SESSION BEGINS IN 2015 WITH ENVIRONMENT AND LABOR PRIORITIES IN THE FORE

By Bill Cross & Niki Terzieff, OLCA’s Government Affairs Advocates

With the Democrats looking at significant margins of control in both chambers in the 2015 Oregon Legislative session, environment and labor bills that have failed in the past look for new life. The Democrats picked up one seat in the House this last election cycle and now have a 35-25 majority – just one-vote shy of the super-majority 36 votes it takes to pass a revenue bill. In the Senate, the Democrats picked up two seats and now have a super-majority with an 18 – 12 split. In the past few sessions, Sen. Betsy Johnson (D-Scappoose) was often the deciding factor in whether or not a bill would pass out of the Senate. A conservative on many social and business issues, she played the one-vote swing but that balance is no longer there with the addition of two more Democrats.

Environmental organizations, labor groups and the trial attorneys – all long-time allies of the Democrats – are reviving a number of issues that didn’t make it through the process the past couple of sessions. For example, there should be the votes now for environmental initiatives like the Clean Fuels Program to be extended during the 2015 session otherwise it will face death before ever being implemented. Efforts to increase the state’s minimum wage and to require businesses to provide paid sick leave benefits to their employees are on labor’s wish list. And, the trial attorneys will revive their class action legislation from last session along with other tort “reform” bills.

There is a lot of interest in improving funding for education, creating more jobs, connecting education and training to skilled, well-paying jobs, strengthening rural economies and investing in critical infrastructure transportation components. Everyone from the Governor to members on both sides of the aisles are focusing on these issues but, again, because of the size of the margins of control in both chambers, the legislative solutions that will be advanced in 2015 will likely be partisan. It’s very difficult to temper the expectations of fellow caucus members and their stakeholders when they just went through a bitter campaign and prevailed.

Among other issues confronting legislators will be the implementation of the voter-approved initiative legalizing recreational marijuana. What the Supreme Court decides to do on the PERS reform legislation that was passed two years ago could have an impact on the state’s budget which is...
President’s Message
By Michael McQuiggin, OLCA 2015 President

First off I would like to say thank you to all the outstanding people who over the years have made, and are making OLCA what it is today. I am honored to have the opportunity to work with you to improve our industry and businesses.

I am excited about what the future holds. OLCA and its members can be part of shaping that future. As an industry we have several areas where we have an opportunity to make a difference.

Our Legislative Committee is working diligently to advocate for our industry. We have several issues that will come before our State legislators in 2015 that will affect our licensing and how YOU do business in the future. I have heard contractors say, “I don’t really get into politics”. However, if we don’t pay attention and individually step up and let our voice be heard along with our peers, we will be told by others how we are going to operate…I challenge each one of you to keep an eye on what is happening and respond to surveys and give your input. OLCA and your representatives need to hear from you on what you think about the issues that affect YOUR business.

OLCA is also working to let people know that Landscaping can be a viable career option (Landscaping is a $74 billion and growing industry). We are working with our local colleges and universities to find ways we can work together to grow their programs and for us to have an educated workforce. We are not the only industry looking for employees to fill needed positions. The competition for the same employees is strong. Look around and you will see other industries collectively advertising their employment opportunities on billboards, buses, TV, radio…

We need to be proactive so we don’t end up without the people we need. Professionalism of our industry has always been important to OLCA. We need to work in these additional accomplishments. They have risen to the task and made a positive difference for us all.

I encourage you to get involved in a committee and attend chapter meetings. I guarantee you will get more out of it than what you put in to it. We need you to help shape our future. For we are stronger together than apart.

Support SB 580
By Mike Fischer, CAE, OLCA Executive Director

The Oregon Landscape Contractors Association (OLCA), the trade association for landscape professionals in Oregon, encourages licensed landscape contractors to SUPPORT SB 580. In 2014 a small number of landscapers contacted various legislative representatives and expressed their goal of eliminating the Landscape Contractors Board (licensing board) and moving enforcement to the Licensing Board for Landscape Contractors (CBC). OLCA opposed this proposed action which led to a joint committee of OLCA member representatives, and state legislative representatives. The bill has been introduced in the 2015 Oregon Legislative session. Its first hearing will be March 11, 2015 at 1:00 p.m. in Hearing Room B in the Capitol building.

