

CONSTRUCTION INDUSTRY SAFETY COALITION

July 17, 2023

The Honorable Doug Parker
Assistant Secretary
U.S. Department of Labor
Occupational Safety and Health Administration
Room: S2315
200 Constitution Ave., NW
Washington, DC 20210

Re: OSHA Request for Feedback on the Use of Leading Indicators
Docket Number OSHA-2023-0006

Dear Mr. Parker:

The Construction Industry Safety Coalition (“CISC” or the “Coalition”) respectfully submits these comments in response to the Occupational Safety and Health Administration’s request for feedback on the effectiveness of leading indicators, which was announced on May 11, 2023.¹ The CISC supports the agency’s development of a Leading Indicator Resource and appreciates OSHA’s consideration of these comments.

The CISC is comprised of numerous trade associations representing virtually every aspect of the construction industry. Workplace safety and health is a priority for all members of the Coalition, and each is committed to helping create safer construction jobsites for workers. The myriad of educational materials, training programs and other resources developed by members of the Coalition indicates the Coalition’s dedication to taking a proactive approach to worker safety and health.

I. The CISC’s Response to Agency Questions on Leading Indicators

In the construction industry, it can be challenging to clearly define the most effective leading indicators, as certain safety measures that are successful within one sector, geographic location or even individual project may not yield the best results for others. Additionally, with the near-ubiquitous presence of multiple specialty trade contractors performing tasks throughout the lifetime of a project, certain best practices may not guarantee the success of a specific entity’s safety performance.

While there is no preset list of leading indicators that can be applied and have the same result on the extensive spectrum of construction projects, types of work performed and workers, members of the CISC have developed procedures that measure successful safety efforts within certain sectors of the industry.² With this data, along with feedback provided by entities represented by Coalition

¹ <https://www.regulations.gov/document/OSHA-2023-0006-0001>

² For example, Associated Builders and Contractors (“ABC”) has created the STEP Safety Management System, which quantifies the positive impact of proactive hazard elimination tools on the jobsite using data gathered from program participants primarily within commercial construction. In its [2023 Safety Performance Report](#), ABC found

members, the CISC recommends several best practices that can apply to a majority of jobsites at both the contractor and subcontractor levels, and can be tailored to fit the needs of smaller businesses in order to maximize their effectiveness while minimizing employer burden.

A. What leading indicators are, or could be, commonly used in your industry?

As will be discussed in greater detail in comments submitted individually by members of the CISC, the Coalition's recommendations include the following leading indicators that are commonly practiced throughout the industry:

Training at All Levels Within a Business: Successful practices in this area include new hire safety orientations, where employers provide workers who are new or returning to the industry with an in-depth knowledge of job-specific hazard identification and elimination, and injury prevention processes, as well as an overview of the company's safety and organizational culture that can be seen at every level. For a safety culture to exist within the overall organizational culture, however, employers must also couple these orientations with recurring training for current workers and training that engages supervisors and other leadership.

Programs that Emphasize Physical and Mental Well-being: More attention is being placed on emerging industry issues, such as mental health and substance abuse, as construction workers experience some of the highest rates of heavy alcohol and illicit drug use³ and suicide among full-time employees.⁴ Therefore, incorporating robust substance abuse programs and suicide prevention information and resources, many of which are more readily available and tailored to apply to different industries, as part of a business's safety training program can be an effective method of reducing incidence rates.

Safety Inspections and Safety Program Auditing: Not only are regular jobsite safety inspections a significant contributor to reducing jobsite injuries and illnesses but reviewing a business' safety program and correcting or strengthening potential deficiencies is another helpful method to improve safety performance. As the CISC includes small-business members, the CISC recognizes that not all businesses are able to implement these processes due to their size and financial/staff limitations. However, for the larger businesses that are able to conduct these regular inspections and analyses, they should consider utilizing these business practices.

B. How could employers be encouraged to use leading indicators in addition to lagging indicators to improve safety management systems?

As representatives of businesses ranging from small, independent specialty trade contractors to large-scale entities within effectively every sector of construction, Coalition members develop and provide resources and educational materials that are easy to understand, capture a wide audience and can be effective tools to help workers remain safe on the job. Regardless of the size of a

implementation of several best practices on jobsites led to significant decreases in incidence rates.

³ Donna M. Bush, Ph.D., F-ABFT, and Rachel N. Lipari, Ph.D., *Substance Use and Substance Use Disorder by Industry*, Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, April 16, 2015, https://www.samhsa.gov/data/sites/default/files/report_1959/ShortReport-1959.pdf.

⁴ Trudi McCleery, MPH; Scott Earnest, PhD, PE, CSP; Christina Socias-Morales, DrPH; and CDR Elizabeth Garza, MPH, CPH, *Partnering to Prevent Suicide in the Construction Industry – Building Hope and a Road to Recovery*, Sept. 9, 2020, <https://blogs.cdc.gov/niosh-science-blog/2020/09/09/suicide-in-construction/>.

business, resources – whether financial or otherwise – are always a consideration when attempting to initiate new methods and processes. For example, discussing important safety requirements that can be conveyed through an innovative medium, such as on a mobile phone application or through the use of videos, not only delivers this necessary information quickly at a low cost to employers, but it can also reach larger audiences than traditional methods of communicating these issues. As the agency develops its Leading Indicators Resource, the CISC urges OSHA to recognize the circumstances of small businesses and create tools that can be applied to jobsites of different sizes and within different sectors of construction.

II. Conclusion.

The CISC appreciates OSHA’s consideration of these comments and looks forward to continued engagement with OSHA on this important issue in the future.

Sincerely,

The Construction Industry Safety Coalition

American Road and Transportation Builders Association
American Society of Concrete Contractors
American Subcontractors Association
Associated Builders and Contractors
Associated General Contractors
Association of Equipment Manufacturers
Association of the Wall and Ceiling Industry
Concrete Sawing & Drilling Association
Construction & Demolition Recycling Association
Distribution Contractors Association
Independent Electrical Contractors
Interlocking Concrete Pavement Institute
International Council of Employers of Bricklayers and Allied Craftworkers
Leading Builders of America
Mason Contractors Association of America
Mechanical Contractors Association of America
National Asphalt Pavement Association
National Association of Home Builders
National Association of the Remodeling Industry
National Demolition Association
National Electrical Contractors Association
National Framers Council
National Roofing Contractors Association
National Utility Contractors Association
Natural Stone Council
Natural Stone Institute
Specialized Carriers & Rigging Association
Tile Roofing Industry Alliance