



Safety and Loss Control Manual

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INTRODUCTION

Kozeny-Wagner, Inc. believes that the safety and health of our employees is of the greatest importance. Therefore, Kozeny-Wagner, Inc (KW) has developed this safety program to communicate the safety and health program in order to enable all employees to conduct KW operations that are consistent with that which is required by Federal, State and Local safety and health regulations.

KW is committed to providing appropriate tools and equipment to enable employees to perform their job safely and correctly. In addition, the appropriate training, supervision and personal protective equipment, as required by Federal regulations, will be provided.

Kozeny-Wagner, Inc. intends to comply with all regulations established by the Occupational Safety and Health Administration (OSHA), the Mine Safety and Health Administration (MSHA), when applicable, as well as State and Local requirements in addition to this program. Project supervisors are responsible and accountable for all matters of safety on their projects. This manual is provided to assist you in the implementation and administration of the program. Administrative guidance and program compliance oversight will be provided by management.

It is the responsibility of every KW employee to follow established rules and regulations set forth in this manual. It is the responsibility of every KW employee to work in a safe manner at all times and to report any injuries, incidents and/or hazards to project supervisors immediately.

John Nichols
Safety Director
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STATEMENT OF POLICY

Managers and supervisors will be held responsible and accountable for maintaining a maximum level of performance in all aspects of safety, health and loss control in the operations that they direct.

It is the policy of KW to conduct all operations in a manner that will prevent injuries to persons, property loss and/or damage and loss of productivity.

KW employees will be provided with the appropriate personal protective equipment needed to perform their work operations safely.

Employees will be equipped with the proper tools, equipment and training required to complete their work operations in a safe manner.

KW will implement and enforce effective and safe work rules, policies and procedures to ensure employee safety.

Reducing insurance and other accident or loss related costs to allow KW to be more competitive in the industry and safeguard the future of the employees and the company.

GENERAL SAFETY RULES

The following rules are necessary for the mutual protection of all employees, and violations may result in immediate termination.

- **All accidents, incidents and injuries must be reported to your supervisor immediately. The Safety Director must be contacted immediately in the event that a supervisor cannot be notified. Failure to report an injury or potential injury to your supervisor immediately may result in disciplinary action up to and including termination of employment.**
- **Supervisors must report all accidents, incidents and injuries, including those of subcontractors, to the Safety Director immediately. Supervisors are required to complete a written accident, incident or injury report and submit it to the Safety Director within 24 hours of the accident, incident or injury.**
- Supervisors are responsible for completing the Pre-Job Safety Checklist prior to starting all projects.
- Attend all weekly safety meetings held on the job site.
- Report any unsafe equipment, condition, or practice to your supervisor immediately.
- Any damaged or unsafe tools, equipment or extension cords should be tagged "Do Not Use" and taken to your supervisor immediately to be removed from the jobsite to be repaired or replaced.
- Kozeny-Wagner, Inc. is a Drug and Alcohol Free Company. Please refer to our Drug and Alcohol Policy for details.
- No firearms or other weapons are permitted on the job site.
- Stealing, destruction, or willful abuse of company property is unlawful. Fighting or horseplay on the job will not be tolerated.
- Abusive language or disrespectful behavior on the job site or in public-occupied areas will not be permitted.
- No smoking, welding, or cutting is permitted in hazardous locations, or anytime dust is suspended in the air. All cutting and welding activities should be cleared in advance with your supervisor.
- Use warning tags and lock out all equipment before working on it. Keep the keys in your possession.
- Know the locations of fire extinguishers and first aid kits on your job site.

- Good housekeeping is a part of each employee's job. Pick up your tools. Do not leave materials and scrap where they will be hazardous to others.
- Comply with all applicable Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA), State and Local standards.
- Never work without sufficient lighting to perform the operation safely and efficiently.

CONFINED SPACE ENTRY PROVISIONS

If hazardous atmospheres are present or potentially present, the following Confined Space Entry provisions shall be followed.

- No worker is to enter the confined space without the approval of the Safety Director.
- A confined space entry and confined space rescue plan must be completed prior to entry into a confined space.
- The confined space Competent Person must be present during all confined space operations until completion.
- No worker may enter the confined space without properly personal protective equipment that includes a tether line, appropriate breathing apparatus, and proper apparel protection for the hazards of the environment. If the confined space is a sewer, the worker shall have up to date protective inoculations for infectious disease.
- No worker shall enter the confined space without an observer posted at the entrance to the confined space.
- The observer is prohibited from leaving the entrance while other workers are in the confined space unless another competent and trained observer has replaced him.
- In the case of emergency, the observer is never to enter the confined space. The observer is to immediately notify the appropriate emergency response personnel and act further only at their direction.
- The observer shall be ready to assist the emergency response personnel with a description of the hazards and hazardous material present in the confined space, the number of workers in the space, and the last contact or known condition of the workers.
- The observer shall notify the Safety Director as soon as reasonably possible after contacting emergency response personnel.
- The observer has the responsibility and the authority to halt work or deny access to the confined space when unsafe conditions exist.

DRUG AND ALCOHOL USE

The use of alcohol or illegal drugs by employees on the worksite is strictly prohibited. Kozeny-Wagner, Inc. is a member of the St. Louis Drug Abuse Consortium and all employees are subject to the terms and conditions of that consortium as a condition of employment. The program calls for immediate post-employment drug and alcohol testing and random testing as defined in the agreement. Penalties for violation, and terms for reemployment are defined by the program.

Please refer to the Kozeny-Wagner, Inc. Substance Abuse Policy that accompanies this manual for more details.

EMERGENCY ACTION PLANS

- Supervisors and managers are responsible for developing the Emergency Action Plan for their jobsite. The Safety Director will provide assistance with the development of the jobsite Emergency Action Plan as required.
- All Emergency Action Plans must include emergency evacuation routes and a designated meeting area.
- All employees shall be informed of the Emergency Action Plan at the site during the site orientation. That orientation will include location of emergency first aid, location of PPE and fire-fighting equipment, and the emergency exit locations.
- Large sites, sites with widespread operations, and sites with conditions that necessitate a more extensive plan, are addressed on an individual basis.
- These plans make provisions for unusual emergency response needs, hazardous materials handling, high volume public exposure, and extreme safety requirements. These plans are prepared on an individual basis; tailored to the specific conditions that need to be addressed.
- Emergency Action Plans must include crisis management planning which includes, but is not limited to, contacting the appropriate emergency responders, protecting jobsite personnel and the public, securing the site and notifying the Safety Director.
- The President, Vice President or Safety Director are responsible for all emergency communications to the media.

EMPLOYEE SAFETY AWARD PROGRAM

Kozeny-Wagner, Inc. is concerned about the safety and well being of all of our employees while on the job site. This program has been designed so that each employee is an integral part of the company safety program and is rewarded for working safely and promoting safety on the worksite.

Goals

- To get all employees involved and committed to safety.
- To maintain a safe, accident-free workplace for all employees.
- To reward each and every employee for safe worksite performance.
- To reduce our annual company insurance premiums with the elimination of worksite injuries.
- To attract and retain good employees with a safe and rewarding place to work.

General Information

The Kozeny-Wagner, Inc. safety award program will begin each annual period with a predetermined bonus pool. The annual period begins October 1st and ends on September 30th. The hourly accrual for all employees will start at the beginning of each annual period. Employees hired after the start of the annual period will begin accruing hours from their initial date of hire. Deductions will be taken from the bonus pool based on fines to projects and personnel for the lack of employee and subcontractor compliance to the Kozeny-Wagner, Inc. safety program. Kozeny-Wagner, Inc. safety standards are described in this Safety and Loss Control Manual.

The fines for Superintendents and Foremen will be more heavily weighted than those for other employees and subcontractors. Any recommended improvements identified during project inspections that are not a direct OSHA or Kozeny-Wagner, Inc. safety program violation will be treated as pending until re-inspection of the site or documented correction resolves the issue(s). Any recommended improvements that have not been made upon re-inspection will result in fines. The Safety Director will be responsible for levying fines.

Fines

- Apprentice, Journeyman and Subcontractors; all Trades: \$200.00 fine per infraction.
- Superintendents and Foremen: \$400.00 fine per infraction.
- Injuries that are reportable under OSHA 300 guidelines: \$2,000.00 fine per occurrence.
- OSHA citation: \$3,000.00 fine per occurrence.
- Re-inspection Recommended Improvements: \$400.00 fine per occurrence.
- Failure to complete and submit Weekly Safety Meeting Record: \$50.00 per occurrence.
- Failure to complete and submit Accident, Incident and/or Injury Reports within 24 hours: \$200.00 per occurrence.
- Damage to heavy equipment and vehicles: \$500.00 per occurrence or repair cost.

