July - September 2012
Quarterly Edition

GOLDEN STATE GSBE BUILDERS EXCHANGES

8789 Auburn Folsom Road, Suite C-327, Granite Bay, CA 95746
Phone (916) 486-9881
Fax (916) 486-9884
www.gsbe.net

GSBE's News to Use

New Laws Go Into Effect July 1st!!!!

By Sam K. Abdulaziz &
Kenneth S. Grossbart
Abdulaziz, Grossbart & Rudman

You've known for a while that things were changing but are you prepared? SB 189 and SB 190 make numerous changes and although these changes are not very substantive they will need to be complied with. This is especially true since there is no grace period on compliance. This is meant to just be a very brief overview of the items that are changing effective July 1, 2012.

The biggest item is the statutory reference changes. The Civil Code sections that deal with Mechanic's Liens, Stop Notices and Payment Bonds have been completely renumbered. As an example, the information currently found in Civil Code section 3081.1 will be found in the new Civil Code sections 8014 and 8300 beginning July 1, 2012.

Some of the common terms that the industry is accustomed to dealing with have been redefined in the statutes. Effective July 1, 2012, "materialman" will be "material supplier"; "original contractor" will be "direct contractor"; "Stop Notice" will be "Stop Payment Notice". In addition, the definition of a contract has been broadened. If the contract is with the "direct contractor" it will be called a "direct contract". Lastly, the definition of a "design professional" will include a licensed landscape architect effective July 1, 2012.

The "Preliminary 20-Day Notice" will simply be referred to as a "Preliminary Notice". The private works Preliminary Notice will have new language for the Notice to Property Owner effective July 1,

Inside this issue

2012. This language can be found in the new Civil Code section 8202 or on our website

The waiver and lien releases have been completely re-written by the new legislation. The statute indicates that "the waiver and release shall be null, void, and unenforceable unless it is in substantially the following form:" and proceeds to have the suggested text for each waiver. We believe it is better to be safe rather than risk the waivers and releases being unenforceable and use the exact same language provided in the statutes. The Conditional Waiver and Release on Progress Payment, Conditional Waiver and Release on Final Payment; Unconditional Waiver and Release on Progress Payment and Unconditional Waiver and Release on Final Payment can be found in the new Civil Code section 8132, 8134, 8136 and 8138 or on our website.

Effective July 1, 2012, an owner, including a public entity, will have 15 days after the date of completion of a work of improvement in order to record a Notice of Completion. The owner currently has 10 days. Additionally, if the Notice of Completion contains an erroneous statement of the date of completion, it will not affect the effectiveness of the Notice if the true date of completion is 15 days or less before the date of recordation of the notice.

The new Civil Code section 8180 no longer recognizes acceptance by the owner as an event that constitutes completion in private works.

The Notice of Extension of Credit statute is currently not very clear as to who must execute the Notice of Extension of Credit. Effective July 1, 2012, there is some clarification and the new Civil Code section 8460 explicitly provides that both the contractor (the claimant of the Mechanic's Lien) and the owner must sign the Notice of Extension of Credit and have it notarized before recording. The statute also specifies the exact additional time granted to file the suit to foreclose. The Notice of Extension of Credit will also be able to be recorded after the expiration of the Mechanic's Lien if it is recorded before any purchaser or encumbrancer for value acquires rights.

There are slight changes to the language of the Mechanics Lien Warning that is required on Home Improvement Contracts as per Business and Professions Code section 7159 and there is now a different Mechanics Lien Warning for New Residential Contracts as per Business and Professions Code section 7164.

Also in Business and Professions Code section 7159, the spelling of "Down Payment" which is in the contract twice, has been changed to read as one word so it should now be "Downpayment".

There have also been slight changes to both the Three-Day Right to Cancel and the Seven-Day Right to Cancel language that are to be a part of the Home Improvement Contract as per Business and Professions Code section 7159. You can review the language in the statutes or visit our website.

With respect to public utilities, the "direct" contractor will be required to pay a subcontractor the amount allowed to the direct contractor on account of the work performed by the subcontractor to the extent of the subcontractor's interest in work within 21 calendar days of a progress payment from the public utility; this is changed from 15 working days.

A public entity shall give notice to a claimant that has given a Stop Payment Notice of the time within which an action to enforce payment of the claim stated in the Stop Payment Notice must be commenced if the claimant paid the public entity ten dollars ($10) at the time of giving the Stop Payment Notice.

Sam Abdulaziz has been practicing construction law for over 35 years, and is considered one of the premiere experts in construction law, including California contracting license laws. He is the author of “California Construction Law.” Kenneth Grossbart is recognized as one of the foremost authorities in California construction law. Over the past 30 years, Ken has become a respected speaker on Mechanic’s Liens and other construction related issues. Abdulaziz, Grossbart & Rudman provides this information as a service to its friends & clients and it does not establish an attorney-client relationship with the reader. This document is of a general nature and is not a substitute for legal advice. Since laws change frequently, contact an attorney before using this information. Ken Grossbart and Sam Abdulaziz can be reached at Abdulaziz, Grossbart & Rudman: (818) 760-2000 or by E-Mail at ksg@agrlaw.com, or at www.agrlaw.com

The Top 4 Causes of Construction Safety Accidents

Anyone involved in the construction industry would know that construction safety accidents are part and parcel of the industry. However, this only means that you should be doing all you can to make sure that they don't occur.

