

LOSS CONTROL TOOL CHEST

Penalties Have Increased But Supervisor Criminal Responsibility Has Not Changed Post - AB 1127

If you have not been promoting and enforcing safety in your department, these new modifications to the law can directly impact your pocketbook or even your freedom. Taking the time to make safety an integral part of your program is crucial.

Please take a minute and answer the following questions:

1. Do my employees know and believe that doing a job safely is as important as doing it on time and under budget? Have I told them so? Do I believe this myself? If you don't regularly communicate the importance of safety, your employees may think you don't care. Worse yet, they may think other factors are more important.
2. Do I set the example and follow all of the safety rules **all of the time**? Remember, your actions speak louder than words. You can't expect your employees to follow rules if you violate them yourself. As a manager, supervisor, lead person, or any person that has the charge of other employees, you serve as a role model. You must **ALWAYS** act safely and follow all of the rules . . . all of the time.
3. Do I ever "look the other way" when I observe any employee behaving unsafely or violating safety rules?

You cannot afford to ignore safety violations (known or should have known). When you do, you send a message that says you don't care or worse, that you condone unsafe behavior. You are often the only person in a position to correct an unsafe situation. If you fail to take action, it is not likely anyone else will, and nothing will change until an accident or tragedy occurs. **An established discipline system must exist for offenders of safety procedures.**

NOTE: If an employee violates a safety procedure after you have told him/her how to do it safely, that is considered insubordination and should be dealt with.

How did you do? Are there things you need to change?

It is well established that employee attitudes about safety, and hence their behaviors, reflect the attitudes and behaviors of their supervisors and management. The person with the greatest potential to promote safety is **YOU**. Formal rules, policies, and Health and Safety personnel have

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their place, but it is your own statements, attitudes, and actions which have the most influence on your employees.

Worksites are usually divided up between management and labor, with supervisors sometimes caught in the middle of the fence and not knowing which way to go. When safety is the issue, management, labor, and supervisors should all be working toward the same goal. Prosecutors will usually not sue a supervisor or foreman for monetary purposes with fines; they will usually go after the company for monetary purposes. They will prosecute supervisors and foremen for willfully violating a Cal-OSHA regulation that causes a serious injury and/or death. The penalties may include but are not limited to fines and time in prison