You can read the entire bill online at: https://olis.leg.state.or.us/liz/2015R1/Mobile/Overview/SB580

OLCA is pleased to have been a part of this significant legislation and encourages its members to let other voices be heard with their legislative representatives. Need to say this is no guarantee this legislation will be approved, but with support it will have a good chance of passage.

Some of the Benefits for Licensed Landscapers

• Allows licensed landscape contractors to remove or prune trees, removal of limbs or stumps, and tree or limb ganging.
• Allows civil penalties against contractors not to exceed $2,000, plus gives the licensing board broader discretion in dealing with compliance issues.
• Increases the time allowed for address changes from 10 days to 30 days.
• Provides for increased bond requirements of $20,000 for landscape jobs that exceed $50,000 which protects the licensed landscape contractor and consumer for a minimal cost.
• Also allows for a variety of procedural changes for the landscape licensing board including the process of filing complaints and stop work orders.

We are sure that after YOU read the many options this bill offers licensed landscape contractors you will recognize the benefits it brings to your business.

We encourage our members to get involved and attend the hearings scheduled for SB 580 and testify in support if so inclined. Just being in attendance can be great support. If you plan to attend the hearing please send an email to info@oregonlandscape.org so we can alert our lobbyist, Bill Cross, and the legislative committee that you will be attending. NOW IS THE TIME TO GET INVOLVED AND NOT SIT ON THE SIDELINES!

Calendar

MARCH

4 Portland Chapter Meeting Lucky Lab

APRIL

1 Portland Chapter Meeting Lucky Lab

JULY

24 Landscape Industry Certified Technician Exterior Program (formerly CLT) Clackamas Community College

DECEMBER

8 OLCA Pesticide Training Oregon Convention Center

9 OLCA Northwest Expo Oregon Convention Center

OLCA thanks our supporters for their generosity and urges members to demonstrate their appreciation by returning our sponsors’ support.

PLATINUM SPONSOR

Cascadian Nurseries
Marijuana in the Workplace

Reprinted from HR Insights - Zywave

Marijuana, derived from the Cannabis sativa plant, is classified as a Schedule I substance under the Controlled Substances Act, indicating it has a high potential for dependency and no accepted medical use. Although isolated components of the raw marijuana plant have recognized medicinal uses, smoking marijuana has not passed the Food and Drug Administration’s rigorous research and testing process to become an approved medicine.

Marijuana contains psychoactive chemicals, and the main active chemical is delta-9-tetrahydrocannabinol (THC). Distribution of marijuana is a federal offense, and it is the most commonly used illicit drug in the United States.

Legal Status of Marijuana Use

Although marijuana use violates federal law, many states have passed laws allowing marijuana in various amounts and contexts. Restrictions vary widely by state; some states only allow medical marijuana, while others have legalized recreational marijuana. Various state laws may do one of the following:

- Legalize medical marijuana, meaning an individual may defend against criminal charges if he or she can prove a medical need for marijuana under state law.
- Legalize the possession and use of recreational or medical marijuana.
- Decriminalize marijuana, meaning penalties for possession and use of small amounts of marijuana may be reduced.

In 1996, California became the first state to legalize medical marijuana. Since then, 23 states and the District of Columbia have also legalized medical marijuana. However, only a few states have legalized recreational marijuana use. As of November 2014, Colorado, Washington, Alaska and Oregon have passed laws allowing recreational marijuana.

Workplace Policies

Even if you are located in a state that has legalized recreational marijuana, you can still ban marijuana, along with alcohol and other drugs, from the workplace. State laws that legalize medical or recreational marijuana do not affect employers’ rights to retain zero-tolerance drug and alcohol policies. As with alcohol and other drugs, you may still prohibit employees from using marijuana at work and reporting to work under the influence of marijuana.