The next best thing to completely eliminating accidents is reducing them, or at least reducing the risk of them occurring.

If you want to achieve this goal, you have to first understand what the main causes of accidents and deaths are on US construction sites. Providing a solution to a problem is not possible without first knowing the causes of a problem.

You can divide all construction safety accidents into 4 main categories, all of which are listed below.

Electrical Incidents

Electricity is such an essential part of our daily lives that we sometimes tend to take it for granted. More importantly, we take for granted how dangerous a safety hazard such as electricity can really be. The OSHA or otherwise known as the Occupational Safety & Health Administration says that workers should not work near an electrical power circuit unless they are wearing adequate protection. Below are a number of hazards that electricity can pose:

- Contact with power lines
- Equipment not used properly
- Extension cords not used properly

Falls

Construction always involves people climbing great heights. In the American construction industry, the leading cause of deaths is falls, and as a result, it must be treated seriously and appropriately. All construction safety plans must contain provisions in order to protect workers from falling from dangerous heights. Here are a couple of hazards to manage:

- Unprotected sides
- Bad scaffold construction
- Portable ladders not used properly

Struck-By

This category refers to dangerous contact between humans and heavy equipment. In the great majority of cases, cranes and trucks are the main cause of accidents and deaths. Apart from heavy vehicles, you must also watch out for falling objects and unstable walls.

Trenching & Evacuation

Contrary to popular belief, cave-ins are not the leading cause of accidents and fatalities when it comes to trenching. Here are a couple of other hazards to watch out for:

- Not having enough oxygen in a closed space (which leads to asphyxiation)
- Toxic fumes
- Drowning
- Unexpected contact with underground pipes and lines

Now that you know the leading causes of Construction Safety Accidents, it's time to take appropriate and immediate action to minimize the chance of those occurring any time soon.

Source: www.lorman.com

Sound Advice to Sleep On

New research shows that workers are not only getting less sleep than they should, they're getting less than they used to. In 2005, the National Sleep Foundation (NSF) estimated that overall U.S. adults are sleeping an average of 6.9 hours a night.

Sleep deprivation is becoming more prevalent due to the ever-increasing demands of personal and professional work life. People work all day and in the evening, they take more time to enjoy television, watch movies, or participate in other social activities.

The downside is that many people try to pack in too many activities, and end up feeling fatigued or sleep-deprived at work. And depending on the workplace, a lack of sleep can be dangerous - affecting judgment, health, and safety.

Some short term effects of sleep deprivation include:

- a decrease in daytime alertness by 32 percent due to a reduction of 1.5 hours of sleep for one night.
- a twofold risk of sustaining an occupational injury.
- decreased alertness, and impaired memory and cognitive ability.
- drowsy drivers responsible for at least 100,000 crashes, 71,000 injuries, and 1500 fatalities annually according to the National Highway Traffic Safety Administration (NHTSA).

Some of the long term effects of sleep deprivation are:

- high blood pressure.
- heart attack.
- heart failure.
- stroke.
- obesity
- psychiatric problems.

Workers must assess how much sleep they need to perform optimally. If they haven't gotten enough sleep to function well at work, they should probably take the needed time to recuperate. Workers should pay attention for signs of lost concentration, and nodding off. A quick fix is to get up and stretch or walk around, or get a drink of water or grab a light snack.

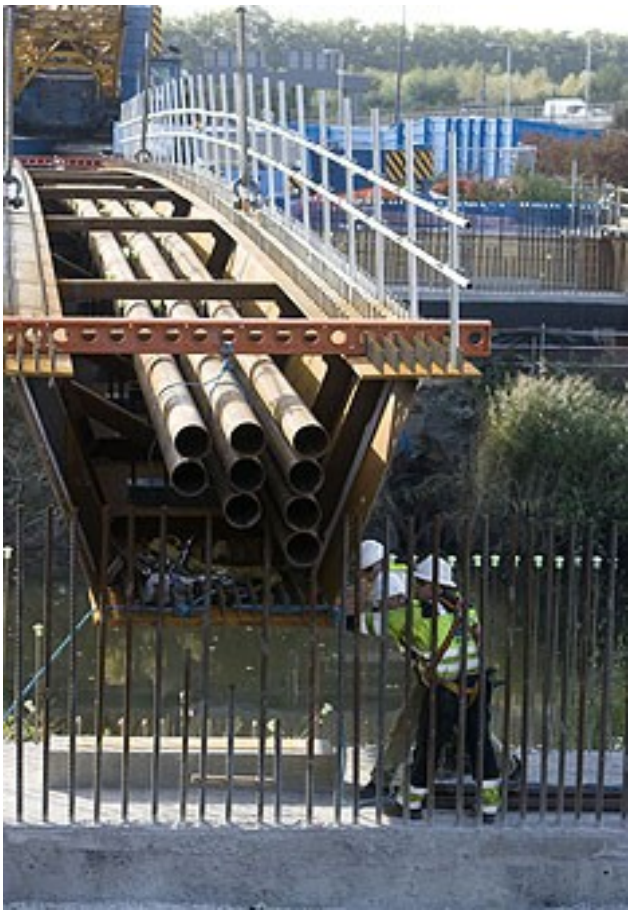
Although workers' sleep habits are largely out of an employer's control, employers should educate workers on the effects of inadequate sleep and the resulting fatigue. Also, having an employee who is tired and works beyond a regular shift may increase the risk for injury.

