

Insights, News & Events

SLC 2015: WHEN OSHA COMES KNOCKING AT A MULTI-EMPLOYER JOB SITE

Event

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Ed Foulke was quoted in *EHS Today* on October 28, 2015. In the article "SLC 2015: When OSHA Comes Knocking at a Multi-Employer Job Site" Ed shared the legal requirements and precedents for multi-employer job sites and how employers can ensure that safety and task planning awareness among everyone on site is maximized.

Ed said that having an effective safety and health program is vital for several reasons:

- It is morally the right thing.
- It is the law.
- It allows your employees to go home each night safely to their family and loved ones.
- It keeps you from having to do the worst job any person would possibly have to do.
- It is essential for a company to reduce injuries and reduce costs to be profitable and competitive in today's marketplace.

"At best," said Ed, "you will have a fair safety program if you only comply with OSHA standards." Much more is needed, he added, including engaging not only the workforce in safety, but the C-suite as well.

Ed noted that most CEOs have an MBA, "But there is no MBA program in the U.S. that has a safety course in it. I used to ask CEOs and presidents, 'What is your cost to injure an employee?' Most would give me workers' comp costs. That's

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about 60 percent of the total cost. That told me they didn't understand the true cost."

Employers need to be concerned about legal liability on multi-employer job sites for several reasons, said Ed.

Being called out in a national press release and/or being added to the SVEP are things that the clients of construction contractors take note of. "They might decide they don't want to do business with you," he told the audience.

According to Ed: the following circumstances would be reviewed as a possible SVEP case:

- A fatality or catastrophe situation with willful or repeat violations.
- Industry operations or processes that expose employees to the most severe occupational hazards and those identified as "high-emphasis hazards."
- Exposing employees to hazards related to the potential release of a highly hazardous chemical.
- All egregious enforcement actions.

Ed noted that when he was assistant secretary of labor, 5-7 percent of whistleblower complaints were found to have cause. Now that number is closer to 20 percent, he added.

To read the full article, please visit [EHS Today](#).