Fine Recovery

Any employee eligible for the safety award program attending safety training or certification courses can recover fines. The Safety Director, prior to the individual attending the course, must approve the course. The recovery rate will be \$25.00 per hour for all individuals. Therefore, any individual who chooses to attend a training course that is scheduled for four hours would recapture \$100.00 of any fines assessed. The recovery of fines will not at any time exceed the predetermined bonus pool amount set at the beginning of the annual period. Fines assessed due to an OSHA citation are not eligible to be recovered.

Eligibility Requirements

- The employee must have worked at minimum 1,000 hours in the annual period and be in the employ of Kozeny-Wagner, Inc. on the date of the bonus pool distribution in order to be eligible for the safety award program.
- Any employee that has a reportable injury based on OSHA-300 guidelines will not be eligible for the bonus for the annual period in which they were injured. Time toward the program for the employee will not begin until the employee has returned to work at 100% capacity and the employee will not be eligible for the bonus until all of the eligibility requirements are satisfied.
- Any employee receiving a fine will have their accrued hours deducted at the same amount of the fine at the end of the annual period. For example, a Journeyman Carpenter who receives a fine for a hardhat violation will result in the bonus pool being deducted by \$200 and will have \$200 deducted from their bonus distribution amount at the end of the annual period.
- Any employee that is fined twice within the annual period will not be eligible for the bonus and may be subject to termination.
- All employees must attend both safety meetings held during the annual period.

This safety award program was developed to promote safety among the employees, and it can be amended, changed or cancelled at any time without notice.

FALL PROTECTION AND ELEVATED WORK

General Requirements:

Primary fall protection systems are the preferred methods of fall protection and every effort should be made to use them before resorting to secondary fall protection systems.

Secondary fall protection systems are available to employees at all times. Employees shall wear an approved full body harness with at a minimum one shock-absorbing lanyard when six feet or more above their work surface when primary fall protection systems are not feasible.

Specific Requirements:

Primary Fall Protection Systems:

- Primary fall protection systems provide walking and working surfaces in elevated area which are free from floor openings, are equipped with standard guard rail systems on all open sides with closure apparatus for ladder openings, or other points of access, when required. These systems include but are not limited to scaffolds, aerial lifts and other approved personnel lifting devices.
- Standard guardrails must be installed when there is a fall exposure of 6 feet or more, or if there is a difference of 39 inches or more between two working levels. Standard guardrail systems consist of a top rail approximately 42 inches above the walking/working surface, a mid-rail at approximately 21 inches above that surface, and a four-inch tall toe-board mounted at the working surface. Upright support post spacing shall not exceed eight feet, and the entire system must be capable of supporting 200 pounds force in any direction with minimum deflection.
- Guardrail must be surfaced in a way that will prevent punctures, lacerations, and snags.
- The ends of all top rails and mid-rails shall not overhang the terminal posts, except where such overhang does not constitute a projection hazard.
- Top rails and mid-rails shall be at least one-quarter inch nominal diameter or thickness. If wire rope is used for top rails, it shall be flagged at not more than 6-foot intervals with high-visibility material. The project supervisor or manager is responsible for checking the structural integrity of the system.
- Floor opening/hole covers are used to close openings and holes in floors, platforms and walkways. These covers shall be capable of supporting the twice the maximum potential load they may be subjected to, shall completely cover the opening/hole and be secured against accidental displacement. Covers shall be marked "HOLE COVER - DO NOT REMOVE".
- Aerial lifts (boom, scissors and snorkel types) and other vehicle mounted elevated work platforms shall be used in accordance with 29 CFR 1926.556. Employees riding in or working from these lifts shall secure their safety lanyards to the lift basket.

- Fixed industrial ladders with cages and or third rail fall arresting devices are acceptable for travel to work surface only.

Secondary Fall Protection Systems:

- A secondary fall protection system consists of an approved full body harness and as a minimum one shock-absorbing lanyard. This system shall be worn and used as a backup to primary fall protection systems and in the absence of primary systems when employees are working six feet or more above the work surface. “Worn and used” means that the body harness shall have the lanyards properly tied-off to adequate tie-off points or lifeline systems with positive attachment 100 percent of the time.
- Only full body safety harnesses and shock absorbing lanyards capable of supporting 5,000 pounds impact loading. The maximum arresting force on the worker wearing a full body harness is 1,800 pounds. No body-belts or non-shock absorbing lanyards are allowed on KW employees.
- Fall protection lanyards shall be attached to the D-ring located in the middle back, positioned between the shoulder blades, of the safety harness.
- The tie off point must be at waist level or higher and capable of supporting at least 5,000 pounds impact loading. The tie-off point and the lanyard must also be rigged so that the worker can neither fall more than six feet nor contact any lower level.
- Lifeline systems are points of attachment for fall protection lanyards.
- Lifeline systems must be capable of supporting at least 5,000 pounds impact loading.
- Lifelines may be mounted either vertically or horizontally and are generally intended to provide mobility to personnel working on elevated areas.
- Horizontal lifelines must be made of at least one-half inch wire rope properly supported to withstand at least 5,000 pounds impact loading (per person-i.e. 10,000 pounds if 2 workers attached to same line) and pulled tight enough to prevent deflection.
- Horizontal lifelines shall be positioned so as to provide points of attachment at waist level or higher.
- Vertical lifelines are used for fall protection when vertical mobility is required and may be comprised of static lifelines made of five-eighths inch wire rope which is equipped with approved sliding rope grabs, or they may consist of self-retracting reel type lanyard/lifelines which are attached directly to a safety harness.
- Retractable lifelines devices shall be attached to supports capable of withstanding 5,000 pounds impact loading and shall be secured.
- Sliding rope grabs approved for the size rope used are the only method for securing a safety lanyard to a vertical lifeline. Lanyards shall not be attached to lifelines by means of knots or loops.

Safety nets shall be used only when approved by the Safety Director.

Training Requirements:

Employee:

All employees who might be exposed to fall hazards shall be trained to recognize the hazards of falling and in the procedures to be followed in order to minimize these hazards.

Training will include the following areas:

- The nature of fall hazards in the work area.
- Correct procedures for erecting, maintaining, disassembling, and inspecting the fall protection systems to be used.
- The use and operation of fall arrest systems.
- The role of the employee in fall protection plans.

Certification of Training:

Any employee using secondary fall protection equipment must be trained on the proper use and inspection of the equipment.

**PERSONAL FALL PROTECTION
EQUIPMENT EDUCATION**

Full Body Harness Inspection

All harnesses must be inspected frequently to maintain their service life and high performance. Visual inspection before each use is required in order to identify damage, areas affected by wear and/or corrosion.

Harness strap inspection:

- Beginning at one end, grasp the belt with your hands at six to eight inches apart. Hold the body side of the belt toward you.
- Bend the harness in an inverted “U”. The surface tension resulting makes damaged fibers or cuts easier to see.
- Follow this procedure for the entire length of the harness.
- Watch for frayed edges, broken fibers, pulled stitches, cuts or chemical damage.
- Check D-rings and D-rings metal wear pads for distortion, cracks, breaks, and rough or sharp edges. The D-ring bar should be at a 90° angle to the harness and should pivot freely.
- Give special attention to the attachments of buckles and D-rings. Note any unusual wear, frayed or cut fibers, or distortion of the buckles. Rivets should be tight and not movable with

fingers. The body side rivet base and outside rivets should be flat against the material. Bent rivets will fail under stress.

- Inspect for frayed or broken strands. Broken webbing strands generally appear as tufts on the webbing surface.
- Inspect all buckles for distortion, attachment points, and free movement.

Lanyard inspection:

- Begin at one end and work to opposite end. Slowly rotate the lanyard so that the entire circumference is checked. Spliced ends require particular attention.
- Inspect closely for hook and eye distortion, cracks, corrosion, or pitted surfaces.
- The keeper or latch should seat into the nose without binding and should not be distorted or obstructed.
- The keeper spring should exert sufficient force to firmly close the keeper.
- Keeper rocks must prevent the keeper from opening once closed.
- Shock-absorbing pack should be inspected for holes or tears. Stitching on areas where the pack is sewn to the lanyard should also be inspected for loose strands, rips, and deterioration.