The (NSF) suggests that individuals establish a regular sleep schedule, exercise during the day, and relax before bedtime. And for several hours before bedtime adhere to the following tips:

- Avoid heavy meals and caffeine.
- Consume less or avoid alcohol and nicotine.
- Drink fewer fluids that may disrupt sleep.
- Use caution with certain drugs or sleep aids as they can sometimes interfere with natural sleep.

Remember that worker fatigue due to inadequate rest is everyone's problem because it can affect more than the individual involved. Worker fatigue can have catastrophic safety or financial effects on families, businesses and even, depending on the job, the general public.

Source: State Compensation Insurance Fund



How to Make Construction Safety Training Stick

Avoid common construction safety training mistakes by customizing your approach.

The cornerstone of any risk management plan is safety training. To safely execute construction projects, workers must act with intelligence. Workers who act intelligently evaluate their situation, materials, equipment and tasks. And they consider their knowledge and skills to appropriately select the right methods.

Everyone on the team often has different opinions about how to address certain situations. Safety decisions routinely involve negotiation and making a case for each approach to decide what will be best.

Your construction workers must have knowledge in several areas to make the right safety decisions. First, they must recognize hazards and potential hazardous conditions. They must understand that different approaches can either diffuse or magnify the threat of the situation. And they have to examine the situation, understand the goal and make a choice that safely advances the group toward that goal.

Construction Safety Training Material

To enhance safety training, the content, setting and delivery for the training should all be considered. It can be difficult to balance these factors with the resources, limitations and requirements to ensure the training sticks with everyone.

It can be hard to decide what safety content to provide since much of the industry's workforce comes from a variety of backgrounds. Traditionally, safety training has focused on OSHA mandated topics, which simplifies matters, but this approach has limitations.

For instance, OSHA 1926 targets the construction industry, but it covers a broad range of other issues. As a result, much of the OSHA standards have little connection to the situations or risks faced by small contractors and subcontractors.

Also, it can be difficult to determine what new employees already know and what you need to teach them. OSHA training may not bridge the gap, but it is familiar to clients and a recognized basis for training.

Since the OSHA regulations have been used over time, many pre-developed programs are available, including a post-test. These programs may not fully meet the needs of construction workers, but they do provide some training.

Content matters a great deal, and it must pass the Goldilocks test—too little or too much is not good. Finding the right training depends on the subject, the trainees and the available time.

The Setting

After you decide on the material, you must select the setting. An inadequate training environment reduces the value of the message. Many training sessions have been conducted in an impersonal environment sitting in front of a computer terminal or watching a video in a trailer conference room with frequent interruptions such as the distracting noise of passing heavy equipment.

How many have stood in the mud on a cold dark morning with drizzle falling and equipment going by as someone speaking from the trailer stairs tried to train 50 or more people before beginning the day's work? Poor settings like this make it difficult for people to retain any information—the wrong setting can undermine the entire training effort.

The Trainer

The delivery of the material can have an impact on what information the trainees learn and retain. An enthusiastic presenter who engages the students will be more effective than a monotone speaker reading every word of the presentation.

Other bad training situations include showing a video of something everyone has already seen and sitting in a classroom for three long days of boring lectures to get a 30-hour certification. Any of these conditions detract from the material regardless of how carefully the material was prepared.

Poorly conceived or delivered training fails the company and the workers who are expected to learn. Even good content might not stick with employees if it has been presented in an ineffective way.

Your workers will not be able to succeed if they do not have the information to make appropriate safety decisions. Think before you engage in training, and act with intelligence when preparing.

Source: www.constructionbusinessowner.com

Heat: The Often-unseen Danger on Construction Sites

Construction sites abound with visible hazards. From heavy equipment to powerful hand tools to materials that are inherently hazardous, the average construction site puts workers at risk in many ways.

But one of the most insidious hazards on outdoor worksites is one that people don't often think about, even if it is a common source of conversation. That hazard is heat. Typically, heat becomes a problem on worksites because of hot weather, but it can also become an issue because of the operating temperatures of equipment or processes in the vicinity of the work that is being performed.

