

Program Safety Policy

Scope and Application:

The California Ironworkers Workers Compensation Trust has established a “Program Safety Policy” for all employers and parties who elect to participate in the Collectively Bargained Workers Compensation Program. This policy shall apply to the Associations comprising the California Ironworkers Employers Council, Inc., Individual Contractors, District Council of Ironworkers of the State of California and Vicinity, and each respective insurance carrier who provides workers’ compensation insurance to program participants.

The Program Safety Policy shall be administered by the Trustees of the California Ironworkers Workers Compensation Trust pursuant to California Insurance Code Sections 11656.6-11656.7, California Labor Code Section 3201.5, Code of Federal Regulations, California Safety Orders, and any other state or local statutes pertaining to safety and health requirements.

General:

The purpose of this Program Safety Policy is to achieve outstanding safety performance through the cooperative efforts of the labor, management, and the insurance carriers. The safety provisions set forth in this document are a minimum standard for participation, and employers may elect to exceed any requirements contained herein. Nothing contained in this policy shall prohibit an employer from implementing more stringent safety programs, policies, or procedures.

The Trustees of the California Ironworkers Workers Compensation Trust shall have the authority to establish safety policies and procedures for all parties to this agreement. Additionally, the Trustees shall have the authority to implement corrective action to rectify safety and health issues in response to accident trends, regulatory amendments, and adverse safety performance of program participants that may arise. It is the desire of the Trustees to administer a uniform safety program policy for all parties subject to the Collectively Bargained Workers Compensation Program.

Safety Compliance Policy:

In the event that a program participant does not comply with the minimum requirements contained in this Program Safety Policy, the Trustees shall have the authority to implement corrective action and seek any remedies necessary to rectify items of non-compliance. Any alleged items of non-compliance and/or disputes regarding safety and health issues may be forwarded to the Labor and Management Co-Chairman of the California Ironworkers Workers Compensation Trust for review and consideration.

1.0 Labor-Management Safety and Health Committee

1.1 Committee Membership

- a) The Union Co-Chairman of the California Ironworkers Workers Compensation Trust shall designate three (3) representatives to serve on the committee.
- b) The Management Co-Chairman of the California Ironworkers Workers Compensation Trust shall designate three (3) representatives to serve on the committee.
- c) The IMPACT Director of Western Region shall be designated by the Committee members to serve as an advisor to the Safety Committee.
- d) Each insurance carrier shall designate a representative to act as an advisor to the labor-management safety committee.
- e) Only labor and management representatives can vote.

1.2 Meeting Schedule and Responsibilities

- a) Periodic meetings shall be held to review the frequency and severity of accidents and accident trend reports to evaluate program safety performance.
- b) Insurance representatives shall prepare and submit accident trends reports for program participants which indicate the frequency and severity of various types of workplace injuries.
- c) Insurance representatives shall provide a log of cases when workers' compensation checks were not provided to injured workers within the statutory period of time required by State Law.
- d) The committee shall review any notices of non-compliance with the Program Safety Policy or disputes regarding safety and health issues.
- e) The IMPACT Director shall develop and provide committee members with an agenda and materials for periodic meetings.
- f) The IMPACT Director shall provide the committee members with proposed OSHA safety and health regulations that may affect program participants.
- g) The IMPACT Director shall provide the committee with any documentation relevant to the safety performance of the program participants including non-compliance issues.
- h) Committee members shall review the effectiveness of the Program Safety Policy and draft amendments when necessary.

2.0 Periodic Safety and Health Audits

2.1 Initial Audit Procedures for Program Prospects

- a) The IMPACT Director shall work with the insurance carriers to provide an initial safety survey of the program applicant.
- b) This survey report shall include but not limited to an evaluation of the prospects current projects under construction, written safety and health program, workplace and equipment inspection records, employee orientation and training records, etc.
- c) The IMPACT Director in conjunction with the insurance carriers shall review safety reports and discuss any safety concerns pertaining to the prospect safety survey.
- d) The IMPACT Director in conjunction with the insurance carrier shall determine if any special conditions or stipulations are necessary to address safety concerns. Such special conditions shall be reviewed with the employer and included in the underwriting proposal from the insurance carrier.
- e) In the event of any disputes between the IMPACT Director, insurance carrier, or the program prospect regarding the safety survey report or special underwriting conditions, a written report outlining the items of dispute shall be forwarded to the Labor and Management Co-Chairman of the California Ironworkers Workers' Compensation Trust for review.
- f) The Labor and Management Co-Chairmen of the California Ironworkers Workers' Compensation Trust shall have the authority to resolve any disputes that may arise during the prospect evaluation process.

2.2 Periodic Audit Procedures

- a) The IMPACT Director shall work at the direction of the Trustees to establish a schedule for periodic safety and health audits.
- b) The Trustees may authorize an unannounced audit of any employer participating in the Program.
- c) Periodic safety and health audits will be conducted by qualified persons authorized by the Trustees.
- d) A copy of the initial and periodic safety audit shall be provided to the employer immediately following completion.
- e) The IMPACT Director shall maintain a file of safety and health audits.

3.0 Employer Safety and Health Programs

3.1 Program Development

- a) Each program participant shall be required to develop a written accident prevention program in accordance with the applicable federal, state, or local statutes pertaining to safety and health requirements.
- b) Safety and health programs shall be written under the supervision of a qualified person designated by the employer.
- c) Written accident prevention programs shall identify the hazards associated with common activities in the workplace and provide measures to abate such unsafe acts or conditions.
- d) The employer must develop policies and procedures for safety responsibility and accountability directed to company management, field and shop superintendents, field and shop foremen, field ironworkers and crane operators.
- e) Each program participant shall be required to develop any necessary written programs to address unique hazards or hazardous processes in the workplace.
- f) The IMPACT Director shall assist program participants in the development of written accident prevention programs.
- g) The Trustees of the California Ironworkers Workers' Compensation Trust shall have the authority to require any additional written safety programs.

3.2 Program Implementation

- a) Safety and health programs shall be implemented under the supervision of a competent person designated by the employer.
- b) Program implementation shall include but not limited to employee orientation and training, and job site specific safety plans.
- c) Implementation of periodic and frequent workplace inspections.
- d) The IMPACT Director shall assist the program participants in the development of program implementation methods and materials.
- e) Investigate all accidents and "near misses".
- f) Develop a job hazard analysis and develop a job site specific safety and health plan for each worksite and/or specific job function.

3.3 Program Maintenance and Recordkeeping

- a) Each program participant shall be required to maintain an effective accident prevention program in accordance with the applicable federal, state, or local statutes pertaining to safety and health requirements.
- b) Records of jobsite and shop inspections and corrective action (including reprimands or termination) taken to abate unsafe conditions or work habits shall be maintained and made available for review upon request.
- c) Documentation of safety and health training and instruction for each employee including employee name, trainer name, dates and type of training shall be maintained.