However, you may want to take this opportunity to review your drug policies. Companies in states where marijuana is legal may consider amending existing drug policies to clarify that any use of marijuana is prohibited, regardless of recreational or medical use.

You should also review your drug policy in conjunction with state regulations to ensure that you are not violating any nondiscrimination laws. Some states prohibit employers from discriminating against employees who test positive for medical marijuana provided the patient is not impaired at work. In general, though, employers may discipline employees according to established drug policies that prohibit workplace use of marijuana or impairment due to marijuana. However, court cases are pending that may affect marijuana drug policies, particularly regarding medical marijuana use.

For example, a case pending before the Colorado Supreme Court is challenging whether an employer can fire an employee for medical marijuana use, even though the law specifically states that the medical marijuana law does not require an employer to accommodate marijuana use.

When drafting or reviewing a drug policy, remember to establish drug policies that specifically state that marijuana use is prohibited, regardless of recreational or medical use.
EXPO Filled with Talent, Prizes & Interaction
By Matt Triplett, Expo Co-Chair

With the 2014 Northwest Landscape Expo beginning to fade into the past, the committee is hard at work on the 2015 event. Continuing to improve upon the increased attendance and vendor participation from last year is a welcome challenge. In fact, if you’d like to be an integral part of energizing this event, consider joining the committee! It’s a great group of folks and new perspectives are always welcome to get the creative juices flowing.

2014 Expo was great! Lots of amazing education, vendor displays, and networking. Jim Paluch brought top-tier messaging, talent, and energy to the keynote presentation and, as is his way, had everybody in attendance up and moving around. More prizes to give away led to running long and cutting into class time! To avoid this in the future, changes to schedules and processes are being considered. One thing is for certain, the gatherings in the exhibit hall will continue. Speaking of the exhibit hall, how great it was to see the bigger equipment and trucks in there! Lots of interaction and conversations with our amazing vendors could be seen at every turn. It’s the committee’s goal to produce the best education, including the popular pesticides classes, keynote address, and CEH opportunities. Whether you’re an exhibitor, attendee, or otherwise, contact the OLCA office to get involved. We’d love to have you! If being on the committee isn’t possible at this time, please contribute by sending your thoughts and comments our way by emailing us at info@oregonlandscape.org.

Thank you to Our Expo Exhibits & Committee Members

All Season Plants
AmeriGas
Ariens Company
Blooming Nursery, Inc.
Bridgewell Resources LLC
Cascadia Sales Group
Cascadian Nurseries
Clackamas Community College Horticulture
Clear Water Sales, Inc
Ditch Witch Northwest
DSU Peterbilt & GMC, Inc.
EcoBiz
Evergreen Growers Supply, LLC
Ewing Irrigation
FMI Truck Sales & Service
Henderson Turf & Wear Inc.
Horizon
Hunter Industries
JB Instant Lawn
John Deere Landscapes
Kuenzi Turf & Nursery
L&H Seeds, Inc.
Landscape Contractors Board
LaPorte
Northwest Shade Trees
Nursery Connection
OBC Northwest, Inc.
OSU Department of Horticulture
Oregon Tilth Accredited Organic Land Care
Oregon Turf and Tree Farms
Portland Community College Landscape Technology
Rain Bird Corporation
Regional Water Providers Consortium
Rexius
Roxblock Hardscapes
Simplot
Smith Rock, Inc.
Stark Street Lawn & Garden
The Toro Company/Western Equipment
Walker Mowers/Coates Landscape Supply
Willamette Graystone
Western Interlock, Inc.

