by insurance companies, but another function of the cost is the deductible. A high deductible will get you a much cheaper policy. The insurance rate will

vary on your performance just as it does for a company, whether that is property insurance or workers' compensation insurance rates.

When it comes to safety, the impression often is that there is no acceptable risk, but that is not right. Decisions are made every day to accept risk. So when it comes to risk tolerance, the question often is, "Do we understand the risk?"

Risk is a function of the frequency of exposure, probability of an incident and potential severity of the outcome. We recognize hazards and assess the risk using these criteria.

Any high-rated risks will get dealt with first. But as we work down the scale, when does a risk become acceptable? That



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depends on the organization and its risk tolerance.

On an individual level, there also is risk tolerance. Workers are very good at spotting hazards. Most incidents are not all that surprising to the workers in the

area, as they knew the hazard existed.

Some may say they just thought the risk was acceptable.

Maybe we are overthinking this a little.

In safety, the risk is mitigated using the hierarchy of controls. It has been around a

long time and almost anyone in the safety profession knows what it is:

- **Elimination.** Most effective.
- **Substitution.** Using a different method, process or products.
- **Engineering.** Design out the hazard or separate it from workers.
- **Administrative.** Procedures, policies or checklists.
- **Personal protective equipment (PPE).** Least effective.

Many people who have been to a construction site will be familiar with the belief that “be careful” is an effective control. Many personal or group hazard assessments contain this phrase as do many the job hazard analysis. So, is using “be careful” demonstrating that workers have a high-risk tolerance or just that they have no clear idea of how to control those hazards?

Workers do their job in the workplace provided by their employers. The employer is charged with keeping them safe and determining what controls are required to mitigate known hazards. The only tangible portion of that process for the employee is the PPE the employer requires them to wear. Workers have some control over the final and most ineffective of all the controls (PPE) but not the others; those are controlled by the employer.

How many companies have a process for workers to suggest or request engineering controls or administrative controls? What about substitution or elimination? As we move up the hierarchy, the time and resources required to implement those controls also tend to rise.

Have we left our workers with only two choices: “be careful” or PPE? A good example is the one you would see on any construction or industrial site. Workers must move across uneven ground. Assuming that there is adequate lighting, what must a worker do to mitigate this hazard? The outcome could be a fall or a twisted ankle, but the company has deemed the risk acceptable. This is where

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we often see “be careful” listed as the control.

More appropriately, we would use a hazard reporting process if the ground became very uneven or slippery to ensure action was taken. Still, the most effective control is for the worker to wear boots with six-inch uppers to provide ankle support (they must be laced up and tied, of course) to mitigate the hazard, as we know it is inevitable a worker will roll their foot and possibly twist their ankle.

Now, many safety people reading this are thinking they would never do that. Well, when incidents are investigated, the most common corrective actions usually revolve around training or retraining and PPE. Other action items are to follow existing processes or to continue to be more careful. This is hardly a practical approach.

A recent article in the February issue of *Professional Safety* found that higher-order controls seldom are recommended in incident investigations. When looking to mitigate risk, we must start at the top of the hierarchy and work our way down.

Safety personnel can be under pressure to show quick results or quick action after an incident. PPE is quickly available and distributed. Retraining ensures the worker is trained but implies the training was ineffective the first time or the supervisor was ineffective; perhaps both may apply. Engineering out a problem can be both costly and time-consuming.

If we are frustrated by workers who think “being careful” is what it takes to keep them safe, does that mean they must live in fear of an incident? It seems they are not highly risk-tolerant but perhaps lack access to the control mechanisms and methodology. If there is no way for workers to influence the control methods or risk mitigation in the workplace more directly, that probably means we only have left them with PPE and “being careful.”

Branding workers as having a high-risk tolerance is over complicating things.

They are great at identifying the hazards but are in the dark about the hierarchy of controls. Are we giving them the knowledge and means to reduce risk or just asking them to be careful — and wear that PPE?

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ABOUT DAVE REBBITT

Dave Rebbitt is a long-practicing safety professional with over 30 years of experience. He is an advocate for intelligent safety and the most published author, on safety, in Canada, recently publishing the book, *Effective Safety Committees*. He also sits on the Board of Governors for the Board of Canadian Registered Safety Professional and is a past board member of the Alberta WCB. He is currently president and owner of Rarebit Consulting, a safety and management consulting firm. ☺



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JOBSITE PRODUCTIVITY AND THE LAW OF DIMINISHING RETURNS

Why adding more workers may be a bad idea

By S.S. Saucerman

How many times have you been in this situation? Your company's crews have fallen behind on site. Nanoseconds later, you find yourself confronted by a stressed and exasperated client. You parry back and forth a bit, but at a point sooner rather than later, the owner utters that legendary and time-tested phrase (say it with me!): "Can't you just add more men?" Now that you're older and more seasoned, you skillfully resist your initial, more primitive urge to plunge your mechanical pencil into his forehead.

You pause for a moment to prepare your response. You've already used the

"Listen, qualified workers don't just grow on trees, you know! I can't just pull them out of my — er — thin air," tact in a previous confrontation, and it was only partially effective. The client (who'd been around the block with this sort of thing) came right back with the highly effective, "Well you're the professional! This is your business! I am paying you good money to ... etc." argumentative volley. This adeptly undermined your strategy. Stalemate.

Today, however, you're in luck, because you have another card to play. As it happens, the reason(s) behind the slowdown on site are (as is so often the case on a construction job site) nebulous

and hard to pin down. Progress has slowed, but nobody's really sure why. Nothing and no one is specifically to blame. Seizing on this opportunity, you decide to go with the tried-and-true, "The slowdown isn't our fault! We've had to wait on the [enter any other work trade besides your own here] at every turn! We're going as fast as the job will let us!" You feel just a hint of momentum, so you quickly follow up with "Why should we be blamed for somebody else's shortcomings?"

This final entreaty was delivered in what may be the finest, most exasperated victim-voice you've ever assembled. A master performance. Indeed, it appears



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to have hit its mark. You sense your opponent growing weary and you begin to relax as the conversation devolves into that post-conflagration portion of the argumentative process where both men still speak but both have also given up on listening. It concludes and the client sulks from your office. You relax your grip on the mechanical pencil. After brooding over it for a full afternoon, you add two more workers to your crew. You heroically resist the urge to make the new workers dress in bright orange and wave their arms every time the client walks by on site. This would be immature. (Sorry. Couldn't help it. Still bitter.)