Wearing a Full Body Harness

When required to wear a full body harness follow the following procedures:

- Visually inspect the body harnesses before each use.
- Hold the harness by the back D-ring and shake it to allow all straps to fall in place.
- With waist and leg straps unbuckled, release the snaps and unbuckle the harness.
- Slip the straps over your shoulders so the D-ring is located in the middle of your back.
- Connect the waist strap. The waist strap should be tight, but not binding.
- Pull the buckle portion of the leg strap between your legs and connect to the opposite end of the leg strap. Repeat with the second leg strap.
- After all straps have been buckled, tighten all friction buckles so the harness fits snug but allows free range of motion.
- If the harness contains a chest strap, pull the strap around the shoulder strap and fasten it in the middle chest area. Tightening will keep the straps taut.
- Reverse the above procedures to remove the harness.
- Hang the harness by the back D-ring when not in use to help maintain shape.

Other Safety Points:

- Use the shortest lanyard you can, but in no case use a lanyard longer than 6 feet.
- Do not connect lanyards together.
- Do not use single action, non-locking snap hooks.
- Make sure your anchor point is approved for all arrest, if not sure, check with your supervisor.
- Do not use any fall protection equipment that has been involved in a fall arrest.
- Whenever personal fall protection equipment is required, use it.
- If you not sure about the need for fall protection equipment or systems, ask before you start work.

RESCUE PLAN

A rescue plan must be communicated when fall arrest systems are in use and when personnel may not be able to self-rescue if a fall should occur. The following should be considered prior to communicating the rescue plan:

1. The direct contact number for the local emergency responders, fire department or another professional rescue service, that would be contacted immediately if a fall were to occur.
2. Is there equipment immediately available to facilitate a rescue within 15 minutes of a fall?
3. If equipment is available, what equipment will be used for the rescue that can ensure the safety of the rescuers and the suspended worker? Regardless of whether equipment will be used to perform the rescue, emergency responders should still be contacted immediately if a fall were to occur in conjunction with the site rescue plan.
4. What communication systems will be used between the suspended worker and the rescue team?

The rescue plan should be communicated to the project personnel and addressed periodically in the weekly site safety meetings.

FIRE PROTECTION

- All areas of the worksite shall be kept free from the excess build up of trash. All manner of flammable trash shall be removed from the site on a regular basis and disposed of in dumpsters.
- Fire extinguishers shall be maintained on the worksite both for general use and hazard specific use. General use extinguishers, of the proper type and properly serviced, shall be maintained so that no area of the worksite is farther than 75 feet from the nearest extinguisher. The location of the fire extinguishers shall be clearly marked and all personnel shall be informed of the locations during site orientation. Building construction operations shall have a minimum of one extinguisher per floor and more if required by the site circumstances.
- Specific use extinguishers, such as those required when welding, cutting, and burning, shall be provided, clearly marked, and no closer than 25 feet from the operation. Subcontractors doing such work operations shall also provide proper extinguishers for their personnel.
- No employee shall perform a specific use function without proper fire protection equipment available. Subcontractors shall not be permitted to perform specific hazard operations without the proper equipment. See your supervisor prior to starting the operation if the required extinguishers are not available or if the site housekeeping conditions make fire a possibility.
- Temporary heaters used during cold months shall be approved types and shall be regularly inspected for condition. They shall not be placed in close proximity to flammable material and shall not be left unattended. Open fires are prohibited.
- All supervisors shall inspect the site at the end of the day to insure that no smoldering trash has been inadvertently left behind by site personnel.

FIRST-AID

- Report all injuries immediately, no matter how minor, to your supervisor. Failure to report an injury or illness may result in termination of your employment.
- First Aid kits are available in the project office or office trailer and an additional first aid kit is available in the supervisor's vehicle.
- You must notify your supervisor prior to leaving the job site because of injury or illness.
- If you get outside medical treatment for a work-related injury or illness, you must notify your supervisor at the start of the next scheduled workday. Failure to do so may result in non-payment of your claim and/or discharge.
- If you feel a task is unsafe for any reason, including personal reasons, consult your supervisor. You will not be expected to do a job that might result in injury to yourself or others.
- Never move an injured or seriously ill person unless necessary to prevent further injury; get emergency aid to the individual instead.
- The emergency numbers for the site shall be prominently posted and all site personnel shall be instructed in proper procedures in the event of a medical emergency.

FUEL AND MATERIAL HANDLING

- Always lift using proper technique. Bend knees, keep back erect, and let your legs do the work. Get help for heavy loads. Use proper lifting equipment when necessary.
- Do not throw away anything from an elevated height until you have checked to make sure that no one is below and a protected area has been established or a designated watchman is on the ground to spot for you.
- Do not ride or get under loads that are being carried by cranes or equipment. Never ride on rolling scaffolding or stages.
- Only the operators of the equipment are allowed to be in/on the equipment during operation of the equipment or while the equipment is in motion. No riders are allowed at any time.
- All fuel used and stored on site shall be kept in approved containers. The container shall be labeled for the contents and no other material shall be stored in that container after it has been labeled.
- Storage of large amounts of fuel shall be protected by a containment vessel or berming around the tank. The berm or containment vessel shall be sufficient in size to contain a volume of three (3) times the volume the storage tank.
- No tanks shall be placed where a spill or leakage could flow into sanitary or storm sewers or nearby lakes, rivers, or streams.
- All chemicals on site shall be stored in approved containers and shall be properly labeled.
- Employees handling chemicals or fuels shall wear appropriate PPE including gloves, protective suits, when necessary, and eye protection; including identifying the location of eye-wash stations prior to chemical handling operations.
- No chemicals, solvents, or fuels shall be used on the jobsite without the material safety data sheet (MSDS) being received and filed on site.

INSURANCE

Worker's Compensation:

The average contractor does not realize the influence that a bad accident experience can have in bidding a job. Too many contractors feel that their insurance costs are too high because it is something that is required by law, and therefore take the "head in the sand" approach of doing nothing about it primarily because they do not realize this cost can be materially reduced by maintaining an effective accident prevention program that will keep the accidents on their jobs at a minimum.

Under the various acts or laws covering Worker's Compensation Insurance in most states, the commissioner or director of insurance sets what are known as manual rates on all the various job classifications, such as carpenters, welders, masons, etc.

Practically all states have an experience-rating plan that is applicable to contractors carrying on operations with the state. Through this plan, a contractor who has an effective safety program and a low accident experience can receive benefits of a certain reduction below the established manual rate – a credit rating – while those contractors who do nothing toward reducing the accidents that are occurring to their employees would subsequently pay an increased premium above the manual rate – a debit rating; there are known instances where this rate has equaled double the manual rate.

Once a contractor qualifies for the experience rating, this qualification is his established rating plan and must be used by all insurance carriers that carry his coverage, thereby eliminating the possibility of a contractor trying to get a better rating as a cover-up for a bad accident experience by changing insurance carriers. The contractor with a bad debit rating has no alternative but to take corrective action to reduce the accidents that are occurring to men in his employ.

Cost & Savings:

In all bidding, insurance costs and accident experience are major factors when considering qualified contractors. Job bids can be won or lost as a result of a contractor's insurance costs based on accident experience. On a million dollar job, the compensation insurance costs can vary from \$5,000 to \$15,000; on one job (\$6,500,000), the difference in the compensation insurance premium based on the estimated payroll between the low and high bidder amounted to \$60,000, or a difference of 28% credit and a 27% debit rating. These savings have been the difference between a profit and loss on the numerous large jobs. One contractor reports that when he had finished a large public garage, his profit had decreased to such a point that it was hardly noticeable, but when he was presented with a check for \$45,000 as a return premium by his insurance carrier, it was the best profit he ever realized; all because of an exceptionally good accident prevention program.

Hidden Cost of Accidents:

From job to job, hidden costs of accidents will vary greatly depending upon the type of operation, the locality and the time of year. In analyzing the costs of accidents, the contractor must take into consideration the following factors:

- Down time of personnel and equipment
- Interference with operations
- Spoiled work, damage to equipment, cost of replacement
- Effect of accidents on the workers because of sympathy for the injured man
- Investigation time by company personnel
- Incidental factors: reputation, obtaining & hiring of new employees, etc.

