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COVER PHOTO:

The cost of workers compensation insurance is going out of sight. There are many reasons for this, ranging from state insurance regulations to the insured company’s performance. The situation is an abomination. Everybody blames everybody else for the problems, the costs and the aggravation. State legislatures say insurance carriers have deep pockets, so make them pay. The carriers say that state regulations make it impossible for them to do business and they have even refused to write workers compensation insurance in some states. Employers scream because their audits result in retroactive insurance costs that they have no way to recover, much less pay. They don’t understand why their rates are so high and their modifications so enormous. Insurance carriers say that a bad risk has to pay the price.

While we could argue about who is responsible, and why, forever, let’s spend our energy on solutions and causes, not symptoms. What can you do to reduce your workers compensation cost, or at least keep it from going higher?

The most obvious answer is to implement a safety program. Start by setting an example yourself. Always wear a hard hat on the job, eye and ear protection where appropriate, etc. Don’t hire accident-prone employees. You will be doing them, yourself and your customers a favor. The Americans with Disabilities Act does not allow you to require a pre-employment physical, but you can still get a Motor Vehicle Report. People with bad MVR’s tend to be workers comp cases waiting to happen.

Safety train all of your current employees. Training programs are available off the shelf from the National Arborist Association. Use NAA’s programs or use your own, but do something. Enforce compliance. Keep records of violations of safety procedures. Give a warning for the first offense, followed by suspension for the second and termination for the third. The longer you keep an unsafe person around, the greater the chances that a comp claim will be filed. Remember, accidents don’t happen; they are caused, generally, by unsafe acts.

Why do all of this? For starters, a good safety program will decrease accident frequency and, hopefully, severity. The result will be an ever improving modification to your rate. I know a tree service firm that reduced its modification from plus-50 to minus-20 in three years by implementing a safety program.

Comp rates are not going down. Only you can keep them under control.

Robert Felix, Publisher
IF YOU DON’T GO...

YOU WON’T KNOW.

It will all be in Baltimore in November at TCI EXPO’92; a trade show with more exhibits than you have ever seen in a tree care show before, a two track seminar program for managers and field personnel, demonstrations, free pesticide applicator recertification credits, ISA recertification credits, an ISA Certification test...and...an opportunity to network with your peers from all over the country.

Baltimore is easy to get to by car, by plane or by train. There is shuttle bus service from the airport. Hotel rooms have been set aside in all price ranges. Parking is available directly across the street from the Convention Center. Dining and entertainment at Baltimore’s Inner Harbor are within walking distance.

Plan to GO to TCI EXPO’92. Expand what you KNOW and your horizons as a tree care professional will GROW. Bring other members of your organization and save on registration costs.

Registration, hotel and travel information will be included with the September edition of TREE CARE INDUSTRY. Or, if you can’t wait, call toll free at 1(800)733-2622.

November 19-21, 1992
Baltimore Convention Center
Baltimore, Maryland

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Practicing tree rescue is a monthly requirement for Asplundh crew training.

By Jim Allard

The Asplundh Tree Expert Co., based in Willow Grove, Pennsylvania, has provided line clearance tree trimming services to utility and municipal customers since 1928.

As the company's safety director, I work with my safety supervisors, our field employees and our corporate management to help ensure a safe workplace for our employees. We all work hard to instill safe work habits in our 14,000 employees throughout the United States, Canada and beyond. Ensuring safety on the job requires the participation and cooperation of all employees, particularly in light of the hazards associated with our work environment.

One of the first steps our company took to prevent accidents and control losses was to establish a corporate safety policy. As safety director for Asplundh, I feel fortunate to be part of the ongoing development and implementation of our corporate safety policy.

The responsibilities of the safety director position have grown and evolved over the past 64 years in direct proportion to the scope of Asplundh's operations. The success of our safety program has resulted from trial and error, as well as many long hours of research and hard work by our people in the field and our various offices. The wealth of experience that Asplundh benefits from—good and bad—has helped to make the company a recognized leader and innovator in safety excellence throughout the tree care industry.

We learned early on that our company's commitment to safety excellence would help prevent accidents that cause pain and suffering to our employees and their families and would ultimately save lives. Additional benefits are realized in the form of reduced operating costs associated with workers compensation, property damage and vehicle accident claims.

To better understand Asplundh's corporate safety program as it exists today, it may help to review how the program evolved as the organization grew and technology progressed.

**Program evolution**

The founders of our company—Carl, Lester and Griffith Asplundh—established a safety standard early on that is still the core of our corporate policy today. That is, "At Asplundh, the safe way is the only way."

The Asplundh brothers knew that the best way to achieve that standard was to provide employees with thorough training, good supervision and quality tools and equipment. They pursued their goals by establishing a "tree school" for training employees in tree species, their characteristics and trimming practices, with a major emphasis on working safely.

By design, foremen were held responsible for training crew personnel then, as they are today. We require our foremen to enforce company policies and monitor overall crew performance. Although a crew foreman's training and supervising abilities continue to be instrumental in maintaining Asplundh's safety record, the responsibility for safety doesn't stop at the foreman's level. Maintaining a safe operation is the responsibility of each and every Asplundh employee and training in safety is an integral part of their advancement process.

**Documentation begins**

Asplundh first documented its company regulations in a handbook called "Line Clearing Practices—Foreman's Manual." This booklet was devoted to the ever growing importance of safety in the field. While stressing training and supervision as important parts of accident prevention, the booklet also gave a few more directives. Corporate safety policy was further enhanced by emphasizing the importance of record-keeping and publishing detailed
accident reports with suggestions for prevention.