Heat-related illnesses affect thousands of workers every year. Some of those workers actually die as a direct result of the heat, or from other severe physical problems brought about by their exposure. For a safety professional, that's an extremely frustrating fact, because nearly every heat-related illness or death is completely preventable. With greater awareness of the potential hazards, and the use of simple, common-sense solutions, heat-related illnesses simply do not need to happen.

An annoyance or a real danger?

Most people struggle with heat and humidity, but look upon it as little more than an inevitable annoyance of summer weather. We turn to easily available solutions such as air conditioning, fans, shade, and water to cool off.

On worksites, heat and humidity can be annoying, too. They can also be dangerous, because the human body can only handle so much heat before it suffers serious damage. The body is a well-engineered machine that normally does an excellent job of maintaining a stable 98.6° F temperature. When the body senses a need to cool itself, it begins to sweat. But if it gets too warm, sweating alone isn't enough to cool it sufficiently. That's when a series of heat illnesses can occur, each of them carrying greater dangers.

Heat rash is often the first sign of problems. Triggered by sweating, it results in clusters of what appear to be small pimples or blisters, usually in sweaty areas such as the neck, groin, chest, and elbow. It's easily treated by moving to a cooler and/or less humid area and by applying powder (wet materials such as creams may actually worsen the rash).

Heat cramps are a sign that the body is hot and becoming dehydrated. The cramps usually occur in abdominal muscles or legs, and typically appear suddenly. Treatments include moving to a cooler area and drinking fluids, preferably water or sports drinks. Stretching the cramped muscles may also provide some relief.

Heat illnesses begin to become more serious with heat exhaustion, which announces itself through a variety of symptoms that may include thirst, heavy sweating, headache, nausea, dizziness, weakness, irritability, and confusion. The body temperature may also climb above 100.4°F. Heat exhaustion is a serious condition, and if action isn't taken immediately, it may quickly progress to heatstroke. A worker who appears to be suffering from heat exhaustion should be moved to a cooler, shaded area and encouraged to drink water and sports drinks. Wet towels can be used on the face, neck, and head to lower body temperature and provide some relief. As a precaution, it's a good idea to obtain medical attention -- and if symptoms worsen or don't respond to basic treatment, call 911.

Heatstroke, the most severe heat illness, can actually be deadly. As the heat raises the body's temperature to dangerous levels, the brain and other organs can be damaged. If treatment isn't obtained promptly, heatstroke can lead to a coma. How can you tell if heat exhaustion is becoming heatstroke? One sign is that the skin becomes very hot to the touch, although the worker may have stopped sweating. Another is confusion and disorientation. In severe cases, workers can become aggressive or suffer seizures.

If you even suspect the possibility of heatstroke, don't delay. Call 911, and while you're waiting for the medical response, move the worker to a shady area. Use cold, wet towels, ice, or cool water to reduce the worker's temperature. Every minute and every degree counts.

Which workers are at risk?

While you'd expect that people who work outdoors in hot, humid weather would be at risk of heat-related illnesses, they're not the only ones. Workers performing physical tasks while wearing heavy protective equipment or special clothing may also be at risk. People who have heart problems or circulatory disorders may fall prey to heat more easily, as will those who are taking medications that interfere with sweat or other normal body functions. Workers who are substance abusers may also have a lower threshold for heat problems.

One of the problems on many worksites is the "macho" culture in which admitting discomfort is seen as a sign of weakness. Many workers will refuse to admit to their supervisors that the heat is getting to them until the symptoms are severe. That means the supervisors have to take the responsibility to monitor workers and watch for signs that employees may be suffering. Supervisors should also work to make sure employees remember to remain hydrated.

The best strategy: prevention

As with so many other aspects of workplace safety, the best way to avoid heat-related illnesses is taking steps to prevent them from happening. There are three primary strategies for prevention: provide plenty of water, allow time for rest, and use shade whenever possible.

All workers should have access to an abundance of water (ideally cooled to between 50 and 60°F) in convenient locations. Simply providing the water isn't enough. Supervisors should make an effort to encourage workers to drink water throughout the day. Water is the best beverage to prevent hydration, followed by sports drinks. Caffeinated beverages such as soft drinks may actually contribute to dehydration. If a worker is properly hydrated, his or her urine will generally be clear or lightly colored.

Rest breaks should be scheduled throughout the workday, and workers should have a place that provides shade and ventilation for those breaks. An air-conditioned trailer is an excellent option.

Another effective strategy for hot-weather work is helping workers build up a tolerance to heat. The human body is very adaptable, and workers' bodies can become accustomed to working in very hot and humid conditions, but it takes time. Allowing workers to gradually become acclimated to those conditions will reduce the potential for problems. For example, workers can build up the number of hours they spend outside each day over a five-day period.

