



CONSTRUCTION

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DID YOU KNOW?

In a recent letter of interpretation (LOI), OSHA clarified that when kinesiology tape is used to treat a work-related injury, the injury is considered recordable for OSHA recordkeeping purposes.

Developed in the 1970s, kinesiology tape is a thin, stretchy band of adhesive material. Intended to treat musculoskeletal injuries and inflammatory conditions, OSHA determined that the use of kinesiology tape is akin to physical therapy and is considered medical treatment beyond first aid for OSHA recordkeeping purposes.

New Liability Challenges Facing Construction Industry

New liability issues are arising from the increased use of contractors and other third-party professionals on the construction site.

Contractors who enter a project in the earliest stages may be exposed to liability beyond typical third-party protections whether or not they perform design work or other substantive first-party tasks. Duties such as sequencing and scheduling can be considered professional services and can lump third-party contractors in with primary operators.

The good news is that there are new policy options that offer enhanced forms of coverage designed to accommodate the evolving industry.

Many of these policies provide protection from first-party liability by offering enhanced features like mitigation of damages (MOD), and are expected to specifically address the unique professional risk associated with integrated project delivery and public-private partnerships.



OSHA Clarifies Amputation

OSHA recently issued guidance clarifying new reporting requirements for amputations. Under OSHA guidelines, amputations are defined as the “traumatic loss of a limb or other external body part.”

Amputations include fingertips (with or without bone loss), medical amputations caused by irreparable damage and amputations of body parts that had previously been reattached.

Amputations do not include avulsions, enucleations, degloving, scalpings, severed ears, broken or chipped teeth, or the removal of fingernails, toenails or eyelids.

Employers should rely on medical diagnoses to determine the classification of an injury, and, if necessary, report it as an amputation. If no diagnosis is available, employers should rely on the definitions and examples of amputations set forth in the [regulatory text](#).