In the above list of items, there is no mention of the cost of insurance premiums or the medical or compensation costs because those figures are considered actual costs as the result of any accident.

Were we to take the above list and place the total cost of all items against the actual accident costs of any accident, we would find that the proportion would be approximately 6 to 1 hidden costs over actual costs. In past years, the proportion was 4 to 1, but as previously mentioned, with increased wages, increased equipment, increased compensation payments and higher awards by courts, the totals now assume the higher figures. Actually, the ratio for smaller claims can be as high as 18 to 1 and approximately 2 to 1 for larger claims.

MOLD CONTAMINATION ACTION PLAN

Mold contamination, its effect on the quality of construction, and the economic risk it brings to the corporation, are topics requiring the attention of all employee operations. The AGC of America has properly concluded that contractors can no longer ignore the issue of mold contamination and confront the topic head-on with specific loss control procedures. Kozeny-Wagner, Inc. agrees with that assessment and this action plan is the result. It is divided into three areas:

Prevention Assessment and Remediation

Each employee, and especially superintendents, foreman, project managers and project engineers need to be fully aware of the contents of this action plan.

Prevention Techniques and Procedures

- Never install wet building materials or cover obviously wet material with newly installed materials.
- Store newly delivered building materials, including but not limited to, wood, drywall, insulation, insulated ductwork, wallpaper, carpet, flooring, and ceiling tiles, above ground and properly cribbed and protected.
- Insure the covering of all stored material allows for adequate ventilation.
- When possible, do not store materials in contact with the wall or ceiling of the building.
- Mark any wet materials as “DO NOT USE UNTIL PROPERLY DRIED”
- Inspect any newly delivered materials for signs of mold contamination.
- Clean up any water infiltration or spills within 24 hours paying special attention to material that may have gotten wet and water that may have gotten inside structural stud tracks.
- Regularly check the integrity of any vapor barriers and repair as needed.
- Regularly check the integrity and condition of all flashing and caulking and repair as needed.
- Check to insure that roof drains drain away from the structure and that lawn watering systems do not spray on the structure.
- Check all building penetrations for proper installation and absence of leakage.
- Never let excessive trash accumulate. Clean up of food, adhesives, paper, wood and sawdust is particularly important to mold contamination abatement.
- Document all critical installations with photographs.

Assessment

Report any of the following to the Project Manager or Superintendent immediately upon observation or discovery:

- A moldy or musty odor.
- Discolored or distorted drywall of ceiling tiles.
- Excessive trash buildup
- Improperly stored or covered materials
- Standing water, condensation, or wet surface conditions.

Remediation

Report any instance of mold contamination to the Project Manager and the Safety Director prior to attempting any remediation. This must be done within 24 hours of discovery of the contamination.

Type A contamination is defined as contamination affecting less than 20 square feet of surface area. With permission, this contamination can be cleaned with non-ammonia based detergents and followed with a 1:10 diluted bleach to water mixture. The diluted mixture should always be allowed to air dry. This method can only be used where the extent of the contamination is limited and the opposite surface of the affected material can be examined for contamination. All personnel involved in the cleanup should wear proper PPE that included paper dust mask, safety eyeglasses and disposable coveralls.

Type B contamination is defined as contamination affecting more than 20 square feet of surface area. No attempt to clean up this contamination should be made by KWI personnel and, with few exceptions; all affected material should be removed and disposed of properly. The Safety Director will determine the means of remediation for Type B contamination.

PERSONAL PROTECTIVE EQUIPMENT

Personal Protective Equipment Policy:

- It is the responsibility of the project supervisor and manager to see that all personnel on the jobsite, including themselves, are wearing appropriate personal protective equipment (PPE). The Safety Director can be consulted for assistance in selecting equipment that is proper for the hazards anticipated and/or encountered.
- The project supervisor or manager is required to have the appropriate PPE needed on the jobsite and available in order to protect against routine physical hazards. Contact the Safety Director to determine the appropriate PPE requirements for any special or unusual safety or health hazards.
- The project supervisor is responsible for ensuring that all PPE is worn by all project personnel.
- The project supervisor is responsible for ensuring that all PPE is worn by KW employees and that it is maintained properly.
- Project managers and supervisors need to determine from the owner contact if the owner has any mandatory requirements. Managers and supervisors are responsible for ensuring that the owner's requirements are satisfied.
- It is the intent of this policy to provide and maintain equipment that will prevent personal injury to all employees. However, this is not the first consideration in good job planning. The first consideration must be to prevent accidents by instituting good job procedures and controls.
- The following items protect against injury from routine physical hazards. However, the Safety Director can be consulted to assist in the selection of equipment if there is any doubt as to what is appropriate. Project supervisors and managers are responsible to see that the following items are worn as needed by employees.

Proper work clothing - (Purchased by employee):

- Long pants (ankle length)
- Shirts with sleeves
- General duty work gloves
- Sturdy work boots required; Safety boots recommended

Personal Protective Equipment - Routine (Provided by the Company):

- OSHA approved hard hats (MUST be worn on job site at all times by all employees)
- Eye and face protection - see attached selection guide
- Clear or tinted safety spectacles with side shields-using powder activated tools, drilling, chipping, concrete pours, saw cutting, driving nails, hitting steel on steel, pavement breaking (can also use clear or tinted Norton 180 glasses)
- Flash Glasses, Shade #3 - exposure to welding and cutting operations
- Filter lens shades for welding
- Laser Safety Glasses
- Hearing Protection ear plugs or ear muffs
- Rubber Boots - working in concrete, mud or water
- Welder's Gloves
- Welder's Apron/Sleeves - burning, cutting, demolition
- Orange Highway Vests of the proper type - (reflective for night use)
- Life Jackets

The following items protect against injury from unusual safety and health hazards. Project managers and supervisors can consult with the Safety Director for proper selection. Project supervisors and managers are responsible to see that the following items are worn, as needed, by all employees. The company provides all of these items:

- Safety harnesses are required to be worn for all fall protection, including working from an aerial lift.
- Lanyards should all have a double action clasp
- Safety belts for work positioning (forms, rebar, etc.)
- Rope grab and life line fall protection
- Air supplied sand blasters hood
- Chemical gloves, boots, aprons, coverall suits
- Air purifying respirators - paint, solvent, chemical vapors and gases
- Particulate respirators - dust, smoke, welding fume
- Air supplying respirators
- Protective barrier creams

PLANNING

General:

In today's complex construction society, a good job safety record can be achieved only by active, purposeful accident prevention planning. Ninety-eight percent of all accidents are preventable and the contractor must be responsible for ensuring that the work place is as safe as is humanly possible.

Job safety and health must be systematically planned and developed mirroring that of the scheduling of equipment, project personnel, purchasing and paying bills. During the planning stages of every job, any hazards that are identified need to be addressed with suggested means of completing the work in a safe manner. Project managers and supervisors are recommended to consult with the Safety Director regarding any identified hazards for which they may have questions regarding the safest procedure to employ in order to eliminate the hazard and complete the work safely.

Few construction jobs can be carried on without a well-planned procedure. Whether the job is large or small, considerable time must be devoted to preliminary surveys, the collection of facts and the planning and layout of the project. Knowledge and experience enables the contractor to grasp immediately the work to be done; imagination helps him visualize how to do the work and in what order to proceed for its accomplishment. These same qualities must be employed to enable us to foresee the hazards that will accompany the work to be done. Hazards must be identified and procedures developed for accident prevention need to be incorporated into the production schedule. By doing so, the possibility of these hazards producing delays, accidents and injuries will be minimized, if not eliminated. The result will be a smoother and more efficient job than that of the contractor who forgets this forethought.

In general, the recognition and control of hazards is based upon two important qualities that every contractor must employ: hindsight and foresight. Hindsight is the ability to draw upon past experiences, training and imagination to assist in visualizing those accident causes to be avoided. It involves listing the jobs done in the past where conditions encountered caused accidents. Foresight is the ability to use that hindsight in predicting or forecasting conditions that might lead to accidents. Hindsight and foresight, therefore, are as essential to us as other qualities and relate definitely to our responsibility of planning for safety.

Initial & Long-Range Planning:

The initial and subsequent long range planning on each project should receive the following safety considerations:

- Plan layout for optimum efficiency and mitigation or elimination of safety hazards for personnel, materials and equipment. The arrangement of storage areas and temporary structures should allow access ways for fire control and fire protection.
- Power distribution lines and substation locations - location of compressed air piping.
- Flammable liquids storage and fueling stations.
- Equipment and vehicle parking and traffic flows.