Expo Committee

Adam Harris – Co-Chair
LaPorte and Associates
Matt C. Triplett, CLP, CLT, C.L.I.A. – Co-Chair
Willamette Landscape Services, Inc.
Renee Harbor
Clackamas Community College
Bob Grover, CLP, CLT
Pacific Landscape Management
Abbas Soltani
JB Instant Lawn, Inc.
John P. Stone
J.P. Stone Contractors, Inc.
Jeff Vachter
Horizon
Jim Vachter
John Deere Landscapes
Members in the News

McFarlane’s Bark Is Visited By The Russian Nursery Association

Our Russian Nursery Association visitors were a pleasure on the 12th of November, 2014. The Visitor List and their complete Itinerary are listed at the base of this press release. Their Oregon visits were to:

- The McFarlane’s Bark composting facility
- Buchholtz & Buchholtz Nursery
- Monrovia Growers, Inc.
- J. Frank Schmidt & Son

Tod Gustafson, the McFarlane outside salesman was “latched onto” by Kees van Ommeren (pronounced: “Kees”), a Dutchman from Holland, whom has a 10 year visa to live in Russia. Kees has become quite popular in Russia because, as he explained to Tod, “not very many people want to live in Russia”. Kees is working a nursery and roots the green plants; he also informed Tod that “Russia is all about work”, this seems to be all that they do; “work, work, work,” said work, work, work. Kees was very interested in delivery dump trucks; impressed with their size of up to 28 cubic yards. Tod was able to explain what he does for the nurseries he works with and the nurserymen and women were very interested in delivery dump trucks; impressed with their size of up to 28 cubic yards. Tod was able to explain what he does for the nurseries he works with and the nurserymen and women were very interested.

Rian Strong of our Grinding Services department was “challenged” by a nurseryman whom said he “could not believe” that the MORBARK grinder could produce 90 to 120 tons of ground woody compostable material per hour. The MORBARK 6600 is a 62 foot, 1,050 horsepower diesel, horizontal wood grinder. Rian gave a stunning display of the MORBARK in action at our CEC Sodermint area. Equipment Operator, Jeff Petersen ran the track hoe and performed the loading of yard debris into the grinder for their viewing pleasure. The nurseryman was completely impressed, laughing, waving his arms wildly and talking to Rian in “Russian”. They even walked up close to the equipment; Rian stated that the disbelieving nurseryman wanted to see inside the grinding chamber to see how this MORBARK could grind into such small particle sizes, but of course that was not possible as it would be entirely too dangerous.

These business owners were not put off when we told them that a new MORBARK costs $800,000, nor were they surprised by 10 hours of maintenance per week. The nurserymen and women were digging their hands in the finished product, just off the CEC and were smelling it; smiling and saying, “GOOD!!!”. The product is earthy smelling it; smiling and saying, “You are a hard working lady!” (I always like to share Maureen’s ideology): “It is nice to know that when you come to work every day that you know are doing the right thing” and I added, “We are helping our customers to create a sustainable life by providing products that are safe for the environment and human health. An organic food garden supports ultimate nourishment.” This is what we do.

Another Banner Year for Willamette Landscape Services, Inc.

Willamette Landscape Services, Inc. is very pleased to announce their reception of three new awards at this year’s Green Industry Conference, held October 22nd-24th in Louisville, KY.

New on the Scene?

“WILLAMETTE LANDSCAPE” FROM PAGE 9

The Terraces at Westover Condominium

This will be the THIRD time with yet another prestigious GRAND National Landscape Award of Excellence for their work with The Terraces at Westover - one of just five Grand Award winners at this year’s national industry conference!

The Terraces at Westover is a fine example of the great synergy between a visionary community and the diligent work of our staff in both maintaining and enhancing this mature landscape.

Spring Cherry Blossoms at Progress Ridge

They were also favored with a Merit Award (only 13 awarded nationally!) for their work with four sister Associations of Progress Ridge (Courtyards, Heights, Highlands & Summit). They were also awarded the industry’s highest (Gold) Overall Safety Award. Congratulations!

Start off on the right safety foot!

Starting a new job or changing roles within the company is exciting. You will face new rewarding challenges, and probably meet a roadblock or two before you get the hang of things. Starting off on the right safety foot is vital for ensuring your success in a new position.

