



Construction Top 25 Violations & Workplace Fatalities

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TOP 25 SERIOUS MIOSHA CONSTRUCTION SAFETY VIOLATIONS

Fiscal Year 2007

By rule

Presented By:

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MIOSHA Training Institute Certification

What are the benefits?

Conducted by credible MIOSHA consultants

CEUs, CSPs, Maintenance points

Validation of a set of knowledge

Standardized curriculum path

Increased recognition for employee & employer

Tracking of course completion

TOP 25 SERIOUS VIOLATIONS CITED

PART 45 - FALL PROTECTION

Rule 1926.501(b) (1)

1

CONSTRUCTION Site Fall Hazards

Each employee on a walking/working surface with an unprotected side or edge which is 6 feet (1.8m) or more above a lower level shall be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest system.



Serious Violations	316*
Proposed Penalties	\$176,425

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 12 - SCAFFOLD AND SCAFFOLD PLATFORMS

Rule 408.41213(1)

2

Guardrail, Fall Arrest Devices

A guardrail shall be installed on any open side or end of a scaffold work platform which is 10 or more feet above the floor or ground, except for a boatswain's chair, float scaffold, ladder jack and needle beam scaffold.



Serious Violations

101*

Proposed Penalties

\$ 75,425

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 6 - PERSONAL PROTECTIVE EQUIPMENT Rule 408.40622(1)

3

Use of Head Protection

A helmet shall be used to protect the employee where a hazard or risk of injury exists from falling or flying objects or particles or from other harmful contacts or exposures.



Serious Violations

77*

Proposed Penalties

\$ 47,925

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 17 - ELECTRICAL INSTALLATIONS

Rule 408.41725(11)

4

Wiring, Attachment Receptacles; Extension and Trailing Cords, Handlamps, Portable Electric Tools Used in Wet Environment

A portable electric tool used in a wet atmosphere or environment shall be protected by an approved ground-fault interrupter. Also removal from service of damaged extension cords, trailing cords, and receptacles.



Serious Violations 74*

Proposed Penalties \$ 24,600

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 9 - EXCAVATION, TRENCHING AND SHORING

Rule 408.40941(1)

5

Excavation, Angle of Repose

The side of an excavation more than five feet deep shall be sloped as prescribed in table 1, unless supported as prescribed in this part.



Serious Violations

67*

Proposed Penalties

\$ 201,675

*includes Serious, Willful
and Repeat Violations



TOP 25 SERIOUS VIOLATIONS CITED

PART 19 - TOOLS Rule 408.41937(4)



6

The operator of the portable powered stapler or nailer and those employees within striking distance of its fastener shall wear eye protection provided for in, Part 6 Person Protective Equipment R408.40617, R408.40623 and R408.40624

Serious Violations	67*
Proposed Penalties	\$ 19,375

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 32 - AERIAL WORK PLATFORMS Operating Procedures

Rule 408.43209(11)

7

Operating Procedures

A safety belt or a harness with a lanyard which is attached to attachment point, maintain electrical clearances, guardrail system used as guardrail, firm footing on floor.



Serious Violations 64*

Proposed Penalties \$ 33,550

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 6 - PERSONAL PROTECTIVE EQUIPMENT

Rule 408.40624(1)

8

Face and eye protection, as prescribed in R408.40623, shall be used where a hazard or risk of injury exists from flying objects or particles, harmful contacts, exposures such as glare, liquids, injurious radiation, electrical flash, or a combination of these hazards.



Serious Violations	60*
Proposed Penalties	\$ 22,725

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 12 - SCAFFOLDS AND SCAFFOLD PLATFORMS – Rough Terrain Forklifts

Rule 408.41243(9)

9

Rough Terrain Forklift Truck Scaffolds; Equipment Requirements; Employee Safety Requirements

If an employee is elevated in a platform on a variable reach lift truck, a personal fall arrest system, including an anchorage, with appropriate work platform.



Serious Violations	55*
Proposed Penalties	\$23,200

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 17 - ELECTRICAL INSTALLATIONS

Rule 408.41719(1)

10

Electrical wiring apparatus and equipment shall be installed and maintained as prescribed in the N.F.P.A. Standard, No. 70-1975, "National Electric Code."