STORING AMMO

But here's the thing: Did you know you could have avoided this outcome all together? Do you know there's a response to the add-more-men demand that is sound, demonstrable and backed by mathematics? It's known as The Law

of Diminishing Returns (TLDR). In more ivory-tower terms, TLDR is defined as "the decrease in marginal (incremental) output of production in relation to a single factor of that production being incrementally increased." Don't panic. Though it rings of high academia, the law itself is actually quite fundamental and practical in practice.

TLDR demonstrates that by adding more of one factor of production (in our case, this would be another worker on site) to a productive process (the task our crew is performing) will at some point (guaranteed) begin to yield lower returns. In short, a magical point in time exists in virtually every process ever created when adding more resources causes you to lose productivity (and profit!). This assumes all other outside factors remain the same.

Now, I'm reasonably certain most contractors, as businesspeople, already intuitively understand this concept although many may not be entirely clear on the forces that back it. They know from experience that

dumping more workers into a limited area of work — a work "system" — will only end up with those workers stumbling over one another, waiting longer for access to work elements, and growing more disgruntled and less motivated over the lapses in work rhythm and continuity. And it's this empiric observation that is essentially at the heart of TLDR.

But knowing TLDR is there still doesn't make it any easier, in a moment of argumentative need, to explain and clearly articulate its effects. The goal, of course, is to convey to the owner the reasons why adding more workers to the crew may indeed end up causing more harm than good.

So, let's see if we can fix that. Let's examine and break down TLDR and see if we can transform this seemingly ethereal concept into something the contractor can wield as an argumentative tool the next time an anxious owner comes calling.



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THE LAW OF DIMINISHING RETURNS

Let's look at an example based on our dilemma above. Suppose our current crew is made up six carpenters. As is common, this crew includes craftsman of varying ages, experience levels, work ethics and capabilities. Indeed, some members contribute more and are more productive than others. Let's also assume that like many contracting firms, there is only so much equipment to go around. Of course, each worker comes with all the standard hand tools, but on this particular site, there is one stationary table saw, one power mitre box and only so many drills, circular saws and jigsaws to go around. In the TLDR universe, this limited larger equipment is known as your fixed assets. Think of this as assets that remain relatively static and unchanged.

On the other hand, your workers are considered variable assets. They come and go and can be increased or reduced with relative ease. In our quest to better understand TLDR, the first thing we'll want

to do is assign an average rate of production to our variable assets (the crew). This might end up looking like this:

Unit Output – Crew

Carpenter #1:	9.25
Carpenter #2:	8.15
Carpenter #3:	8.90
Carpenter #4:	7.20
Carpenter #5:	9.50
Carpenter #6:	7.90
Crew Average:	8.48

A "production unit (PU)" score is assigned to each worker. These scores are then added up and divided by the six members on the crew to reach an average of 8.48 PUs for that particular crew, or a total of 50.88 PUs for the crew itself. Once you have this score, the next important step is to ascertain the optimal level of production (OLP) that is possible for that particular task system. Think of it as a ceiling or a cap on how efficient that task could ever be performed under any circumstances by those six workers.

Now, you're either going to be sorely

disappointed or highly relieved to learn we're not going attempt the math concerning the OLP calculation. Candidly, when taking into account the vast complexity and fluidity of the construction industry as a system, I'm not sure we could, even if we wanted to (I talk more about this later). For now, let it suffice that these calculations were performed and that the optimum level of production assigned to this task system using a six-person crew came in at 54.00 (or 9.00 production units/worker) for this particular system at this point in time.

Also know that the numbers used are for example only. In real use, these productivity numbers would be supplied by individual firms/businesses that have likely gone to extensive pains and energy (tracking, cataloging, weighing, assigning, adjusting) to arrive at their company's own proprietary production factors.

So, given that 54.00 is the best the laws of nature will allow, the graph at right shows what happens when we add two more workers.

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Due to the fact that this task system can't go over 54 units, when we add our seventh worker, there is a severe drop (likely caused by congestion, redundancy of task, etc.) in the seventh worker's marginal individual production, which in turn brings down the overall crew score. By the time we add the eighth worker, it grows all too clear that not only is our crew not maintaining its level of production but is now heading for a steep decline. The good news? You were right all along! Six was the optimal number of workers for this task at this time for this situation, and the only way productivity was ever going to increase was by increasing the task system. You'd done all you could with your variable assets.

There are abundant other ways to demonstrate the TLDR effect. Another common example is to imagine a factory floor with a fixed number of machines all lined up in a row, and a variable supply of labor for operating those machines. As the floor manager increases the number of workers, the total output on the floor

grows until lines form for the machines and the general overcrowding and congestion builds until the extra workers are not only not being productive, but actually just standing around. Again, at this point, and as it was above, the only way to increase production is by increasing the system; in this case, by buying more floor space and machines.

A WORLD OF INEXACT SCIENCE

Please keep in mind that we've been discussing economic theory only, and given our vast and mercurial industry, theory may indeed be the best we can hope to apply. Why? Because although the mathematical basis (backed by mountains of field observation and verification) behind TLDR are rock solid, the TLDR equation is only as good as data entered into it. Garbage in, garbage out. And this is where our industry falls sadly, sorely short.

The harsh reality is, with the exception of the simplest of the most controlled task, there is simply far too much complexity,

incongruity and (most damaging) disruptive human factors (including morale, sloth and motivation) to ever arrive at a universal set of productivity factors that are accurate, responsible and transferable from place to place, time to time, or application to application.

But this lack of quality data isn't the fault of TLDR. The science is sound. I still maintain that the TLDR argument is a position of formidable merit when discussing field operations with a client. Just explain it as I have to you. You may be surprised by the client's reception. Remember, too, that many of our clients are businesspeople themselves who have likely seen and experienced the TLDR concept in action. So you're already halfway home.

Good luck!