- Proximity of welding shop to battery rooms, paint storage, flammable liquids, compressed gases, etc.
- Adequate exits from buildings and location of portable fire extinguishers.
- Outline the major operations to be performed, and under each heading and identify all hazards that are expected to be encountered and consider the measures we plan to use to eliminate or minimize the danger. Complete Job Hazard Analysis and turn into office, when requested by the Safety Director.
- Project supervisors are responsible for conducting the weekly safety meetings at the job site. It is recommended that supervisors designate a specific time and place for the weekly meetings.
- The Safety Director will document the employees on the job that are certified in first aid and CPR. The expiration dates of their first aid and CPR certifications will also be documented.
- Supervisors and managers need to identify the major pieces of equipment we plan to use, matching equipment capacity to the size of the anticipated loads and anticipated lifting capacities and swing radiuses, when applicable.
- The Safety Director will consider the supervisory personnel and what formal training they have had in accident prevention. The Safety Director can require additional training to assist the supervisor with their accident prevention responsibilities.
- We must determine the protective clothing and equipment we will provide for specific activities to be encountered.
- We must identify our plans for transporting injured personnel to medical attention. This should include the means of transportation, when applicable the route, and the place of treatment.
- When applicable, means of access and egress to elevated or depressed work areas need be reviewed and be in line with the applicable standards.
- Supervisors need to consider the means, procedures and materials to be used to orient new employees to the jobsite. The Safety Director is responsible for all initial new hire training not directly related to specific jobsite operations.

Supervisors and managers with oversight provided by the Safety Director are responsible for maintaining jobsites and equipment in safe working condition. The Safety Director and contracted safety consultants will serve as the method employed for checking and verifying safety inspections, enforcing safety standards and directing safety, health and loss control training.

In general, our safety program demonstrates that we have analyzed the specific work required for any given project, have identified the hazards to be encountered, and have made specific plans to mitigate or eliminate the hazards.

The list is by no means complete, but should serve as an outline for you to think about safety and to include safety in your pre-construction planning.

Day-to-Day Planning:

The actual execution of the job requires day-to-day planning which supplements, but does not take the place of, the overall job planning on which your concentrated thought should be directed at the outset of the job. As previously stated, work must be laid out for the project personnel far enough in advance so that they are never kept waiting and are never required to tear down work back to a breaking point, of which they were previously unaware of. Planning is required to avoid such occurrences. Project personnel cannot safely and efficiently perform their work when confusion, disorder or other evidence of haphazard thinking surrounds them.

Materials must reach workers promptly and in abundance. Spoils must be removed with regularity. Provision for efficient use of storage areas, derricks, runways and other transport facilities to accomplish these results must be planned in advance.

PROTECTION OF EYESIGHT AND HEARING

PROTECTION OF EYESIGHT

- Employees shall be provided with and must use appropriate eye and face protection if machines or operations may cause exposure to physical, chemical or radiation agents that may cause eye or facial injuries.
- Employees engaged in, or in proximity of another worker engaged in; cutting, grinding, welding, chipping or using power tools shall wear eye protection suitable to the task.
- Face shields should be used when workers are cutting or grinding material that may fragment or chip, producing flying projectile hazards. Face shields are secondary protection devices and must be worn along with safety glasses, goggles, or other eye protection devices.
- Employees working in areas where dusty conditions exist shall also wear appropriate eye protection. Dusty and/or chemical environments may pose additional hazards for contact lens wearers that make correct eye protection essential. Splash goggles shall be used if exposure to hazardous chemicals/liquids is possible.
- Protective eye-ware with the correct filter lens need be used when welding, burning, or cutting or when using laser equipment or other radiant energy sources.
- Appropriate or suitable may include a full face-shield or colored goggles as the operation dictates. Safety glasses are available from the Safety Director and should be replaced if they are broken, scratched, or no longer fit without slipping. Safety glasses, whether regular safety glasses or prescription glasses, must meet the design requirements of the American National Standards Institute (ANSI).

PROTECTION OF HEARING

Employees shall be provided with and use appropriate hearing protection devices when it is not feasible to reduce noise exposure levels below those shown in the accompanying table.

Duration in hours	Sound level dBA
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
.5	110
.25 or less	115

Hearing protection devices that are inserted into the ear shall be ANSI approved. Cotton is not an acceptable hearing protection device. Earmuffs, semi-aural devices, pre-molded plugs or custom molded plugs are approved devices.

High exposure workers are to be rotated with low exposure employees when possible to reduce overall employee exposure. An established rotation schedule must be documented in writing and approved by the Safety Director.

A decibel tester is available to field personnel whenever conditions exist where a question regarding the level of exposure exists. Supervisors should contact the Safety Director for the tester.

PUBLIC SAFETY

The safety of the general public is as important as the prevention of accidents to employees. People are innately curious and are capable of many thoughtless actions in their attempts to observe construction operations. We must employ the use of barriers and signage as well as verbal communication in order to adequately protect the public from entering a jobsite. When possible, we need to make accommodations to allow the public to view the proceedings of the jobsites from controlled vantage points. The contractor who provides means for the public to see the work and simultaneously be protected from its hazards will be better served from a safety and public relations standpoint.

Urban construction faces the problem of routing pedestrians around the site under cramped conditions and of protecting them from vehicular traffic where the temporary walkways encroach up the street. In such instances, pedestrian walkways should be established between sturdy barricades. The wall facing the project should provide several cutouts at different levels, when possible, through which the "sidewalk superintendents" can view the proceedings. The walkways should be covered to protect the public against inclement weather and falling objects. Special care needs to be taken to have the walking surface smooth and without irregularities that could lead to falls. The barricade on the street side should be solidly built to protect against possible vehicle impact and should be well lighted to warn drivers at night of its presence. Alternate striping with reflective paint or tape can also be very effective.

The problem of protecting the public becomes more difficult during the weekends and other times during which job operations are not in progress. Children in particular seem to find construction projects irresistible, and insurance company records are filled with cases involving the deaths or injury of children caused by playing on projects during off-hours. Employing the use of barricades and signage, grounding buckets and blades, disconnecting electricity and covering holes illustrate a few typical safeguards that need to be performed at the end of each workday.

Trenching Hazards to the Public:

Trenches are probably the most prevalent of public excavation hazards. Most trenching is done in streets or other public use areas. This establishes the need for protection of pedestrian and vehicular traffic.

Vehicular Traffic:

Trenches involving motor vehicle traffic must be covered where traffic is permitted to continue. Substantial metal plates have been found most practical for this purpose.

When the situation requires detouring of traffic, precautions must be made to use clearly marked barriers, signs, watchmen, lights, etc. If there is a heavy volume of traffic after dark, the situation is accentuated.

Sometimes trenches are often open during the day but closed at night. In such a case, steel plates may be used to cover the trench at night. Lighting aids and appropriate barriers should be placed to indicate the type of hazard.

Walkways:

When pedestrians are involved, steps and ramps should be avoided, if possible, to reduce tripping hazards. Properly railed walkways are much more desirable. These should be kept free of obstructions and slippery substances. Covered walkways are needed when falling objects and weather conditions contribute to the hazard.

Lighting & Signs:

Lighting, signs and maintenance must be provided for any pedestrian passageway.

Water Conditions:

Water conditions in a trench may require plumbing. Hazards must not be created for the traveling public by pumping water into its lines of travel. Precautions must be taken to avoid damage to adjacent structures.

Shoring:

Shoring of trenches and excavations must be adequate to protect the public. The collapse of a bank can affect an adjacent structure; it may even involve pedestrians and vehicles.

Storage & Handling of Materials:

Movement and storage of materials, equipment or supplies must not be allowed to encroach upon the rights of, or present hazards to, member of the public. For example, a pedestrian who has to step out into a lane of traffic to go around some material and is struck by a passing car has a good cause for action against us, even though we did not cause the injury directly. When trucks carrying materials are required to cross lanes of pedestrian or vehicular traffic, their routes should be guarded properly by signalmen.

Utility Lines:

Damage to public utility lines can occur in many ways. Overhead wires and their supports may be broken by equipment during construction operations. Hazards involved with underground utility lines are well known. Checking plans and maintaining close liaisons with utility companies during excavation is a necessity.