Reducing the hazards

Safety professionals know that one of the best ways to address any problem is to engineer the hazard out of the workplace. There are ways to do that with heat-related issues.

Scheduling properly is one of the most effective. Supervisors can make arrangements so that heavy work is not performed when the sun is at the highest point in the sky, typically from about 10:00 a.m. to 2:00 p.m. In addition, schedules can be arranged so workers start earlier in the morning on the hottest days. I recall one project that involved digging river rock on an August day. A laborer who failed to eat and drink properly collapsed of heat exhaustion in the early afternoon. The supervisor could have avoided the situation by having the worker come in earlier and stop the heavy work in the mid-morning hours. He could also have switched to less-strenuous tasks until the mid-day heat passed.

Other engineering approaches can include providing ventilation or portable air conditioning, using shields

to reflect radiant heat sources, and making sure that there are no inadvertent sources of heat (such as leaky steam lines) adding to the problem.

Personal protective equipment can also contribute to heat-related illnesses. Special clothing, such as that worn to protect against arc flash in electrical settings, may impair the body's normal cooling activities. In these situations, the safety benefits provided by the PPE outweigh the risks, but supervisors must be especially alert to the potential for heat exhaustion. More-frequent breaks for water and cool-down periods may be advisable.

Supervisors also need to monitor workers to ensure that they are not reducing safety protection in an effort to improve personal comfort. A common example of this is workers loosening the straps on fall protection harnesses to reduce discomfort caused by sweating and chafing.

Heat-related illness in the winter?

A final consideration about heat-related illnesses is one that surprises many people. They can happen during the chilliest winter weather. The biggest issue is heat exhaustion caused by dehydration.

Outdoor workers wear extra layers of clothing to stay warm, and those layers trap body heat, which leads to perspiration. If workers don't drink water to replace the lost fluid, they can become dehydrated. In addition, many workers will choose not to drink, because they want to limit the number of trips they'll have to make to the facilities (typically, a freezing portable toilet).

However, if they become severely dehydrated, they'll exhibit the same symptoms you'll see in summer heat exhaustion. By the time they notice the cramping, they'll probably be unable to keep working and may need medical attention.

Supervisors can prevent these problems by making sure workers are aware of the dangers and monitoring their activities. It's just as important to provide drinking water during cold weather, and even more important to encourage workers to drink it.

Source: www.safetymanagementgroup.com

Contractors May be Entitled to Attorneys Fees Through Performance Bond

By Sam K. Abdulaziz &
Kenneth S. Grossbart
Abdulaziz, Grossbart & Rudman

Our office has always said that defending a case can be very expensive. As a matter of fact, if your claim is slightly above the limits of small claims court, it is often a wise decision to reduce your claim and take the case to small claims. The case we are writing about today deals with a public works project where a contract was entered into for 1.64 million dollars. In this case, the contractor was awarded attorney fees even though there was no attorney fees provision in the contract (which is usually the case with public works projects).

Mepco Services Inc. (Mepco) entered into a contract with the Saddleback Valley Unified School District (Saddleback) on a school renovation project. Mepco based its bid on plans that were provided by an architectural firm that Saddleback hired. There was no attorneys fees provision in the contract. However, as part of the contract, Mepco was required to furnish a surety bond to cover 100 percent of the contract price. The performance bond that Mepco obtained included an attorney fee provision. The contract stated that the work was to be completed within a specific time frame, and if

it was not, Mepco would be liable for liquidated damages at $1,000 per day if work was not complete.

Shortly after work began, there were many change orders and delay damages due to inadequate plans and drawings from the architect as well as Saddleback's failure to timely approve and pay for the change order work. The parties disagreed as to whether Mepco was entitled to be paid for the additional work even though Saddleback representatives told Mepco to continue with the additional work.

Mepco sued Saddleback for breach of contract and Saddleback filed a cross-complaint for liquidated damages due to Mepco's delay in completing the project. Saddleback also named Hartford Fire Insurance Company (Surety) in their cross complaint since it was the performance bond surety. Saddleback contended that Mepco was to blame for the project delays and therefore Saddleback was entitled to liquidated damages and sought attorneys fees pursuant to the bond. The trial court found in favor of Mepco. Mepco then asked for attorney fees which the trial court granted.

Saddleback appealed the decision, but the appellate court affirmed the decision of the trial court. Since Saddleback brought in the Surety and sought enforcement of the bond on its counter claim, then Mepco was entitled to attorney fees on the bond. It was Saddleback that invoked the bond by raising it in its cross-complaint. Mepco argued that even though the contract did not allow for attorneys fees, the performance bond that Mepco was required to obtain was part and parcel of the agreement. The courts agreed that when you have a performance bond and a contract that they become one.