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UNDERSTANDING ANXIETY DISORDERS

By Bob Swanson

Anxiety disorders are the most common mental illness or brain disease among Americans today. As indicated by the National Alliance on Mental Illness (NAMI), in the United States, approximately 40 million adults and seven percent of children ages three to 17 live with anxiety disorders. Common symptoms of an anxiety disorder include feeling nervous; feeling helpless; a sense of impending panic, danger or doom; increased heart rate; hyperventilation; sweating; trembling; trouble concentrating; trouble sleeping; and having gastrointestinal problems.

With the prevalence of these types of disorders, it's important for employers to understand what they are, how they affect individuals and how individuals living with anxiety disorders can get help. These disorders can affect anyone, and you or someone at your company could very well be living with one (or multiple).

Feeling anxious is a normal, healthy human response to stressful circumstances. Living in our world today includes many stressful circumstances that

have been compounded by the pandemic and physical isolation. Webster's New World Dictionary defines anxious as "Having or showing anxiety; uneasy in mind; apprehensive; worried." Webster's New World Dictionary defines anxiety as a "State of being uneasy, apprehensive or worried about what may happen; concern about a possible future event."

One might reasonably question, if feeling anxious is normal, how do we identify an anxiety disorder? Anxiety can become "an abnormal state...characterized by a feeling of being powerless and unable to cope with threatening events, typically imaginary, as shown by sweating, trembling, etc." When feelings of intense fear and distress become overwhelming and prevent us from doing normal activities, an anxiety disorder may be the cause. They involve more than a temporary worry or fear, the feelings are intense and the fear is out of proportion to the actual danger.

Here's an example. During my last commercial airline flight on March 12, I was anxious about my health and safety since the pandemic was beginning to be

present in the United States. While I was anxious, I was still able to travel home. My anxiousness did not prevent me from taking action. Someone living with an anxiety disorder may not have been able to bring themselves to travel home.

Now that we have an idea of how to spot anxiety disorders, let's go into more detail on what causes them and how they affect people. The two main causes of anxiety disorders are genetics and environmental factors. Studies indicate that anxiety disorders tend to "run in families." A stressful event such as abuse, violence or prolonged illness can also lead to the presence of an anxiety disorder. People living with an anxiety disorder often also live with depression.

Different sources identify as many as 10 anxiety disorders, but four are the most common:

- **Generalized Anxiety Disorder:** The individual worries extensively about personal health, work, social interactions and everyday routine life circumstances.
- **Social Anxiety Disorder:** The individual experiences intense fear of social interaction.

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- **Panic Disorder:** The individual experiences sudden periods of intense fear that come on quickly and reach their peak in minutes.
- **Phobias:** The individual experiences intense fear of specific objects or situations. Examples include fear of flying, heights, etc.

As with most illnesses, anxiety disorders are treatable. Unfortunately, the Anxiety and Depression Association of America indicates that less than 37 percent of individuals living with anxiety disorders receive medical care for their illness. Treatment typically includes psychotherapy or “talk therapy,” cognitive behavioral therapy and use of medications.

Cognitive behavioral therapy is one type of psychotherapy that assists the individual in developing coping skills to manage the situation and anxiety symptoms. Behavioral therapy includes recommendations for lifestyle changes like regular exercise, using relaxation techniques, eating healthy

and maintaining regular sleep patterns. Commonly prescribed medications for anxiety disorders include benzodiazepines, buspirone, anti-depressants and beta-blockers.

I challenge all employers to ask the following questions. Are any of your employees exhibiting symptoms of untreated anxiety disorders? Are you willing to provide the assistance they need on a prolonged basis? Does your company provide a culture that allows employees to get the help they need for illnesses of the brain? We as an industry need to continue shifting our culture until every company answers the last two questions with a “yes.”

To learn more about anxiety disorders, I recommend reading “Embracing the Fear” by Judy Bemis. Resources for this article included the following: Anxiety and Depression Association of America (www.ada.org), Mayo Clinic (www.mayoclinichealthsystem.org), National Alliance on Mental Illness (www.nami.org), National Institute of Mental Health

(www.nimh.nih.gov) and United States Department of Health & Human Services (www.hhs.gov).

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ABOUT BOB SWANSON

Bob Swanson is the past president of Swanson & Youngdale and past chairman of the Finishing Contractors Association International. He tragically lost his son Michael to suicide on March 13, 2009 at the age of 33. Bob now focuses his efforts on creating awareness of the impact of mental health and suicide in the construction industry.

Eastern Contractors Association and several of our industry partners are bringing awareness to mental health issues as the construction industry ranks No. 1 in the number of recorded suicide deaths and No. 2 in suicide rates in the United States. ☺

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THE 10-MINUTE PRESS RELEASE

Rediscover the simple, low-cost tool small contractors can use to grow their business

By David Acord

Press releases are the building blocks of any solid marketing or publicity plan. Often overlooked in the age of social media and the Internet, they are still an incredibly cost-effective way to get your message out and reach potential customers – especially if you’re a small contractor looking to expand your local and regional market share.

And here’s the dirty little secret: press releases are also very easy to write. You don’t need any special training or literary skills, and you don’t need to hire an expensive public relations firm. In fact, you (or someone else at your company) can write a basic press release in 10 minutes or less.

STEP 1: CHOOSE A TOPIC.

A press release lets newspapers, magazines, radio and TV stations know about new developments in your business. It’s also a great way to enhance your social media activities. Writing a release helps you focus your thoughts and craft a tight, coherent statement. Once that’s completed, you can quickly and easily repurpose it by posting to Facebook, Twitter, LinkedIn or other social media outlets. Use the press release as your starting point.

Many folks mistakenly think press releases are reserved for major announcements. But it doesn’t have to be “big” news, just interesting. Maybe you just completed a project that will have a significant impact on the local community. Or perhaps you hired a new executive, signed a fat new contract with a client, won a prestigious award, opened a branch office, expanded into a larger building, bought some crucial equipment that will allow you to

offer new services or one of your employees saved a kitten from being run over...the possibilities are endless.

The point is, it’s important to share good news about your business with as many people as possible as often as possible. That may sound like an obvious statement, but far too often, small contractors hide their light under a bushel and fail to promote their accomplishments. They fall into a rut and only communicate with their core customers. As long as that small group (which provides them with regular work) is happy, there’s no need to let anyone else know, right? Wrong! If you do a great job for a client, don’t let it end there. Make sure every other potential client in a hundred-mile radius hears about it, too.