Research indicates that new employees are at a greater risk of suffering from workplace injuries than their more experienced counterparts. That’s exactly why you need to take an active role in your safety by considering the following:

- Understand all the necessary safety measures before starting in your position. If you are unsure of how something works, ask for help.
- Follow all safety measures at all times and be aware of your new workplace surroundings.
- Wear and maintain required personal protective equipment (PPE).
- Avoid taking shortcuts.
- Follow hazard warnings when using chemicals.
- As you transition into your new position, be on alert for hazards and potential accident triggers. Do not assume that your previous experience and training will keep you safe in your new working environment.

¡Trabajo Nuevo?

La mejor forma de empezar de manera segura

Comenzar un trabajo nuevo o cambiar de puesto dentro de la compañía es emocionante. Enfrentará desafíos nuevos y gratificantes, y probablemente tendrá uno o dos obstáculos antes de comprender su trabajo. Comenzar a trabajar de manera segura es clave para asegurar el éxito en su nuevo puesto.

Las investigaciones indican que los empleados nuevos tienen un mayor riesgo de sufrir lesiones laborales que los colegas más experimentados. Por eso mismo, usted necesita tener un rol activo respecto de la seguridad y considerar los siguientes:

- Comprenda todas las medidas de seguridad necesarias antes de comenzar su trabajo. Si no está seguro sobre el funcionamiento de un elemento, pida ayuda.
- Siga todas las medidas de seguridad en todo momento y familiarícese con el nuevo entorno de trabajo.
- Use y conserve el equipo de protección personal (personal protective equipment, PPE) requerido.
- Evite acortar los procesos.
- Siga las advertencias de peligro cuando use sustancias químicas.

A medida que desempeñe las funciones de su nuevo puesto está alerta acerca de los peligros y de los potenciales desencadenantes de peligro. No asuma que su experiencia y capacitación previas lo mantendrán seguro en su nuevo entorno laboral. 

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Raising Owners’ Income: What is in Your Wallet?

By Jeffrey Scott, MBA
Reprinted from PLANET Front Page News – 2/2/2015

 Owners should earn between 8 percent and 16+ percent income from their business. The top 12 percent in our industry earn even more.

Many owners focus on building their revenues as a way to build their wealth. While there can be a correlation, it is not a direct one. In order to make a good return on your investment and earn an above-average income (16+ percent), it is critical to focus on the bottom line as your goal and work backward.

This article was first published in Landscape Management magazine. Its concepts are key to your success. Read on for specific how-tos.

One contractor’s profitable journey

For five years, I worked with a company where the owner initially thought he wanted to build a large company with four division managers and all the trappings. You read many stories of owners building large successful companies, and this was also his goal when he first hired me to consult with him. After a few pointed discussions and many months of failing to make his managers earn their keep, he was forced to clarify his objective from revenue growth, to personal income growth. He stopped dreaming of building a big company and shifted his goal to increasing his personal income growth. He stopped working to less than four days so he could focus on other opportunities.

Some contractors are earning less, and some are earning much more. My question to you is where are you now, and where do you want to be?

• Fewer Services: He streamlined his service offering by removing types of work that were “one off” or difficult for him to make a consistent profit on. For him, this meant eliminating hardscape projects and focusing on recurring maintenance packages. (What would you remove from your service line?)

• Sweet Spot: He fine-tuned his client type. Initially, he was trying to be a high-end company but realized his bread and butter was in the middle market. (How focused is your firm on its sweet spot?)

• Right-Sized Overhead: He slashed overhead by going from four division managers to a single manager who oversaw production and also did sales. (Is your overhead optimized for your revenue?)

• Pay rewards: He put incentives in place. He promoted self-manage-ment and high profit following the open-book management concept of Jack Stack, found in his book The Great Game of Business. (Does your firm give employees bonuses for the right results?)

This contractor met his goal of earning the income he wanted while dropping their keep, he was forced to clarify his objective from revenue growth, to personal income growth. He stopped dreaming of building a big company and shifted his goal to increasing his personal income growth. He stopped working to less than four days so he could focus on other opportunities.

He restructured his company:

• You are not taking out enough per-sonal income each month and you are waiting for the end of the year, hoping you have enough left.