Trespass by the Public:

Equipment and general jobsite conditions must be maintained (left overnight or during holidays) in such a manner as to prevent injury, even to a trespasser. Every possible precaution should be taken to protect the contractor from liability for injured unauthorized visitors and to protect the innocent citizen who may visit the site.

Cases involving children are a particular legal pitfall for a contractor. The “attractive hazard” principle is applied widely in adjudication cases in which children are injured on job sites or by equipment placed there.

Pollution of the Area:

Precautions need to be taken to keep pollution from the jobsite at an irreducible minimum. Atmospheric pollution could be caused by drilling dust, particles from blasting, dust from handling cement, smoke and fly-ash from fuel consuming equipment, and dirt falling from trucks. Sometimes materials may be stored in such a way that the wind may interfere with their control, as in blowing sand or dirt. Gravel, dirt or other materials must not be permitted to fall and remain on the streets or in the neighboring area.

Fuel tanks should be surrounded by a berm or a similar engineered containment device that would contain any spills until clean up could be afforded.

Check the Law:

In many jurisdictions, there are ordinances or codes that apply to protecting the public regarding construction operations. We must determine if any codes exist where we plan to work. We are expected to apply them as minimum standards of operation.

SCAFFOLD ERECTION AND MAINTENANCE

- No scaffold shall be erected except by or under the direction of the competent person designated by the company. If a subcontractor on the work site is erecting the scaffold, the designated competent person for the subcontractor shall erect or supervise the erection of the scaffold and a letter designating such person as the competent person for the subcontractor shall be provided to Kozeny-Wagner, Inc. prior to the scaffold erection.
- The trigger height for scaffold fall protection on worksites shall be 10 feet unless a different height is mandated by a regulatory body with due authority or unless the competent person installing the scaffold determines that a different lesser height is needed. The trigger height shall not be changed without the consultation and approval of the KW Safety Director.
- No scaffold shall be used for any other purpose than as a work platform.
- No poly, banners, flags, or hoists shall be attached to a scaffold without prior consultation and approval of the KW Safety Director.
- No scaffold shall be erected without proper base plates and mudsills. Barrels, boxes, concrete blocks and bricks are never to be used in place of a proper mudsill.
- No scaffold shall be released for use as a work platform prior to the final erection of the scaffold; including guardrails, top rails, side rails, and planking. In addition, scaffold shall not be released by competent persons for use prior to the installation of any required fall protection systems or equipment.
- A competent person shall complete a documented inspection of the scaffold prior to each work shift and at any other such time as conditions dictate that the scaffold may no longer be safe for use.
- The competent person shall have authority to stop all scaffold use at anytime they determine that the scaffold is, or could become, unsafe and shall direct the scaffold be labeled as unsafe and not available for use.

SECURITY

Site security, for both personnel and equipment, is the responsibility of all site personnel. If you see any persons whose identity is unknown, or are acting strangely, report their presence to the site supervisor immediately.

Only KWI personnel, personnel of our subcontractors, personnel of the owner and his direct reports and regulatory and emergency personnel are allowed on the worksite. The public is not generally allowed.

All equipment and materials stored on the site at the end of the workday should be secured to prevent theft, tampering, and vandalism. Your supervisor will instruct you in the best practices to secure the material and equipment.

Subcontractors are responsible to secure their material and equipment.

The office trailer, all equipment, and all storage lockers should be locked at the end of the shift. It is the responsibility of the supervisor to verify that all locks are in place and have been secured and to check immediately upon arrival for the next shift, that all equipment is accounted for.

Emergency numbers to report suspicious activity or theft to the local authorities are in the job trailer or available form you supervisor.

If you have concerns about the safety and security of the worksite you are assigned to, contact either your supervisor or the KW Safety Director.

SUBCONTRACTORS

General:

One of the most often neglected aspects of the contractor's safety program is the coordination between the accident prevention activities of the contractor and their subcontractors. This becomes a serious problem when the subcontractor does not require safe practices of their workers, operates unsafe tools and equipment, fails to provide personal protective equipment, ignores accepted accident prevention methods and otherwise defeats the purpose of our efforts to maintain a safe jobsite.

It is impossible for Kozeny-Wagner, Inc. to maintain a complete and effective safety program on a construction project if one or more of our subcontractors operate in an unsafe manner. When a subcontractor allows practices such as those mentioned above, he endangers the employees of other contractors on the site. In addition, such actions are certain to have an adverse effect on the attitudes of the other employees towards safety.

To promote our own interests, therefore, as well as the safety of our employees, we must demand proper accident prevention and related action by those to whom we subcontract.

Before pursuing this discussion further, it is worth noting that there are many subcontractors who have already developed excellent safety programs. Often such subcontractors find themselves working for general contractors who do not have safety programs of their own. The subcontractor then finds himself in the same dilemma to which we have referred in these first paragraphs. It is possible, therefore, for a good reliable subcontractor who is safety conscious to decline to submit a bid to a general contractor who has a bad reputation in the line of safety. It is certainly worth noting that subcontractors have been heard to say that their price to one contractor may be less than his price to another contractor because he knows that the first contractor has a responsible safety program.

Pre-job Conference:

To make sure that a new project gets started properly from a safety point of view, Kozeny-Wagner, Inc. shall hold a pre-job conference with representatives of the subcontractors. Such a meeting could be restricted to safety discussions only. But since there are many matters, which need to be discussed prior to starting a project, it is more reasonable to expect that safety would be one of the items put on the agenda in a general pre-job meeting. Have subcontractor appoint a safety representative in writing to Kozeny-Wagner, Inc.

In any event, it is important that safety related matters be discussed with subcontractor management officials so that they will be aware of our overall safety program and what will be expected of each subcontractor on this project. Presumably, because all or most of the subcontractors will be in attendance, the pre-job conference presents an excellent forum for planning coordination of safety as well as other construction related activities.

Job Site Coordination:

Prior to starting subcontracted work on the job site, the project superintendent shall meet with the subcontractor's jobsite supervisor to discuss safety related matters. At this meeting the KW supervisor shall review with the subcontractor's safety responsibilities on the project. If those responsibilities have been spelled out in the contract documents, this should be a simple matter. If they have not, then the KW supervisor should make clear what the subcontractor's safety responsibilities are and communicate the safety responsibilities of Kozeny-Wagner, Inc.

As work on the project progresses, the project supervisor shall monitor the safety practices of each subcontractor. The project supervisor shall conduct weekly scheduled safety meetings with the subcontractors' supervisors to review the accident experience on the site and to discuss any safety related problems anticipated in the work scheduled during the next period.

Contractor/Subcontractor relationship under OSHA:

The construction standards deal with the relationship between the contractor and the subcontractor in 1926.16, which are reproduced here in part:

The prime contractor and any subcontractors may make their own arrangements with respect to obligations that might be more appropriately treated on a job site basis rather than individually. Thus, for example, the prime contractor and his subcontractors may wish to make express agreement that the prime contractor or one of the subcontractors will provide all required first aid or toilet facilities, thus relieving the subcontractors from the actual, but not any legal, responsibility. In no case shall the prime contractor be relieved of overall responsibility for compliance with the requirements of the standards for all work to be performed under the contract.

To the extent that a subcontractor of any tier agrees to perform any part of the contract, he also assumes responsibility for complying with the standards with respect to that part. Thus, the prime contractor assumes responsibility with respect to his portion of the work. With respect to the subcontracted work, the prime contractor and any subcontractor or subcontractors shall be deemed to have joint responsibility.

Where joint responsibility exists, both the prime contractor and subcontractor or subcontractors, regardless of tier, shall be considered subject to enforcement provisions under the construction standards.

Subcontractor Safety Violations:

If a subcontractor is in violation of Kozeny-Wagner's safety policy, the jobsite supervisor shall:

Tell the subcontractor about violation and request that it be taken care of immediately. Kozeny-Wagner's supervisor should note this in the daily logbook.

If the violation is not addressed immediately, notify the KW Safety Director and notify the subcontractor in writing regarding the violation and request immediate action. A copy of the letter must be sent to the KW Safety Director.

If compliance is still not obtained, inform KW Safety Director to notify subcontractor owner. KW management will decide further courses of action at this point.

When we notify a subcontractor of violations, we should not offer solutions to the violations as this could put liability on Kozeny-Wagner.