Sometimes contractors simply don’t realize the potential publicity value attached to their projects. They’ve been doing it for so long that it’s become old hat to them. What the general public would find fascinating, they see as just another day on the job. An ironworker who spends his days two hundred feet in the air thinks it’s normal; everyone else thinks he’s a modern-day superhero. Ask yourself: what is unique about what you do? Is there an unusual or interesting aspect to a project you’re currently working on? Why is this project important? How does it fit into the bigger picture?

STEP 2: CREATE A TEMPLATE.

A press release template is very simple to create. In many cases, you can simply use existing letterhead stationery. But if that won’t work, open a blank word processing document on your computer. Insert your logo and center it at the top of the page. Either above

“Far too often, small contractors fail to effectively promote their accomplishments.”

or below it (whichever looks best, depending on the size and shape of your logo), type in your company’s basic contact information (address, general phone number, etc.). Include the date as well.

Plus, it’s always a good idea to list the name and phone number/email for a specific person at the company whom the press can call with questions about the release. This person should be prepared to answer questions and potentially have their quotes appear in print and/or online, so choose someone responsible.

You can check out a sample press release template at www.tauc.org/prsample.

STEP 3: WRITE.

“But I’m not a writer!” Don’t worry. You don’t have to be a professional novelist to write a press release. No one is expecting Shakespeare-level prose. Be clear, be simple, be brief (most effective releases are one page or less in length). As long as you know how to put together a few basic sentences, you’ll be fine.

The easiest way to get the words down on paper is to envision talking about the subject in real life. Imagine that you’re having a casual conversation with a friend or co-worker over breakfast. They ask you what’s new at work. You might reply by saying something

like, “We just hired a new vice-president. Great guy, he has tons of experience. He used to work at XYZ Contracting. He’s really going to help us grow our business.”

Now all you need to do is frame your words in a more professional context. “We just hired a new vice-president” becomes “Ace Contracting is pleased to announce that Joe Johnson has joined our team as vice president. Joe comes to Ace from Competitor Contracting, where he served as director of development.”

Back to our imaginary conversation. Your friend replies to the news of the hiring: “That’s great! What’s he going to be doing, exactly?” You say, “We really want him to focus on the southeast region. Our business is really down there.” Bingo – there’s your next line. You might write something like, “Joe will oversee Ace’s sales and operations in the southeast region. He will also be responsible for [any additional duties].”

“Sounds like a great hire,” your friend says. You reply, “Oh yeah, I’m really excited. He’s got a great track record, and we really think he’s going to help us grow. It’s not often you see someone with that much experience.” This becomes your next paragraph:



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a quote from you (assuming you're the owner or CEO) praising your new hire. "We are extremely pleased to have Joe join the Ace Contracting family. His experience and track record is second to none – just ask anyone in the industry."

You could end the press release by including an equally positive, optimistic quote from the new hire himself. Then, insert a brief closing paragraph about your company – a "boilerplate" statement that includes general information about who you are, what you do, how long you've been in business (see www.tauc.org/prsample for an example).

Congratulations! You just wrote your first press release. One more thing, though: be sure to proofread it carefully to catch any embarrassing spelling or grammatical errors. Use your word processing program's tools for this, or have someone else look it over (just make sure they know what to look for).

Also, if you write a press release about a particular project, be sure to get permission from the client first. They may also wish to sign off on the text of the release before you send it out. Finally, it's always a good idea to run any press release – however mundane – past your legal counsel first. They see things you don't. Err on the side of caution.

STEP 4: DISTRIBUTE.

Now that you've written the press release, who will you send it to? It depends on the subject. If it's about something that people in your community will find of interest, you'll want – at the very minimum – to send it to local and regional media outlets (newspapers, websites, radio and TV stations). Trade industry magazines and association or union publications are also good targets. You'll need to do a little research and compile a list of outlets, emails and phone numbers (a great job for an intern or administrative assistant).

Most journalists welcome unsolicited press releases – it's part of their job – but it's always a good idea to call ahead and ask

permission first, or inquire about who specifically would like to receive the release. That way, you avoid any potential "spam email" complaints. Speaking of email – it's the easiest way to send a press release these days. Simply convert your document to PDF format and attach it in an email. However, it's not a bad idea to send a hard copy in the mail as a backup, if your list is small enough and the extra postage cost wouldn't be too high.

As I mentioned at the beginning of the article, be sure to repurpose the press release, too. Post the text on your website (if you don't have a "News" or "Media" section, create one!), and link to it on Twitter, Facebook, LinkedIn, etc.

STEP 5: REPEAT.

Start looking for excuses to write more press releases. Aim for a goal of writing at least one press release a month. Ask your employees for suggestions about topics. Consistency is the key. Your first release may not get any response, but don't get discouraged – keep plugging away. Oftentimes reporters may not respond to a release, but they'll file it away; they are always looking for new sources for future articles. Who knows? You may get a call six months down the road from a reporter seeking comment on a local business issue, because they saw your name on the release.

CONCLUSION

Press releases are an easy, low-cost way to raise your company's profile. They're not a get-rich-quick scheme, but they are a way for small contractors to spread the word about their company, and the union construction and maintenance industry as a whole.

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ABOUT DAVID ACORD

David Acord is Director of Communications for The Association of Construction Users (TAUC) and its sister organization, National Maintenance Agreements Policy Committee (NMAPC). He is also editor of TAUC's quarterly magazine, *The Construction User*. ☺

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TREAT THEM LIKE MUSHROOMS... AT YOUR OWN RISK

By Mark Breslin

In a recent discussion with an apprentice after one of my presentations, he impolitely called bullshit on my entire message. Since we were surrounded by a few hundred tradesmen, I resisted the sudden urge to punch in his little face (they don't call me a professional strategist for nothing!) and instead asked him to explain what he meant.

He responded, "The contractors are making a mint on our backs, and you want us to be more efficient and responsible just for them? It's crap!"

I followed up with this question: "Hey

kid, how much profit do you think a contractor makes on a million-dollar project?"

Without a moment's hesitation, he blurted out, "A million dollars."

"Really?" I said. "Are you sure you don't want to reconsider that answer?"

He thought for a few seconds, shrugged, and said, "Well, maybe not. But they still probably make around \$500,000 profit."