Keep in mind these are averages. Some contractors are earning less, and some are earning much more. My question to you is where are you now, and where do you want to be?

The fallacy of 10 percent

Growing up in the industry, I would hear presumed experts claim that you should earn 10 percent. I find this target to be dull and misleading. Where did this number come from, and was it meant to be a standard or a minimum goal? Why earn no more than 10 percent? The problem with setting goals is that you may hit (but not exceed) them!

Set a dollars-based goal

Have you ever wondered why your profit and loss (P&L) statement indicates that you are earning good profits, but by the end of the year, you are not able to take that money out of your business and put it into your wallet? This is a common problem, and following are six missteps that can cause this:

• You are running your budget on a cash basis, and you are not budgeting enough for equipment depreciation, and thus, profit.

• Your receivables are too high; too many clients owe you too much money.

• Your accounts payable is not up to date, so your net profit is not ac-curate.

• Your contracts are written in such a way that you are financing your clients’ purchase of your products and services. You have become their bank.

• Your accounts payable is not up to date, so your net profit is not accu-rate.

• You are not taking out enough personal income each month and you are waiting for the end of the year, hoping you have enough left.

The higher your net-to-owner income, the higher the valuation of your business will be when it is time to sell. If you want to put more in your wallet and/or the wallets of your employees, then do the following:

• Start by setting an earnings goal.

• Look for both “time” and “cost” savings.

• Benchmark yourself, division by division, against your own results and against the top 25 percent (high-profit) companies.

• Focus on raising your net-to-owner income, and you, your employees, and your company will win.

Certification: More than a Check Mark

Reprinted from PLANET’s Inside Certification – Winter 2014

John Janes is not your typical landscape industry certified contractor. In fact, he’s not a contractor at all; he’s PLANET’s new Caterpillar representative. Janes has also served in three branches of the military, spent time overseas in Afghanistan and Iraq, and currently is in the National Guard.

When asked why he took the Landscape Industry Certified Manager’s exam in November, Janes noted that Caterpillar requires all its association managers to become certified by the group they represent. “Becoming certified is a minimum requisite. The company expects us to become knowledgeable about the industry, understand its challenges, and relay those challenges back to management,” Janes explained.

He emphasized that it’s one thing to write a check for something you believe in, but it’s another when you invest your time and become involved. Then, it becomes a real commitment, and both he and Caterpillar are committed.

“For PLANET members, being knowledgeable and having the right skill sets helps to define the word, professional, and it helps them make the right decisions quickly,” Janes added. “Speed and professionalism are important today for property owners, whether they have contracted for a $1 million landscape project or a $1,000 one.

James described the unique way he studied for the exam. “Instead of putting together a project plan with a start and end date and then assigned tasks to myself and my wife, Betsy. When I got home from work, I would open my calendar and do the work. At the end of every module, Betsy tested me by reading subheadings from the book, and I would paraphrase the important points. Each module went the same way. I read the complete module and reviewed and wrote bullet points on each chapter within the module. Then, Betsy tested me from the book and I was able to point out the mistakes.”

“The Sunday before the test, I studied the modules and my bullet points and then put away all my materials until the test on Tuesday. Having my wife help allowed me to incorporate some all-important family time with the studying.”

As Janes pointed out, no matter what profession you’re in, certification is important. Accountants, doctors, and law enforcement officers, to name but a few professionals, are all certified. For their customers, certification is an important check mark. But, for the professional, certification is more than a check mark; it represents an education and a commitment.

OLCA 2015 Landscape Industry Certified Technician Exterior Program (formerly CLT) Test

Date

Friday, July 24, 2015

Clackamas Community College - Oregon City, OR

Registration Details Coming Soon!

11 Oregon Landscape 1st Quarter 2015

10 Oregon Landscape 1st Quarter 2015
A Strong Portland Chapter Translates Into a Strong OLCA

By Jim Larson, Portland Chapter 2015 Interim President

We’ve all heard the message before. Every leader talks about getting involved. I advocate you do what you feel comfortable with. I served on the state board for many years and even had the honor as serving as your State President. Now, I am the interim President of the Portland Chapter for 2015.