EXCAVATION AND TRENCHING HAZARDS

- No excavation shall be performed prior to utility location. Supervisors are responsible for utility locates and documentation. Supervisors are responsible for maintaining current documentation as required by the specific locate entity.
- Safe work procedures for trenching, excavation and the hazards posed by the presence of confined spaces need special consideration by all workers on the site. (Please reference Confined Space section of this manual.)
- Trenching and excavation, whether performed by KW forces or the forces of subcontractors, shall be performed in accordance with the following guidelines:
- No excavation or trenching shall be performed on a site without the presence and supervision of a competent person who has experience and formal training in all aspects of the operation. The competent person shall supervise all operations and perform a documented inspection of the excavation at the beginning of each shift at a minimum, but in no case less than daily. The competent person shall ensure that all personnel are aware of and follow all safety guidelines. The competent person has the authority to stop work when an unsafe condition is deemed to exist.
- All installation and removal of shoring and shielding shall be done from above ground only.
- No personnel shall be allowed to enter an excavation that is not properly shored. Personnel shall always enter and exit the excavation within shielded or shored areas. Personnel may work only within the shielded or shored areas and no personnel shall be allowed to stand on the edge of an un-shored excavation.
- Access shall be provided to personnel so as to limit travel to 25 feet or less in any direction.
- Water shall be eliminated from the excavation prior to allowing personnel to enter.
- Spoil piles shall be laid back a minimum of 2 feet from the opening of the excavation.
- All soil shall be considered Class C unless specifically determined otherwise and all excavation shall be done in conformance with Class C soil requirements unless otherwise determined.

USE OF TOOLS, MACHINERY AND EQUIPMENT

- Before using any tool or piece of equipment (this includes hand tools, electric tools, ladders, scaffolds, trucks, heavy equipment, cranes, etc.), make sure you have been instructed in the safe use thereof and the inspection of the tool or equipment has been performed as required. If you are not sure, check with your supervisor.
- Crane inspection logs shall be maintained as required by the manufacturer.
- Make sure guards and protective devices are on all equipment prior to beginning any operations. Tampering with any protective or safety shields or guards is prohibited.
- Hand tools, such as hammers and chisels, must be kept well dressed so that injury from flying particles can be prevented.
- Make sure ladders are in good condition, firmly placed, and secure. Have both hands free when going up or down ladders. If a ladder is damaged or distressed, turn it in to the shop for replacement.
- Any damage of scaffolds or other supporting structures must be repaired or reported promptly to your supervisor. Use required railings on scaffolds.
- Be sure you know what is behind your vehicle before backing up. Get out and look if necessary. If the backup alarm on the equipment is not functioning, the equipment is to be immediately removed from service until the repair is complete. The Operations Manager should be notified immediately of the problem.
- Be sure all electrical devices and power tools are properly grounded and have a GFCE in place before using.
- Every tool is designed for specific use. Do not misuse any tool and inspect any tools used daily for defects.
- No tool shall be operated, nor any work function performed, without sufficient lighting to perform the operation in a safe manner. If you cannot see sufficiently to perform the operations safely, stop work, and contact your supervisor immediately.

WEEKLY SAFETY MEETINGS

- Weekly Safety Meetings are to be conducted by the project supervisor. Weekly Safety Meetings are to begin when the project supervisor begins work on site and end only when the supervisor has concluded all site operations.
- A copy of the Weekly Safety Meeting Record must be submitted to the Safety Director with timesheets on a weekly basis. The project supervisor is to retain a copy for their files.
- The weekly safety meeting shall consist of identifying and describing three site specific hazards that will be encountered during the week and an explanation of how each hazard will be addressed.
- All project personnel should attend weekly safety meetings, when possible. At a minimum, all KWI employees and subcontractor foreman are to attend the weekly safety meetings and sign-off on the attendance list provided on the form.
- Execution of the Supervisor Job Safety Inspection Checklist is recommended to be completed on a daily basis. This checklist is a tool to allow the project supervisor to review and address project safety concerns and conditions.

REGULATORY AGENCIES SAFETY COMPLIANCE INSPECTIONS

- Safety compliance inspections of project sites can be conducted by a number of regulatory agencies. These include federal, state and local agencies that have enforcement compliance jurisdiction, which includes, but is not limited to the Occupational Safety and Health Administration (OSHA).

The following guidelines should be adhered to in the event of an inspection.

- A compliance officer may appear on a project at anytime to investigate a complaint or conduct a general safety inspection.
- Compliance officers are required to identify themselves to the project supervisor and will then provide a statement of purpose for their inspection.
- There are a number of reasons a compliance officer would be performing an inspection. The reasons include a general scheduled inspection, complaint inspection, accident investigation, follow-up inspection for previous citations or inspection of or for specific “targeted” hazards. The supervisor should request a copy of the report if the inspection is a result of a complaint.
- Project supervisors should immediately contact the Safety Director after the compliance officer has concluded with their identification, statement of purpose and while preparations are being made for the “Pre-inspection Conference”.
- If the Safety Director cannot be reached supervisors are advised to contact the President or Vice President and CFO to notify them of the inspection.
- As a courtesy, the compliance officer will typically delay the start of the inspection for forty-five minutes to one hour to allow for the arrival of a company representative.
- Supervisors should be polite and courteous in all interactions with the compliance officer.
- All interactions, including conversations, supervisors’ actions and the compliance officers’ actions, should be diligently recorded by taking notes and photos from the time the compliance officer arrives on site until the time they leave the site. It is important to remember to take several photos and detailed notes of all alleged hazards.
- If violations of safety standards are noted, take immediate corrective action while the compliance officer is present, if possible. Alleged violations may be discussed for the purposes of taking detailed notes, but supervisors should not be argumentative or combative with the compliance officer at any time.
- Compliance officers have the right to interview employees, but are not permitted to interrupt the progress of work operations. If necessary, a time and location can be scheduled to conduct interviews.
- The inspection will conclude with the closing conference. The compliance officer will discuss any alleged violations and provide information regarding citations to be issued.

HAZARD COMMUNICATION PROGRAM

This program has been developed to comply with the requirements of the Federal OSHA Standard 1926.59 and to insure that information necessary for the safe use, handling, and storage of hazardous substances is provided to and made available to our employees. This program includes guidelines on identification of chemical hazards and the preparation and proper use of containers, labels, placards, and other types of warning devices.

A. Chemical Inventory:

1. Kozeny-Wagner, Inc. maintains an inventory of all known chemicals in use on the jobsite. A chemical inventory list should be created for every project and posted or located in supervisors HAZCOM book.
2. Hazardous chemicals brought onto the jobsite by Kozeny-Wagner, Inc. will be included on the hazardous chemical inventory list.

B. Container Labeling:

1. All chemical on site will be stored in their original or approved containers with a proper label attached, except small quantities for immediate use. Any container not properly labeled should be given to your supervisor or foreman for labeling or proper disposal.
2. Workers may dispense chemicals from original containers only in small quantities for immediate use. Any chemical left after work is completed must be returned to its original container or to your supervisor or foreman for labeling or proper disposal.
3. No unmarked containers of any size are to be used in the work area at any time.
4. It is Kozeny-Wagner, Inc.'s intent to rely on manufacturer-applied labels whenever possible, and to insure that these labels are maintained. Containers that are not labeled or on which the manufacturer's label has been removed must be re-labeled.
5. Kozeny-Wagner, Inc. will insure that each container is labeled with the identity of the hazardous chemical contained therein and any appropriate hazard warning.

C. Material Safety Data Sheets (MSDS):

1. Employees working with a hazardous substance may request a copy of the Material Safety Data Sheets (MSDS). Employees should be familiar with the location of the HAZCOM book, the Hazard Communication Written Program contained in the book and signed and dated the Training Session for Hazard Communication located in the HAZCOM book.
2. HAZCOM books are to remain at a conspicuous location on the project for the duration of the project operations.

D. Employee Training:

1. Employees will be trained to work safely with hazardous substances. (This training will be conducted by the assigned project supervisor.) Employee training will include: 1) Methods that may be used to direct a release of hazardous chemicals in the work place; 2) Physical and health hazards associated with chemicals; 3) Protective measures to be taken; 4) Safe work practices, emergency responses, and use of personal protective equipment; 5) Information on the hazard communication standard, including labeling and warning systems, and an explanation of Material Safety Data Sheets.
2. All employees who work on your project are required to "sign-off" on the "KWI Training Session for Hazard Communication". This form should be enclosed in the Job HAZCOM Book for the duration of the project.