Wow. Just...wow.

Do you think this young worker's mistaken beliefs impact his work ethic?

What about the level of effort he puts into the job – not to mention the quality of the

work he performs? If he thinks contractors are getting rich at his expense, will his attendance and accountability suffer?

Obviously, he has no clue how the union construction world really works. And if you asked some of the half-million apprentices in our industry the same questions, I'd wager you'd hear similar answers from a lot of them. This is not an isolated problem. The scary part is that these guys are going to be in our industry for the next 25 years (at least) spreading their misguided attitudes and beliefs ... unless we get off our collective asses and start focusing on leveraging the power of

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Explain what it is, why it matters and how it affects the union construction industry. Emphasize how gaining (or losing) market share impacts the individual union member and what needs to be done to ensure that our piece of the pie keeps growing.

WHY UNION?

Define the union value proposition and the promises we are making to the makers. Explore the consequences of what happens when we fail to deliver on those promises. Make sure each worker understands they are personally responsible for the success of every job they work on.

FINANCES

What is the total cost of a union journeyman (full loaded)? What is the delta between union and non-union labor costs? What are the average post-tax margins for contractors in the construction business? How do the "little things" add up to kill margins?

CLIENTS

Where does work come from: How do contractors bid on and procure new work? What do clients expect? How can we convince clients to choose union? Why might they pick the competition? Why are quality and schedules so important?

LEADERSHIP

What are the key business skills contractors need and want in both current and future leaders? How do you obtain these skills?

SUCCESSION AND KNOWLEDGE TRANSFER

How does generational change in the business impact workers personally? How might this change impact pensions? Why is mentoring so critical, both now and in the future?

CHANGE

Emphasize the inevitability and necessity of adaptive change at an organizational, professional, and personal level to remain competitive and relevant in today's world

We have kept the rank-and-file in the dark about the realities of our business by withholding relevant information and explaining how things work.

knowledge to improve performance.

Have you ever heard the following phrase in the workplace or on the job? It comes up when people start asking supervisors and management a lot of questions or bring up tough subjects: “Treat ‘em like mushrooms; just keep them in the dark and feed them bullshit.”

Well, without even trying that hard, the union construction industry has done just that. We have kept the rank-and-file in the dark about the realities of our business by withholding relevant information and explaining how things work. As a result, instead of training up guys the right way and growing “mighty oaks” (figuratively speaking) to help us regain market share and seize new opportunities, we have turned into a bunch of mushroom farmers. The kid I just mentioned? He’s a mushroom and he doesn’t even know it. But it’s not his fault. It’s ours.

In some organizations, the management philosophy resembles a poker player’s strategy: keep your cards close and don’t reveal anything. In others, management mistakenly assumes that labor is an “unengaged commodity” – they believe the guys on the ground simply don’t care about the nuts-and-bolts of running a business. And then there’s a third category of companies whose leaders flat-out don’t appreciate the motivational power of giving their workers a sense of purpose.

Union workers in the construction industry lack the foundational elements to understand the industry as a whole and their roles within it. They understand the work – they know how to use the tools and understand the importance of getting the job done. But after that, everything gets blurry.

When it comes to developing apprentices and new craftworkers, our industry has traditionally focused on teaching and training skills. In fact,

the brand identity for union workers is “highly skilled.” But what’s missing? Knowledge. In a competitive economy and industry that is rapidly evolving, knowledge is as important as skills. What kinds of knowledge do we need to provide to defeat the “mushroom farming” approach?

It is time for every apprentice and journeyman in the U.S. and Canada to enroll in a course entitled “Construction Business 101.” This serious educational effort needs to hit the basics and educate our workers about market share, the union construction value proposition, and the nuts-and-bolts of how projects are financed (see sidebar).

Many think that being in the trades is only about hard work, determination and grit – and in a sense, they’re right. I am a fourth-generation construction guy, and I know those qualities are absolutely essential to success on the job site. But we cannot ignore the fact that the hands that perform the work always follow the head and the heart. If our people don’t

understand the industry, how can they really succeed? How will they feel as if they are a part of what is going on? Why would they ever want to embrace change? If they don’t even know what they cost or what a contractor generally makes, why would we expect them to care about cost control or productivity? It is time to evolve and focus not just on skills, but on knowledge as well.

The field guys are smart. They are hungry for information. They want to be empowered. They are not content to serve as “just” the production end of the business. They want a “why,” and they deserve it. We can no longer assume that they just “get it.” That’s as unrealistic as expecting an acorn from a mushroom.

ABOUT MARK BRESLIN

Mark Breslin is a strategist and author of several books, including most recently, “The Five Minute Foreman: Mastering the People Side of Construction”. Visit his website at www.breslin.biz or contact him at (925) 705-7662. ☺



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THE DATA-DRIVEN CONSTRUCTION BUSINESS

Why leveraging data is the key to success in the 21st century

By Ani Abrahamian

While the amount of data produced every day is staggering, even more so is the fact that it's increasing exponentially by the hour. In fact, experts estimate that by 2025, the global population will have generated about 175 zettabytes of data. To put that in perspective, a zettabyte is roughly equal to a trillion gigabytes.

As we have seen in the construction industry, more data means greater efficiencies, time savings and improved project delivery. But there's also a downside: the sheer volume of information coming in on a daily (even hourly) basis makes it challenging for contractors to utilize the data to its full capacity. In fact, studies show that 96 percent of all data goes unused in the engineering and construction industry.

But it is precisely here, in what many people might perceive as an industrywide challenge, where businesses can find a massive opportunity — one that has the potential to set their company apart from their competition. The reality

is, businesses that are able to leverage actionable insights from their data gain a competitive advantage over those who don't, and here's why.

Leveraging data and insights enables businesses to mitigate risk in two key areas. First, they can spot trends and risk areas so they are able course correct before a project derails. Secondly, they are able to use that data for better forecasting. In other words, data helps businesses be proactive, rather than reactive, so they can stay one step ahead of any surprises.

