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OHIO

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BUILDING

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AGC OF OHIO GOVERNMENT AFFAIRS QUESTIONNAIRE; **LEGISLATIVE COMMITTEE MEETING**

Complete survey by February 11; [Click Here](#). The Legislative Committee Meets February 22

With every new General Assembly, AGC of Ohio surveys members to provide guidance for the association's advocacy efforts. To help AGC best represent companies like yours, please complete the survey by February 11. Should you have any questions or would like to discuss a specific issue, contact Andrea Ashley at andrea@agcoho.com or 614-486-6446. Feel free to forward the questionnaire to others in your company who may want to share their insight.

The AGC of Ohio Legislative Committee will meet on February 22 from 10 a.m. to noon to review the results and identify potential legislative priorities. If interested in attending, RSVP your attendance to Andrea Ashley at AGC of Ohio: andrea@agcoho.com.

OFCC ACCEPTING COMMENTS ON 2019 SCHOOL **DESIGN MANUAL (OSDM)**

The Ohio Facilities Construction Commission is soliciting input from design and construction professionals regarding materials and methods of design used in the [Ohio School Design Manual \(OSDM\)](#).

AGC of Ohio will submit comments if members identify concerns with the manual. If there are any issues that you think AGC should include, submit them by February 4 to Andrea Ashley (andrea@agcoho.com) or Rich Hobbs (rjh@agcoho.com). AGC will include them with the association's comments barring any lack of consensus among members.

The official comment period runs from January 23 through February 15, 2019. Comments sent directly to OFCC should be submitted to eugene.chipiga@ofcc.ohio.gov. If you intend to submit comments directly to OFCC, please share them with AGC to help our advocacy efforts on any related matters.

TAKE 5 MINUTES TO SUBMIT YOUR TABULATION FORM **FOR THE NATIONAL AGC SAFETY AWARD**

Submission Deadline February 8; Tabulation Form, Instructions

AGC of Ohio is accepting tabulation forms for AGC of America's National AGC Safety Awards (NASA) program. It is free of charge and takes 5 minutes to participate with your completed OSHA 300 log. AGC of Ohio collects submissions for AGC of America, and all completed tabulation forms must be received by AGC of Ohio no later than February 8, 2019. Access the entry tabulation form [here](#) and complete instructions [here](#).



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OSHA Creates New National Emphasis Program for Trenching and Excavation

Douglas J. Suter, Esq.

Federal Occupational Safety and Health Administration (OSHA) has created a new National Emphasis Program (Directive Number CPL-02-00-161) for Trenching and Excavation due to a recent spike in trenching fatalities nationwide.

This new Program provides updated guidance and increased enforcement on the National Emphasis Program OSHA has had in place for trenching/ excavation since 1985. (CPL-02-00-269). The first three months of this new National Emphasis Program will focus on educational outreach, followed by enforcement.

Under these new guidelines, states must implement and adhere to the new Trenching/Excavation National Emphasis Program within six months, or by April 1, 2019.

Under the new Program, OSHA Compliance Officers shall initiate an inspection whenever they observe an open trench or open excavation. These observations may occur during the OSHA Compliance Officer's normal work day travel, or while engaged in other programmed or unprogrammed OSHA inspections.

Note that in addition to the "plain view" doctrine allowing OSHA Compliance Officers to issue citations for safety hazards in plain view, most Federal Courts and the OSHA Review Commission rule that the underlying injury/illness data supporting the National Emphasis Programs creates "Administrative Probable Cause" for OSHA Compliance Officers to conduct OSHA inspections under these programs.

Since trench collapses almost always end in employee deaths or very serious injury, OSHA monetary penalties for trench/excavating violations are usually significant.

For example, in June 2018, a Cincinnati area excavating company was issued OSHA penalties of \$202,201 and was placed on OSHA's Severe Violator list after an employee working in an unguarded 16-foot excavation was killed.

There have been at least two other trenching/excavating fatalities in Ohio in the past year. Trench fatalities can subject employers to Criminal Willful OSHA fines and prosecutions, and also subject the employer to being placed on Ohio's Severe Violator List with its substantial inspection and enforcement protocols.

ProMedica Headquarters Steam Plant Receives Honorable Mention in Building Design & Construction Magazine's 2018 Reconstruction Awards

Walbridge, Ohio (December 4, 2018) – The Rudolph Libbe Group has been honored with a fourth construction industry award for its work on ProMedica's downtown Toledo headquarters campus.

The ProMedica Steam Plant has received an Honorable Mention in Building Design & Construction magazine's 2018 Reconstruction Awards competition. Of 62 projects entered in the contest, 20 were selected to receive awards.

Earlier this year, the ProMedica headquarters also won the Presidential Award of Excellence in Engineering from the American Institute of Steel Construction; a Construction Risk Partners Build America Award from the Associated General Contractors of America; and an Award of Merit from Engineering News-Record Midwest.

The project included extensive renovations of the Junction Building and the historic Steam Plant, which was constructed in 1896 and is listed on the National Register of Historic Places. Rudolph Libbe Inc. served as construction manager and GEM Inc. performed structural steel and mechanical work for the two buildings.



Construction companies must remain vigilant in staying apprised of the Occupational Safety and Health Administration's record keeping and notification requirements. Below are two issues that contractors need to be aware of moving forward.

Injury/Illness Summary for 2018 Injuries Must be Posted From February 1 to April 30

Construction employers must post a copy of OSHA's Form 300A from February 1 to April 30, 2019, which summarizes job-related injuries and illnesses logged during 2018. The summary must be displayed in a common area where notices to employees are usually posted.

OSHA Relieves Contractors From Some Electronic Record Keeping

On January 24, OSHA published its final rule amending the record keeping regulation by rescinding the requirement for establishments with 250 or more employees to electronically submit information from OSHA Forms 300 (Log of Work-Related Injuries and Illnesses) and 301 (Injuries and Illnesses Incident Report). These establishments will continue to submit information from their OSHA Form 300A (Summary of Work-Related Injuries and Illnesses) as has been required in 2017 and 2018.

The final rule does not, however, alter an employer's duty to maintain OSHA Forms 300 and 301 on-site. OSHA will continue to obtain these forms as needed through inspections and enforcement actions.

Businesses with 10 or fewer employees are exempt from OSHA record keeping and posting requirements. Visit [OSHA's Recordkeeping Rule webpage](#) for more information on record keeping requirements.

Upcoming Events

Legislative Committee Meeting

February 22, 2019

AGC Office: 10:00 a.m. - 12:00

RSVP: Andrea@agcoho.com

AGC of Ohio Convention

March 10 – 16, 2019

The Westin Playa Conchal Beach & Golf Resort
Playa Conchal, Costa Rica

Learn More: Rjh@agcoho.com

AGC Ohio Scholarship Golf Outing

May 17th, 2019

NorthStar Golf Club

Learn More: Parker@agcoho.com

ConstrucTalk

Do you have new employees or has someone received a promotion?

Has your company received an award or recently done anything newsworthy that you would like to share?

Send your information to Taylor Hobbs at editor@agcoho.com.

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