Recognized wiring methods, reverse polarity, clearances pole to bldg., and continuous grounds.



Serious Violations 45*

Proposed Penalties \$ 12,225

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 12 - SCAFFOLDS AND SCAFFOLD PLATFORMS – Rough Terrain Forklifts

11

Rule 408.41243(5)

A work platform shall be in compliance with all of the following requirements:

Be of welded mild steel construction that has a minimum safety factor of 4 times the maximum intended load.

Have a continuous guardrail system constructed Have a wood planking, steel plate, or a steel grating bolted or welded to the bottom of the platform

Have a permanently affixed sign on the platform that specifies the maximum number of passengers



Serious Violations	41*
Proposed Penalties	\$15,525

*includes Serious, Willful and Repeat Violations 16



TOP 25 SERIOUS VIOLATIONS CITED

PART 1 - GENERAL RULES

Rule 408.40114(2)



12

An accident prevention program shall, at a minimum, provide for all of the following:

- a) Designation of the qualified employee or person who is responsible for administering the program.
- b) Instruction to each employee regarding the operating procedures, hazards, and safeguards of tools and equipment when necessary to perform the job.
- c) Inspections of the construction site, tools, materials, and equipment to assure that unsafe conditions which could create a hazard are eliminated.
- d) Instruction to each employee in the recognition and avoidance of hazards and the regulations applicable to his or her work environment to control or eliminate any hazards or other exposure to illness or injury.



TOP 25 SERIOUS VIOLATIONS CITED

PART 1 - GENERAL RULES

Rule 408.40114(2) (Continued)



12

- e) Instruction to each employee who is required to handle or use known poisons, toxic materials, caustics, and other harmful substances regarding all of the following:
 - i. The potential hazards.
 - ii. Safe handling.
 - iii. Use.
 - iv. Personal hygiene.
 - v. Protective measures.
 - vi. Applicable first aid procedures to be used in the event of injury.
- f) Instruction to each employee if known harmful plants, reptiles, animals, or insects are present regarding all of the following:
 - i. The potential hazards.
 - ii. How to avoid injury.
 - iii. Applicable first aid procedures to be used in the event of injury.

TOP 25 SERIOUS VIOLATIONS CITED

PART 1 - GENERAL RULES

Rule 408.40114(2) (Continued)

12

- g) Instruction to each employee who is required to enter a confined space regarding all of the following:
- i. The hazards involved.
 - ii. The necessary precautions to be taken.
 - iii. The use of required personal protective equipment.
 - iv. Emergency equipment.
 - v. The procedures to be followed if an emergency occurs.
- h) Instruction in the steps or procedures to be followed in case of an injury or accident or other emergency.

Serious Violations	30*
Proposed Penalties	\$40,025

*includes Serious, Willful and Repeat Violations 19

TOP 25 SERIOUS VIOLATIONS CITED

PART 19 - TOOLS Rule 408.41953(1)

13

A circular table saw shall have a hood type guard covering the blade at all times when not in use. When in use, the hood type guard shall enclose that part of the blade above the table and that part of the blade above the material by adjusting automatically to the thickness of the material being cut, or it may be a fixed or manually adjusted hood-type guard if the hood remains in contact with the material.



Serious Violations	29*
Proposed Penalties	\$11,250

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 11 - FIXED AND PORTABLE LADDERS

Rule 408.41124(5)

14

Portable Ladders

When portable ladders are used for access to an upper landing surface, the ladder side rails shall extend not less than 3 feet (.9m) above the upper landing surface to which the ladder is used to gain access; or, when such an extension is not possible because of the ladder's length, then the ladder shall be secured at its top to rigid support that will not deflect and a grasping device, such as a grab rail, shall be provided to assist employees in mounting and dismounting the ladder.



Serious Violations	28*
Proposed Penalties	\$13,800

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 12 - SCAFFOLDS AND SCAFFOLD PLATFORMS

Rule 408.41210(11)

15

The support for a scaffold shall be sound, rigid, and capable of carrying the maximum intended load without settling or displacement. Objects, such as barrels, boxes, pallets, brick, or concrete blocks, shall not be used to support a scaffold or work platform. Scaffold poles, legs, posts, frames, and uprights shall bear on base plates and mudsills or other adequate firm foundation.