TOP EIGHT DATA TRENDS IN CONSTRUCTION

With more businesses utilizing digital solutions, we are indisputably in a new era of construction. While teams may not have a construction crystal ball to predict what the future will hold, they can look at current trends to better understand where the industry is headed. This enables them to equip themselves with the tools they need today to better prepare for tomorrow. Here's a breakdown of the top eight data trends:

1. THE AMOUNT OF DATA IS GROWING

As I mentioned above, as projects become more complex, the amount of data is also increasing — and managing that data efficiently is no longer a nice-to-have luxury but a necessity. Relying on manual processes or disparate solutions means information is often captured in siloed systems and data is fragmented. As a result, teams have no way to gain a comprehensive view of project performance, making it difficult to accurately forecast and improve future results. On the other hand, managing data in a constructive way will help businesses outperform those that do not.

2. DATA IS MORE ACCESSIBLE THAN EVER BEFORE

Research suggests that the construction workforce is getting more tech-savvy and collaborative. Plus, the cost of technology is more affordable, Wi-Fi is more accessible, and with 1.3 billion connected devices worldwide, it's easier than ever to share data and collaborate efficiently. The reality is, technology is driving new ways of working — both on site and off — and it's enabling teams to make better data-driven decisions from anywhere.

3. INTEGRATIONS OFFER ENHANCED INSIGHTS

According to FMI, 90 percent of all data generated in construction is unstructured. What's more, 30 percent of companies use different software that don't integrate with each other, meaning that data is stored in different devices (desktop to mobile) and different formats (emails, PDFs,

“With more businesses utilizing digital solutions, we are indisputably in a new era of construction. While teams may not have a construction crystal ball to predict what the future will hold, they can look at current trends to better understand where the industry is headed.”

blueprints, timecards). But managing data with an array of disparate solutions isn't a sustainable way to manage projects, let alone a business, for the long-term. Integrations allow different solutions to "talk" to one another — enabling streamlined communication and reduced double entry. Most importantly, teams can access enhanced reporting and analytics across projects.

4. PLATFORMS CONSOLIDATE DATA INTO ONE PLACE

In order to obtain useful insights, your solutions not only need to talk to one another, but they also should be consolidated in one centralized solution. Unlike a single solution that only addresses one business need at a time, a platform is a streamlined system that connects solutions through integration. Similar to a physical platform, digital platforms provide a base structure, or scaffold, onto which multiple components can attach (a solution for accounting, another for scheduling and so on). This means all project information lives in one place, and stakeholders — from the site to the office — have one source of truth to ensure information is accurate, up-to-date and efficient.

5. GREATER PROJECT VISIBILITY LEADS TO MORE INFORMED DECISIONS

Digitization is changing the landscape of how work is performed and managed, and it's providing greater transparency to a historically fragmented industry. Notably, platforms provide stakeholders with more accurate, real-time access to data — leading to more efficient and informed decisions. This is because platforms are able to look at overall performance across projects and the company as a whole. Not only does this give teams a single source of truth, but it creates better alignment across all stakeholders — from owners to general contractors to specialty contractors. It also allows executives to see a high-level overview of project health, enabling them to identify areas of improvement to drive

greater productivity, less risk (and waste) and higher profits down the road.

6. DATA SUPPORTS SAFER JOB SITES

Leveraging data helps teams stay on schedule and under budget, and it also supports a safer workplace. Many safety accidents happen as a result of rushing to get the job done or lack of attention. Better forecasting leads to fewer on-site surprises and last-minute changes, allowing teams to dedicate more time to the task at hand — and that means fewer mistakes and

injuries. What's more, businesses now have the ability to leverage machine learning which tracks trends and can automatically detail where accidents are most likely to happen and what types most frequently occur. With insights like these, contractors can design safer job sites to mitigate future risks.

7. BUSINESSES ARE LEVERAGING DATA TO GAIN A COMPETITIVE EDGE

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are using data not just to survive but also to thrive. In fact, they're leveraging data to gain key insights to help them outperform their competition. By leveraging an integrated solution like Procore Analytics, which offers insights from project data, teams are able to improve forecasting, extract trends from larger datasets and identify patterns with machine learning. Teams are able to visualize their data while moving in between reports and dashboards, all while gaining granular insights to help guide their business. This helps them reduce risk, make faster data-driven decisions and more accurately forecast to maximize project results.

8. INDUSTRY INSIGHTS HELP BUSINESSES NAVIGATE UNCHARTED WATERS

Shortly after the COVID-19 pandemic, Procore released the Construction Activity Index. The data utilizes aggregated jobsite activity from Procore as well as publicly available information to

measure construction activity during the COVID-19 outbreak. It provides data on everything from how states are reopening, sheltering-in-place orders and changes in worker hours. It gives businesses insight into how COVID-19 impacts construction businesses and is enabling analysts, economists, and government officials to make projections. This kind of data is helping businesses not only navigate current changes in the industry but also helps them make better business decisions going forward.

A NEW ERA OF CONSTRUCTION

Construction represents about 13 percent, or \$10 trillion, of global annual GDP and employs seven percent of the global workforce. As one of the world's largest industries, those numbers will only increase. Projects, teams and construction businesses will continue to grow and become more complex. More than ever before, businesses have an opportunity to take their people, processes and profits to

new heights. They have the ability to learn from past projects, make better decisions going forward and benchmark against peers. They can predict risk and minimize waste. They have an infinite amount of data to help them improve, right in the palm of their hands. As we look to the future of construction, the volume of data will continue to grow at an astonishing rate. However, it's up to each business to leverage those insights in an efficient and effective way to drive their company, and the industry, forward.

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ABOUT ANI ABRAHAMIAN

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FIVE STEPS TO TAKE WHEN YOU'RE A VICTIM OF IDENTITY THEFT

By Kimberly Hunter

In our increasingly digital world, an individual's personal information resides on hundreds, if not thousands, of servers across the globe, resulting in a huge rise in identity theft. Defined as "the crime of obtaining the personal or financial information of another person to use their identity to commit fraud or deception, typically for economic gain," identity theft resulted in losses to consumers totaling over \$3.5 billion in 2019 (as reported by the Comparitech Identity Theft Facts and Statistics: 2019-2021 report). The same report noted that approximately 10 percent of Americans have been a victim of identity theft, 21 percent of whom have been victimized more than once.