There are many priorities in our lives including family and community. You can show your support of OLCA by attending the chapter meetings, serve on a committee, or ask other landscape contractors and vendors to join OLCA if they are not members currently. Each one of us can invite a friend in the landscape industry, member and non members to chapter meetings. I ask you to do your part to make the Portland Chapter stronger as well as OLCA overall and the landscape community. We need a strong chapter moving forward to touch all landscape businesses and make the industry stronger. OLCA is a great group of people.

Attending chapter meetings and learning information on business management, new materials and products, seeing and understanding the latest techniques can make the difference between success and failure. The continued effort to stay informed reminds all of us about the importance of membership in an organization such as OLCA, and given the state of government regulations, the voice of this Association is very important.

Have you checked out OLCA’s website; www.oregonlandscape.org lately? This is the forum to keep up to date on local issues and events as well as the newsletter will be available online. Make sure to say thank you to the sponsors and advertisers and support them. We have put together a strong Portland Chapter Board. Here is the list of your Board members for 2015:

Jim Larson, Cascadian Nurseries
Interim President
Cody Plath, Trugreen Landscape Past President
Howard Lehmann, Nature Work President Elect
Rebecca Smith, Blessing Land Group Treasurer
Kyle Offerdal, Collier Arbor Care/ Bartlett Tree Experts Secretary
John Stone, JP Stone Contractors Member At Large
Abbas Soltani Golf Tournament and Scholarship Chair

Are Your Drivers Following OSHA’s Best Practices for Winter Driving?

By Valerie Butera
Reprinted from PLANET Front Page News – 2/2/2015

On January 11, 2015, a multi-vehicle pile-up took place in west Michigan involving nearly 200 vehicles, including at least one truck carrying fireworks, and another carrying formic acid. The cause remained unknown. The pile-up caused a HAZMAT event and the fireworks exploded in the truck that was carrying them. Many were badly injured in the accident, including two firefighters who responded to the exploding fireworks. Tragically, the driver of another semi-truck was killed.

Winter weather and hazardous driving conditions were significant causal factors in the pile-up. Although OSHA does not have regulations specifically toward winter driving, the agency does provide guidance for employers to help ensure the safety of employees engaged in this work. Specifically, OSHA urges employers to take the following measures:

- Train drivers how to recognize winter driving hazards, such as snow and ice-covered roads.
- Train drivers on the safeguards they should take in winter driving conditions.
- Ensure that drivers are properly licensed for the vehicles they operate.
- Create and enforce driver safety policies.
- Implement an effective maintenance program for all vehicles and mechanized equipment that workers are required to operate.
- Ensure that properly trained employees inspect the following vehicle systems to determine if they are working properly:
  - Brakes – Brakes should provide even and balanced braking. Also check that brake fluid is at the right level.
  - Cooling system – Ensure a proper mixture of 50/50 antifreeze and water in the cooling system at the proper level.
  - Electrical system – Check the ignition system and ensure that the battery is fully charged and that the connections are clean.
- Engine – Inspect all engine systems.
- Exhaust System – Check exhaust leaks and that all clamps and hangers are snug.
- Tires – Check for proper tread depth and no signs of damage or uneven wear. Check for proper tire inflation.
- Oil – Check that oil is at proper level.
- Visibility Systems – Inspect all exterior lights, defrosters, and wipers. Install winter windshield wipers.
- Ensure that there is an emergency kit in every vehicle.

In order to keep employees safe on the road, employers should also conduct driver training. The quizzes and any other training-related documents should be kept on file. All paperwork related to vehicle maintenance should be kept on file as well. Even though there are no OSHA regulations specific to winter driving, and employers certainly cannot control everything, they must always provide the safest possible work for their employees and OSHA can issue citations where it finds that employers have failed to do so – even where there are no specific standards regulating the potential hazard.

By taking these simple measures, employers can demonstrate their commitment to safety to both their employees and to OSHA.