



CONSTRUCTION

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DID YOU KNOW?

General Interior Systems Inc. of Liverpool, New York, has been ordered to pay \$380,000 in back wages to more than 300 employees after misclassifying them as independent contractors.

The company violated the Fair Labor Standards Act (FLSA) by failing to pay the workers overtime wages. Hired as drywall installers, the workers routinely worked 60 to 70 hours per week but were only paid straight time for hours exceeding 40.

Under the FLSA, employers must distinguish employees from bona fide independent contractors. Whether a worker is an employee under the FLSA is a legal question determined by the actual employment relationship, not by title.

Safely Removing Snow During Construction Projects

Every year, workers are killed or seriously injured while performing snow or ice removal from rooftops and other building structures, such as decks. Workers performing snow removal operations are exposed to many serious hazards. Based on the findings of OSHA investigations, falls result in the most worker fatalities and injuries during rooftop snow removal. Workers may fall off of roof edges, through skylights, and from ladders and aerial lifts. Workers may also be injured or killed by a roof collapse.

Protect your workers from these hazardous work conditions by:

- Using snow removal methods that do not involve workers going on roofs, when and where possible
- Evaluating loads exerted on a roof or structure (e.g., total

weight of snow, workers and equipment used), compared to the load limit of the roofs

- Requiring that workers use fall protection equipment
- Ensuring that workers are trained to use ladders and aerial lifts safely

Falls cause most of the deaths and severe injuries that occur during snow removal operations. OSHA standards require employers to evaluate hazards and protect workers from falls when working at heights of 6 feet or more for construction work (1926.501).



Top 5 Most Cited Construction Standards Remain the Same

Every year, OSHA supplies the public with the most frequently cited standards in each industry. For the construction industry (NAICS 23), the 2014 top five standards were a carbon copy of 2013's:

1. **Duty to Have Fall Protection:** 7,108 citations; average cost per violation (ACV) \$2,828
2. **General Scaffold Requirements:** 4,626; ACV \$1,785
3. **Ladders:** 2,742; ACV \$1,484
4. **Training Requirements:** 1,717; ACV \$991
5. **Eye and Face Protection:** 1,232; ACV \$1,502

Rounding out the top 10 is Head Protection (2013 #7), Hazard Communication (2013 #6), General Safety and Health Provisions (2013 #9), Aerial Lifts (2013 #8) and Specific Excavation Requirements (2013 #10).