Sam Abdulaziz has been practicing construction law for over 35 years, and is considered one of the premiere experts in construction law, including California contracting license laws. He is the author of "California Construction Law." Kenneth Grossbart is recognized as one of the foremost authorities in California construction law. Over the past 30 years, Ken has become a respected speaker on Mechanic's Liens and other construction related issues. Abdulaziz, Grossbart & Rudman provides this information as a service to its friends & clients and it does not establish an attorney-client relationship with the reader. This document is of a general nature and is not a substitute for legal advice. Since laws change frequently, contact an attorney before using this information. Ken Grossbart and Sam Abdulaziz can be reached at Abdulaziz, Grossbart & Rudman: (818) 760-2000 or by E-Mail at ksg@agrlaw.com, or at

Funky Payday Facts

Test Your Knowledge

1. When are wages due if payday falls on a Sunday or legal holiday and your business is closed?

a. 48 hours before or after the holiday/Sunday
b. No later than the next business day
c. On the business day preceding the holiday/Sunday

2. How do you pay a nonexempt employee who fails to turn in a time card?

a. Wait until you receive an accurate time card and pay the employee on the next payroll
b. Pay all wages that would normally be due for the employees work period and make any deductions for overpayment or additional payments for overtime on the next payroll.
c. Either a or b is fine, it's up to the employer

3. For each workday you fail to provide an employee a meal period/rest break you owe the employee:

a. One additional hour of pay at his/her regular rate of pay for both the meal period and the rest break (maximum of 2 hours penalty/day)
b. One additional hour of pay at his/her regular rate of pay for either the meal period or for the violated rest break policy (maximum of 1 hour penalty/day)
c. One additional hour of pay at his/her regular rate of pay for all violations of meal and break periods (maximum of 3 hours penalty/day)

4. What if my business issues a paycheck that is returned for insufficient funds?

a. My business can provide the employee with another paycheck without penalty.
b. My business will need to provide the employee with compensation equal to one day's pay for each day the wages remain unpaid, not to exceed 30 days.
c. My business can provide the employee with another paycheck with a one day wage penalty.

Answers: 1:b, 2:b, 3:a, 4:b

Source: www.employers.org

12 Tips for Preventing Back Injuries in Construction

25% of construction injuries are back injuries, so it's worth planning, equipping and staffing sites to preserve back health

The Center for Construction Research and Training says the construction industry has the highest incident rate of back injuries of any industry except transportation. Of all the construction-related injuries that occur each year, 25% of them are back injuries.

Every year, a back injury causes 1 in 100 construction workers to miss work — usually missing about seven workdays, but sometimes more than 30. Most back problems are low-back injuries. Repeated injury to your back can cause permanent damage and end your career.

Most back injuries are sprains and strains from lifting, lowering, carrying, pushing, and pulling materials. You are at higher risk of low-back injury if you often carry heavy loads, must twist while carrying heavy loads, or work a lot while bent over or in other awkward postures.

Injuries can be reduced by planning, changing how work is done, and training workers and supervisors.

Plan

- Cut down on carrying. Have materials delivered close to where they will be used.
- Store materials at waist height whenever possible.
- Raise your work to waist level, if you can. Pipefitters use pipe stands. Masons have adjustable scaffolds to keep the work at waist height.
- Make sure floors and walkways are clear and dry. Slips and trips are a big cause of backinjuries.
- Take rest breaks. When you are tired, you are more prone to injury.

Get Help

- Use carts, dollies, forklifts, and hoists to move materials — not your back.
- Use carrying tools with handles to get a good grip on wallboard or other odd-shaped loads.
- If materials weigh more than about 50 pounds, do not lift them by yourself. Get help from another worker or use a cart.

Move Carefully

- When lifting or carrying materials, keep the load as close to your body as you can.
- Try not to twist, when lifting and lowering materials. Turn your whole body instead.
- Lift and lower materials in a smooth steady way. Try not to jerk the lift.
- When you pick up materials off the ground, try supporting yourself by leaning on something while lifting. Don’t bend over; instead, kneel on one knee and pull the load up on to your knee before standing. (Wear knee pads when you kneel.)

Apprentices

Apprentices get some of the hardest work to do. Being young and strong, they sometimes carry more weight than they should. Make sure apprentices are protected against back injuries, so they don’t end up with back problems and have to leave the trades. Work with your employer to decide how the work can be changed to protect you and your coworkers from back injuries.

Build back-safety into any training. Fewer injuries mean better productivity and lower costs.

What About Back Belts?

Some contractors have workers wear back belts. If a doctor prescribes a back belt, it may help someone recovering from a back injury. But a recent government study (by NIOSH) found no evidence that back belts can prevent injuries.

Don’t depend on a back belt to protect you; instead, try to change the lifting work so it can’t hurt you.

If you have questions about stretching exercises, back belts, or other issues, call your local union, the Center to Protect Workers’ Rights (CPWR) (301-578-8500 or www.cpwr.com), the National Institute for Occupational Safety and Health (1-800-35-NIOSH or www.cdc.gov/niosh), or OSHA (1-800-321-OSHA or www.osha.gov). Or go to the website www.elcosh.org.