If you or someone you know suspects that your identity has been stolen, here are the steps to follow to report identity theft to authorities and take steps to prevent further damage:

1. Contact the federal trade commission at (877) 438-4338 or go to www.identitytheft.gov to report identity theft and create a recovery plan.
2. Contact the social security administration at (800) 772-1213 or go to www.ssa.gov to report that your social security number (SSN) may be compromised.
3. Consider filing a report with local or state police.
4. Contact your financial institution to inform them that you may be a victim of identity theft.

5. Contact at least one of the three major credit bureaus to place an alert on your credit reports:

- Equifax: (800) 525-6285
- Experian: (888) 397-3742
- Transunion: (800) 680-7289

With the tax season upon us, be alert that tax-related identity theft can occur when someone uses your stolen social security number to file a tax return and claim a fraudulent refund. You may not be aware that it has happened unless the Internal Revenue Service (IRS) sends you a letter by mail stating they have received a suspicious tax return that uses your SSN, or if you try and electronically file your return and it is rejected as a duplicate. If you know or suspect that you may be a victim of tax-related identity theft, the IRS recommends these additional steps:



- Respond immediately to any IRS notice.
- Complete IRS Form 14039, Identity Theft Affidavit.
- Continue to pay your taxes and file your return, even if you must do so by paper.
- Refer to the IRS Publication 5027 for additional information.

We recommend that all consumers be diligent in protecting their private information by using strong unique passwords; accessing emails, bank accounts, and financial information through a secure network only (no public Wi-Fi); shredding documents with private information that are no longer needed; monitoring your credit report,

financial and medical statements; locking your mobile devices; and avoiding providing personally identifying information over the phone.

ABOUT KIMBERLY HUNTER

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THE CONTRACTOR FAQ

By Norb Slowikowski

I get asked a lot of questions in this business. You'd be surprised how much the same commonalities emerge from different parts of the country. The questions often revolve around management, leadership and skills training. Everyone wants to run their operation in the best way possible to attract the best people possible. With that in mind, here are the most frequently asked questions along with my ideas as to why they're important for achieving productivity on the job site.

What is the main objective that a contractor should strive for in trying to improve productivity in a company?

I'd have to say, "Establish a motivational climate." You can't possibly motivate an individual with the same techniques that worked 10 or more years ago.

Most contractors are aware of this principle, but I will recite it anyway. I call it the "lengthening shadow approach." As a contractor goes, so goes his organization. If a contractor is uptight, angry, hostile and disrespectful, the company will soon take on that personality. Everyone is a lengthening shadow of the leader.

For that reason, a contractor should look at his foremen and superintendents as key assets to success. If a contractor is a positive and fair individual, he'll spot that foreman who's out of tune with

the company culture and will do something about it in a positive way through a combination of straight talk and listening.

Establishing a motivational climate also requires positive reinforcement for a job well done. Rewarding top performers, involving field supervisors in the decision-making process and encouraging them to ask for help when they encounter a problem are three important ingredients to reinforcement. This requires upper management to adopt a "Let's fix it" attitude, instead of simply blaming others when problems occur.

How can an owner stay in touch with all levels of his organization and still run the business effectively?

Actually, it isn't all that difficult to do. I call it the MBWA approach — Manage by Walking Around.

A contractor should schedule time to visit the job site and find out what's happening on the ground. It's just good business sense and keeps you connected to every level of the company.

But don't restrict your fact-finding to job progress. Communicate with and listen to your people. Don't be so certain that your foremen and supervisors will automatically tell you they are having problems. You need to encourage feedback without repercussions attached.

Let your people know that you're interested in them and in their work. Ask them if you can help in any way. Give credit where credit is due, and you'll find that nothing is more motivating than the boss's appreciation. It's amazing what that does for people, and there is no cost attached to it.

Are there any must-dos that owners should carry out when they visit the job site?

People essentially want three things. First, they want to feel involved and be a part of the team. Second, they want sincere appreciation for a job well done. Third, they want the feeling that you'll support them when they're facing difficulty. That when an obstacle occurs, you'll take action to assist them or help them remove it.

The old excuse that good employees don't need positive feedback because they know when they're doing well is archaic thinking that doesn't match with what employees actually want.

What's a good rule to apply when an owner spots a problem situation on the job site?

Remember, people typically don't deliberately mess things up, so watch out for overreacting and placing blame. Instead, keep your focus on the problem and what caused it. Involve the foreman in the solution since he's the one in charge.

When everyone focuses on a problem, a sense of achievement and belonging occurs.

What are the key elements of effective job site supervision?

The jobsite supervisor must be able to identify the barriers

to productivity and eliminate them. They must identify the underlying causes and avoid treating only the symptoms.

The first step is to specifically identify the problem. A problem that is identified is already half-solved.

The second key element is listening. Remember, if someone is not listening, communication fails.

The third element is motivating people. Knowing what makes people tick means knowing their overall driving force. Good motivators know how to satisfy needs and wants, which can include the following:

- Sincere appreciation for a job well done.
- Involving them in decision-making.
- Supporting them when the going gets tough.
- Letting them know how they're doing and coaching them when improvement is needed.
- Giving them all the information they need to do their job effectively. For example, labor budget, scope or work, blueprints, shop drawings, addendums, copy of the contract, adequate tools and equipment, etc.
- Treating them as key members of the team.

Involve your people in the process of developing an action plan to achieve desired results. Achieve "buy-in" and let them help you solve problems to create a sense of teamwork so that everyone is moving toward the same goal.

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MOTOR VEHICLE SAFETY: AN ESSENTIAL PART OF YOUR CONSTRUCTION SAFETY PROGRAM

By Geoffrey S. Pope

Probably because for most of us driving is a daily activity (whether we work in construction or not), those of us who are in construction seldom think of it as a construction task, at least when heavy equipment is not involved. However, while operating heavy equipment safely indeed poses special challenges, passenger vehicles and light trucks also require care if accidents are to be avoided. While falls are the No. 1 cause of serious injuries and deaths on construction sites, across the economy motor vehicle mishaps are far and away the leading cause of work-related injuries.