Serious Violations 27*

Proposed Penalties \$20,475

*includes Serious, Willful and Repeat Violations



TOP 25 SERIOUS VIOLATIONS CITED

PART 1 - GENERAL RULES

Rule 408.4114(1)



16

Accident Prevention Program

An employer shall develop, maintain, and coordinate with employees an accident prevention program, a copy of which shall be available at the worksite.

Serious Violations	25*
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Proposed Penalties	\$ 41,625
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*includes Serious, Willful and Repeat Violations



TOP 25 SERIOUS VIOLATIONS CITED

PART 45 - FALL PROTECTION

Rule 1926.502(d)



17

Personal fall arrest systems and their use shall comply with the provisions set forth below. Effective January 1, 1998, body belts are not acceptable as part of a personal fall arrest system. Note: The use of a body belt in a positioning device system is acceptable and is regulated under paragraph (e) of this section.

Serious Violations	25*
Proposed Penalties	\$ 9,850

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 45 - FALL PROTECTION

Rule 1926.502(b)

18

Guardrail systems and their use shall comply with the following provisions:

Top edge height of top rails, or equivalent guardrail system members, shall be 42 inches (1.1 m) plus or minus 3 inches (8 cm) above the walking/working level.



Serious Violations 24*

Proposed Penalties \$ 11,675

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 9 - EXCAVATION, TRENCHING SHORING

Rule 408.4932(5)

19

Inspections

An ongoing inspection of an excavation or trench shall be made by a qualified person. After every rainstorm or other hazard-producing occurrence, an inspection shall be made by a qualified employee for evidence of possible slide or cave-ins. Where these conditions are found, all work shall cease until additional precautions, such as additional shoring or reducing the slope, have been accomplished.

Serious Violations 24*

Proposed penalties \$ 48,000

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 32 - AERIAL WORK PLATFORMS Operating Procedures

Rule 408.43209(14)

20

An employer shall not allow employees to exit an elevated aerial work platform, except where elevated work areas are inaccessible or hazardous to reach. Employees may exit the platform with the knowledge and consent of the employer. When employees exit to unguarded work areas, fall protection shall be provided and used as required in construction safety standard Part 45. "Fall Protection."



Serious Violations 24*

Proposed Penalties \$ 13,800

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 12 - SCAFFOLDS AND SCAFFOLD PLATFORMS

Rule 408.41217(1)

21

Planking & Scaffold Platforms Generally

Fully planked work platform with proper grade of min. 2, 2 X10 planks, properly bearing, and secured to scaffolding.



Serious Violations

23*

Proposed Penalties

\$ 30,350

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 17 - ELECTRICAL INSTALLATIONS

Rule 408.41723(2)

22

The employer shall insure that all live parts of electrical equipment operating at 50 volts or more are properly guarded against accidental contact.



Serious Violations 21*

Proposed Penalties \$ 12,225

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 26 - STEEL ERECTION

R408.42645(1)

23

Except as provided by subrule (3) of this rule, each employee engaged in a steel erection activity who is on a walking/working surface with an unprotected side or edge more than 15 feet (4.6 m) above a lower level shall be protected from fall hazards.



Serious Violations 20*

Proposed Penalties \$ 15,225

*includes Serious, Willful and Repeat Violations



TOP 25 SERIOUS VIOLATIONS CITED

Act 154 Duties of the Employer Rule 408.10110



24

General Duty Clause

Employer shall furnish to each employee, employment and place of employment which is free from recognized hazards that are causing or likely to cause death or serious physical harm to the employee.

Serious Violations	20*
Proposed Penalties	\$ 37,325

*includes Serious, Willful and Repeat Violations

TOP 25 SERIOUS VIOLATIONS CITED

PART 9 - EXCAVATION, TRENCHING AND SHORING

Rule 408.40933(2)

25

Excavation

An excavation shall have excavated and other material stored and retained not less than 2 feet from the excavation edge.



Serious Violations 19*

Proposed Penalties \$ 17,600

*includes Serious, Willful and Repeat Violations



Thank You For Attending This Presentation

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