Source: www.forconstructionpros.com

Generator Safety: Beyond the Basics

Train your construction crews to safely use portable power to avoid construction accidents.

Contractors working on commercial jobsites depend on the power delivered by generators to keep projects on schedule. Selecting the right generator, maintaining it and using it safely all result in a job well done.

Following a simple routine maintenance schedule ensures the safest use and longest life from a generator.

Preventive Maintenance

Before a portable generator can be used safely, it should be in good working order. Preventive maintenance begins with monitoring oil and air—two crucial factors in efficient generator operation.

The oil level for a generator, especially those used in commercial applications, should be checked daily and when adding gasoline because many generators have single-cylinder, air-cooled engines that tend to consume more oil than those in vehicles.

These engines may see more dimensional changes as the load on the generator fluctuates and thermal expansion occurs. Oil is consumed because the crankcase volume changes as the piston moves up and down, enabling oil mist to travel through the breather into the intake port and combustion chamber. To keep the generator running smoothly and prevent breakdowns, the oil should be checked frequently.

The condition of the generator's air filter should be monitored for commercial generators that operate in dirty or dusty environments. With each use, the filter should be cleaned regularly (daily in very dusty environments) because a clogged air filter could quickly lead to overheating and a breakdown.

For more detailed maintenance guidelines, refer to the generator's shop manual, a useful reference guide that provides troubleshooting procedures for all common problems.

For anything beyond routine maintenance, play it safe, and take the generator to a dealer. A person conducting a running test of a generator could be exposed to 120 or 240 volts of electricity, which could be fatal in certain conditions.

Safety Guidelines

Besides knowing your own commercial model inside and out, keep these tips in mind:

For proper operation, the model should be placed in an open, well-ventilated space and at least 3 feet away from an occupied building. To avoid the risk of carbon monoxide poisoning, the generator should never be operated in an enclosed area.

Portable jobsite generators must be transported safely. The fuel petcock and vent cap should be closed tightly before moving the unit to prevent fuel leaks.

Before using a generator, it should be properly grounded. Every unit has a grounding lug, which should be connected to a ground rod. For specific grounding regulations, check your local requirements.

Portable generators should never be operated near dry grass or other flammable materials because they can get hot enough during normal operation to create a fire hazard.

To minimize the risk of electric shock, the generator must stay dry and sit on a firm, level surface while running.

A generator connected to a building's electrical system must be connected through a transfer switch. This switch breaks the connection to the electric utility company and then makes the connection to the generator. Without this switch, when the utility power comes back on, it will feed back into the generator and overheat the windings—necessitating a costly repair. Or even worse, a worker repairing the electric lines would be exposed to high voltage from the generator.

A generator should never be refueled during operation. Also, spilled fuel may ignite, so spills must be cleaned immediately.

The generator's maximum output capacity should not be used for more than 30 minutes at a time. Continuous operation should not exceed the rated load. Refer to your owner's manual for additional specifics.

A generator should not be overloaded repeatedly. Even though the breaker will trip, it has a time delay to allow starting electric motors.

If the breaker keeps tripping, other tools should be unplugged (or you may need a generator with more power output).

Source: www.constructionbusinessowner.com

Gasoline

Gasoline is so commonly used and easily obtained that people forget how dangerous it is. Consequently, many persons are killed or injured every year because of not handling gasoline safely. Keep in mind the points we will discuss today, whether you're using gasoline at home or on the job. Gasoline is manufactured to be used only as a motor fuel. In this way, it can be a useful product. But when used in other ways, it can be deadly.

Have You Ever Done This?

Have you ever used gasoline to clean your hands or to wipe off a piece of equipment? Have you ever spilled gasoline while fueling an engine? Have you ever started a fire with gasoline or smoked while filling a container? All of us at one time or another have violated these and other safety rules when using this potentially dangerous product.

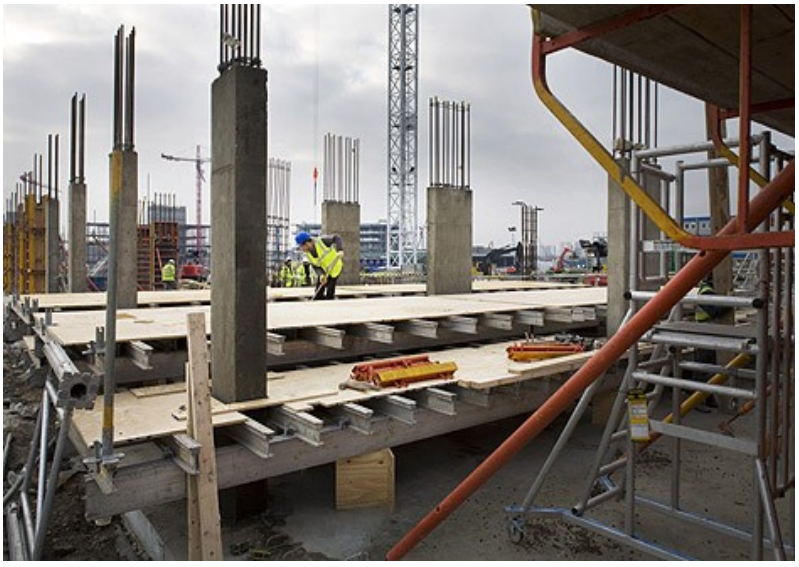
Some Facts You Should Know About Gasoline