While many of us raised in the United States had professional instruction or high school driver's education classes, you shouldn't, for one thing, take for granted that your employees are all well-trained, experienced or even licensed drivers. Not a few recent immigrants, for example, hail from poorer countries where car ownership is not a given. Only in 2019 did New York begin issuing driver's licenses to the undocumented; even persons presently

holding green cards may have spent years without driving. Drivers, wherever born, sometimes lose their licenses for DUIs or other traffic offenses, and you would therefore do well to verify licensure at the time of hire, and periodically thereafter, if the employee in question is going to be operating a motor vehicle, even occasionally, in connection with his or her employment. Naturally, where your state has different classes of licenses for passenger vehicles, trucks, cranes or other equipment, you need to make sure that employees are properly and currently licensed for any vehicles or equipment they may be called upon to operate. Since "if you didn't keep a written record, it didn't happen", the ascertainment that each employee was found to have all appropriate licenses, as well as any accidents or infractions, should be kept as a part of each employee's personnel file.

In training your employees about safe driving, you need to enforce a number of points that are probably well-known, but often disregarded, among drivers.

Generally, one's vision (especially night vision) and driving skills begin to head downhill between the ages of 50 and 55, and many older drivers underestimate the deterioration in their skills.

Just for starters, here are some policies and practices you should stress among all of your employees who drive:

- Seat belt use should be mandatory.
- Workers should not be asked to drive irregular hours, or hours far in excess of their usual working hours.
- Driving at night, or in conditions of poor visibility due to adverse weather, should be kept to a minimum. This is especially important for drivers over the age of fifty.
- Mobile phone use should be minimized, and limited to phones that can be operated by voice commands. Texting while driving should be strictly forbidden.
- Assignments requiring road travel should be scheduled to avoid having to drive at high speed in order to meet deadlines or arrive at appointments on time.
- Driving under the influence of drugs or alcohol should be made a firing offense. Also, failing to report the revocation or suspension of one's license should result in disciplinary action.
- In buying or leasing cars, light trucks or heavy equipment, research the safety features and statistics of the models you are considering, and give a high priority to vehicles and equipment that have been shown to be safe.
- All vehicles and equipment should be inspected and serviced regularly, in accordance with the manufacturer's recommendations and applicable laws. Employees should be instructed to report any repair issues to a supervisor, and vehicles or equipment found to be malfunctioning should be taken out of service until repaired.

Generally, one's vision (especially night vision) and driving skills begin to head downhill between the ages of 50 and 55, and many older drivers underestimate the deterioration in their skills. There are a number of things older drivers should do to manage this slippage. Among other things, they should see an ophthalmologist at least annually, slow down, avoid tailgating, take a "defensive driving" course and pay special attention to avoid driving while drowsy or fatigued. Driving with one's headlights lit in the dawn and twilight hours helps other drivers see you, and allowing extra distance between your vehicle, and the vehicle ahead of you, compensates for your no-longer-razor-sharp reflexes should a sudden stop be required.

Needless to say, alcohol and drugs are doubly inadvisable for the older driver.

Naturally, the operation of heavy equipment such as excavators, loaders, graders, rollers and bulldozers must be limited to

individuals with demonstrated skills and the highest concern for safety. Struck-by injuries and rollovers are the primary dangers, and training must include not only your operators, but all and any who might be called upon to work on foot in proximity to equipment being operated. Some of the basics are as follows.

Probably the paramount issue is communication. Equipment should only be operated with a signal person communicating with the operator using a standardized set of hand signals. A two-way radio is recommended as a supplementary means of communication. Persons working on foot should wear high-visibility vests, as it is critical that the operator know, at all times, their locations. The dangers of operating any motor vehicle in reverse are multiplied when heavy equipment is involved. Therefore, a backup warning alarm is a must. Both operators and persons working on foot should utilize hearing protection as required.

Heavy equipment must have a rollover protective structure that meets OSHA requirements. A seat belt must always be worn to prevent the operator being ejected during a rollover or upset situation.

Operators should be trained to use the "three-point rule" in mounting or dismounting heavy equipment. This means that both feet and one hand, or one foot and both hands, must be in contact with the ladder access at all times. Jumping on or off equipment must be prohibited.

Equipment must be serviced regularly per the manufacturers' recommendations. Periodic safety inspections on all components must be performed by qualified personnel. The steering and braking systems should be given particular attention, and a pre-shift, walk-around by the operator is always a good idea.

Mishaps involving heavy equipment often produce fatalities or serious injuries. Avoiding them must therefore be given a high priority.

ABOUT GEOFFREY S. POPE

Geoffrey S. Pope serves as Counsel at Welby, Brady & Greenblatt, LLP in the areas of construction law and litigation, surety law, appeals and OSHA policies. Mr. Pope has extensive experience in litigating construction matters as well as corporate and civil matters, and in the areas of arbitration and appeals. ☺

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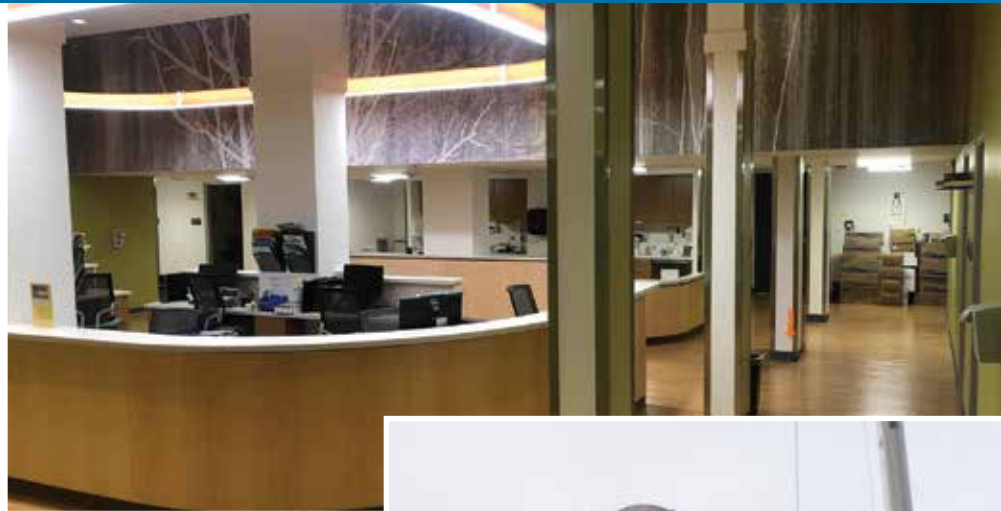
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