E. Personal Protective Equipment (PPE):

1. Required PPE is available from your foreman or supervisor. Any employee found in violation of PPE requirements may be subject to disciplinary actions up to and including termination.

- F. Emergency Response:
 - 1. Any incident of exposure or spill of a hazardous chemical/substance must be reported to your supervisor immediately.
 - 2. The supervisor will be responsible for insuring that proper emergency response actions are taken in leak/spill situations. Smaller leak/spill situations can typically be resolved with by using spill kits. Larger leak/spill situations may require contracted assistance. The supervisor shall contact the Safety Director immediately when leak/spill situations cannot be resolved with spill kits.
- G. Hazards of Non-Routine Tasks:
 - 1. Supervisors will inform employees of any special task that may arise which would involve possible exposure to hazardous substances.
 - 2. Review of safe work procedures and use of required PPE will be conducted prior to the start of such tasks. When necessary, areas will be posted to indicate the nature of the hazard involved.
- H. Informing Other Employers:
 - 1. Other on-site employers are required to adhere to provisions of the hazard communication standard.
 - 2. Information on hazardous substances known to be present will be exchanged with other employers. Employers will be responsible for providing necessary information to their employees.
 - 3. Other on-site employers will be provided with a copy of Kozeny-Wagner, Inc.'s Hazard Communication Program.
 - 4. Supervisors shall request that any Subcontractor (or other Prime Contractors or Construction Managers) forward MSDS to them for all hazardous chemicals to be used on site.
- I. Posting:
 - 1. Kozeny-Wagner, Inc. has posted information for employees on all of its jobsites with respect to the hazard communication standard. This information can be found on the jobsite office. It is the responsibility of the project supervisor to post required information.

The supervisor is responsible for updating and maintaining the current “Training Session for Hazard Communication” forms and the Material Safety Data Sheets (MSDS) for the project in a conspicuous location for the duration of the project.

**KOZENY WAGNER
NEW EMPLOYEE SAFETY AND TRAINING ACKNOWLEDGEMENT**

Date _____

I, _____, have received the following:

- _____ Management Loss Control Policy Statement
- _____ Kozeny-Wagner, Inc. Safety Handbook
- _____ Initial Safety Orientation & Policy Review
(Additional Safety & Training Identified below)

Topic _____

_____ Personal Protective Equipment

Type _____

_____ Other _____

I have read the safety rules and work regulations of Kozeny-Wagner, Inc. and I understand them. I will follow them at all times while in the employ of Kozeny-Wagner, Inc. I understand that it is my responsibility to work in a safe manner at all times so as not to endanger myself or others.

I also understand that in the event I am injured, no matter how slightly, while in the course of my work with Kozeny-Wagner, Inc., I must report the incident immediately to my supervisor.

I acknowledge that I will communicate to my supervisor any questions or concerns I may have regarding the safe and healthful performance of my job.

Employee Signature _____
 Name of Employee _____
 Social Security No. _____

Supervisor Signature _____
 Name of Supervisor _____

KOZENY-WAGNER, INC. SUBSTANCE ABUSE POLICY

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KOZENY WAGNER SUBSTANCE ABUSE POLICY

Dependency on alcohol and/or drugs can interfere with an employee's health and job performance and may pose serious safety, health, or security risks not only to the user, but also to those who work with the user.

Accordingly, the company has adopted a program of drug and alcohol testing, as set forth herein. The program is part of the St. Louis Drug Abuse Consortium (SLDAC) and the policy statements contained herein shall serve only to augment, and never substitute for, the guidelines of the Consortium.

This policy is also contained in abbreviated form in the Company employee manual and the policy is covered with all employees at orientation.

COMPANY STATEMENT

It is the company's policy that its employees shall not use, sell, possess or be under the influence of alcohol or illegal drugs in the work place. A positive test result or the refusal to submit to drug and/or alcohol test under the company's program will be grounds for refusal to hire an applicant for employment and grounds for termination of existing employees.

The company has implemented drug and alcohol testing as follows:

(1) Post employment testing; (2) testing for cause; (3) testing after occurrence of an accident involving personal injury or property damage on the job; (4) random testing and (5) return to duty testing.

EMPLOYEE ASSISTANCE REFERRAL PROGRAM

Our company recognizes that chemical dependency and other medical behavior conditions are highly complex problems that often can be successfully treated. Each employee is responsible for seeking help before an alcohol or drug problem leads to disciplinary action. Employees are encouraged to contact their individual health care provider for assistance.

SUBSTANCE ABUSE TESTING PROTOCOLS

A National Institute on Drug Abuse certified laboratory shall analyze all test specimens collected under this program.

SPECIMEN ANALYSIS

N.I.D.A. certified laboratories undergo an expensive and lengthy certification process and are constantly checked with blind quality control samples and unannounced inspections. Record keeping as well as sample collection procedures must follow these strict N.I.D.A. guidelines.

CONFIDENTIALITY POLICY

We respect the employee's privacy rights. Accordingly, positive results will not be revealed to anyone other than the employee and company. Further distribution of the test results will require the employee's written consent.

TYPES OF TESTING

Employees will be subject to drug and alcohol testing under the following circumstances:

(A) POST EMPLOYMENT TESTING

All employees shall be required to successfully pass drug and alcohol screening tests immediately after beginning employment with Kozeny-Wagner, Inc. and shall be subject to all substance abuse tests described herein as a condition of their continuing employment.

(B) REASONABLE CAUSE

If there is reasonable cause, as defined by the guidelines in the St. Louis Drug Abuse Consortium, to believe that an employee has used or is under the influence of drugs or alcohol on the job, the Company will require the employee to submit immediately to a drug and/or alcohol test.

(C) POST ACCIDENT

If an employee is involved in a job-related accident, the Company may require the employee to submit immediately to a drug and alcohol test.

(D) RANDOM TESTING

All employees shall be subject to a random drug and alcohol test. Random testing shall be conducted as determined by the SLDAC.

(E) RETURN TO DUTY TESTING

Workers suspended for violation of any portion of this policy will be required to successfully pass a drug and alcohol test prior to being eligible for reinstatement.

POLICY VIOLATION

This policy requires that employees undergo drug and alcohol testing as may be required to provide a safe, healthful and productive working environment. No employee's testing will be conducted without the employee's consent and whenever practical, the employee's written consent shall be required. However, an employee's failure to comply with any provision of this program or failure to provide consent when requested shall be grounds for disciplinary action.

Any of the following actions constitutes a violation of the company policy and will subject the worker to disciplinary action including termination.

- a. A confirmed positive drug or alcohol test
- b. Any violation of the rules
- c. Failure to report for a random test
- d. Failure or refusal to sign notice of policy
- e. Refusal to contact the Medical Review Officer

- f. The use, possession, sale or distribution of alcohol or any controlled illegal or unauthorized substances, or the presence of an individual in the workplace with such substances in their body for non-medical reasons.
- g. Working, reporting to work, performing company business or being on company premises or in a company owned, leased or rented vehicle while under the influence of alcohol.
- h. Refusal to submit a specimen for testing will be viewed as a positive result and will carry with it the same consequences as specimens tested and reported as positive.

CONFIRMED POSITIVE TEST RESULTS

Employees receiving a confirmed positive test result shall be suspended without pay. Suspended employees desiring to return after the suspension period must complete the reinstatement procedures as outlined by the SLDAC. An employee receiving a confirmed positive test result for the second time will be terminated and not be eligible for reinstatement.

REINSTATEMENT PROCEDURES

Employees desiring to be reinstated shall be required to complete the reinstatement requirements as detailed by the SLDAC.

ACKNOWLEDGMENT

**Kozeny-Wagner, Inc.
Substance Abuse Policy**

◆ Drug/Alcohol Screening ◆

By my signature below, I _____ hereby acknowledge that I have read and understand the Substance Abuse Policy of *Kozeny-Wagner, Inc.*, which outlines the company's policy regarding the use or possession of drugs and related items. I understand that the company requires employees to submit urine specimens to be analyzed for the presence of drugs. I realize that the presence of a detectable trace of any unauthorized substance is grounds for disciplinary action and that this may include termination of my employment. I further realize that my cooperation is voluntary and that refusal to submit a specimen for testing is grounds for my termination.

I agree to cooperate and abide by this policy and understand that any failure to do so on my part is grounds for termination.

Signature of Employee

Date

Signature of Supervisor or Witness

Date