- Gasoline doesn't burn. Do you believe that? Well, it's true. It's the gasoline vapors that burn. Gasoline evaporates at temperatures as low as 45°F below zero. The higher the temperature, the faster it evaporates, and the heavier the buildup of dangerous vapors.
- Gasoline vapors are heavier than air and will collect at the lowest point in an area, unless there's adequate air circulation.
- An open flame isn't necessary to ignite gasoline vapors. One spark is all it takes.
- Gasoline can irritate the skin and cause a rash that can become infected. If you get it on your skin, wash it off with water right away. If you get it on your clothing, take your clothing off immediately. You could become a human torch.

You should have surmised from the above facts that it's dangerous to use gasoline to clean tools or parts or to remove grease from your hands.

Gasoline Storage

Don't store gasoline in the wrong kind of a container. Sometimes, glass containers are used to hold this liquid. For example, a man going on a camping trip filled a glass jar with gasoline and put it in the back of the car. As he was driving through the mountains, his car hit a bad bump. The jug broke and the gasoline vapors caught fire. The car burned - along with the driver and his family. Keep gasoline in a safety can, such as those listed for this purpose by the Underwriters Laboratories. Mark the container with the word "gasoline", so that people will not mistake it for something else.



An empty gas container is more dangerous than a full one. If the lingering vapors inside the can mix with the proper amount of air and are ignited, a violent explosion will result. That's why it's so important to thoroughly clean any empty containers previously filled with gasoline before welding or soldering on them.

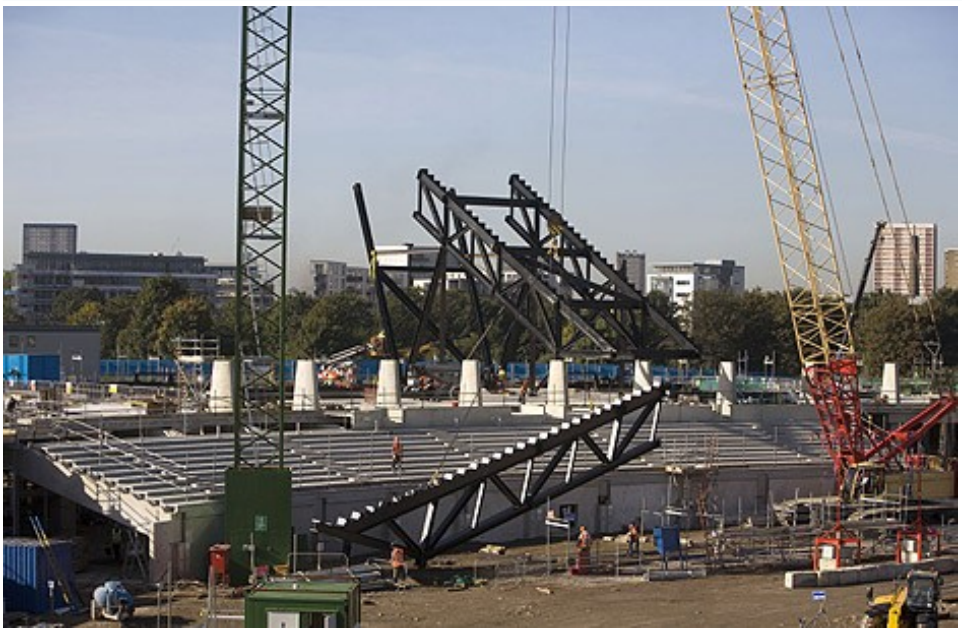
Transferring Gasoline From One Container to Another

Transfer gasoline from one container to another only in areas free from open flames, sparks, and where there is proper ventilation. Clean up any spills immediately. Static electricity can be generated while pouring gasoline from one container to another. One method to prevent this build-up of static electricity is to keep the two metal containers in contact with one another. Or better yet, connect the containers with a bonding wire until you have finished pouring.

Don't Be Selfish

Today you have seen that handling gasoline improperly can be as dangerous as playing Russian Roulette or sticking your head into a loaded cannon. Don't keep the tips you have learned about gasoline to yourself. Pass them on to your family, so they'll never misuse this dangerous substance found so of ten around the home.

Source: www.toolboxtips.com



The **2012 Summer Olympic Games,** officially the **Games of the XXX Olympaid,** are scheduled to take place in London, England, United Kingdom, from July 27th to August 12th.

Construction Photos of the Olympic Village provided by www.bbc.co.uk