The original “Line Clearing Practices—Foreman’s Manual” evolved over the years into several more modern, expanded versions. The Foreman’s Manual currently in use throughout our operations addresses a variety of crew management issues, such as supervising people, training crew personnel, accident prevention, equipment inspection and maintenance, safety audit procedures and a host of other pertinent subjects.

The Asplundh Foreman’s Manual is the heart of our safety program, having been written from more than 60 years of experience in the line clearance industry. It goes farther, both in scope and detail, than Occupational Safety and Health Administration regulations and the ANSI Z133.1 Standard for Tree Pruning, Trimming, Repairing or Removal, thereby providing the greatest possible margin of safety for our employees without interfering with the efficiency of the work being performed.

Over the years, the expansion of Asplundh operations throughout the country resulted in the need to publish weekly safety meeting letters which are distributed with payroll checks. Our foremen use these letters for training their crew personnel to identify and deal properly with job-related hazards. In addition, the letters include important information relating to personal health and hygiene, requirements for the use of personal protective equipment, tool and equipment inspection procedures, tree/lift rescue procedures and other topics which specifically address the 20 different specialized services (i.e., utility construction, infrared inspection, pole treating, etc.) Asplundh provides.

Special bulletins are issued monthly to keep field personnel advised of tool-related hazards, near-miss accidents, accident trends and seasonal problems like heat stroke, heat exhaustion, poison ivy, Lyme disease and winter driving hazards. We also publish and distribute monthly to every crew a poster which depicts an accident-prone character named “Hap Hazard.” Seeing a picture of Hap’s unsafe acts helps to elevate the level of safety awareness among our field personnel. These posters, accompanied by an instructional letter, are displayed on each field unit to help maintain the awareness level until the next poster arrives.

In addition to these periodic communiques from the Safety Department, each new employee receives a copy of our safety instruction booklet entitled, “Protecting Your Life On The Job.” This pamphlet covers the basic types of accidents most commonly experienced in the line clearance industry, as well as their causes and means of prevention. Electrical hazards and company safety policies regarding work performed near conductors are also clearly defined. A new employee also receives an Employee Handbook which outlines company policies and procedures and contains safety-related information like a copy of the Occupational Safety and Health Act poster, “Job Safety and Health Protection.”

The importance of training

Asplundh foremen are responsible for the initial and ongoing training of employees and for all other aspects of crew management. They are guided in this endeavor by information contained in the Asplundh Foreman’s Manual. Part of this manual is devoted to encouraging our foremen to develop a positive relationship with their people. We have found that the quality of a crew’s work, as well as their attitudes toward the job and the company, will be largely influenced by this relationship.

Because the foreman is a key player in crew management and gaining that position is one of the first steps in the advancement process, management skills are the focus of a special Foreman’s Manual Home Study Program that is offered to all crew personnel. This program helps to educate the employee on all aspects of corporate policies, procedures, regulations and/or practices contained in the Foreman’s Manual. Employees need to understand all of that information for their own safety and to help secure their advancement in the company.

Since Asplundh foremen are heavily involved in on-the-job training, we stress the importance of using a simple and effective four-step method in the development of new employees. Those steps are as follows:

1. In the beginning, the foreman provides the employee with some background on the importance of our work, our customers and how Asplundh wants to help the new employee develop the greatest possible interest in learning. Then they get to the specifics. The foreman explains what job element is to be learned, why it is important and what the hazards are. The trainee is then told where this particular skill fits into the total job and the steps involved in doing this task correctly and safely.

2. Eighty-five percent of learning comes from observation so the foreman demon-
Back Talk.

The word is out. Work-related strain and injury can be managed. It's simply a matter of Allegro-nomics—ergonomic back-, wrist, knee, and elbow-support gear from Allegro Industries. We've got your employee—on the shop floor, in the field, or sitting in front of a PC. Allegro-nomics products bear the strain of repetitive tasks:

- For fit and versatility, Maxbak™ is the only back support of its kind offered with optional suspenders. Flexbak™ encourages improved posture for all office workers. Maxrist™ and Flexrist™ help fight Carpal Tunnel Syndrome.
- Don't take our word for it. Thousands of doctors and employees are talking Allegro-nomics—the name that means superior ergonomics at work.

ALLEGRO®NOMICS
Ergonomic Products by Allegro Industries

We learned early on that our commitment to safety excellence would help prevent accidents ... and would ultimately save lives.

3. Next, the foreman asks the trainee to describe the method of doing the job element that is being taught. If the trainee's description is complete and correct, then the foreman observes and asks questions as the new employee does the work. The foreman corrects mistakes immediately, never giving poor technique a chance to become a bad habit. Patience and encouragement during this step are necessary. Our foremen act as coaches for new trainees and let them know when the job is done right and how to make corrections when it is not.

4. When the foreman judges that the new employee has gained sufficient job knowledge and skill, the trainee will be allowed to work on his or her own. The foreman reduces close supervision, but checks frequently enough to make sure the trainee's actual work methods produce safe, high-quality and high-production work.

The general foremen connection

Asplundh general foremen are responsible for multi-crew operations and must work closely with customers to assure their satisfaction. They also are responsible for monitoring the crew foreman's progress in training employees and assuring the crew's compliance with company policies. The Safety Department has created a sophisticated auditing process for...
I — S

1976 Mack 4x4 dsl. service truck, w/ winch. $14,500.

1987 Ford w/12' Chip Box, 32K miles, $17,500.

1980 Ford F800 crane & dump. 4 ton crane. $7500.

1983 Ford dsl., 5x2 w/ 8 ton crane, 56' boom, 28,500.

1986 Ford F800 w/ Hiab log loader. $7900.

1987 Ford V8, 5x2, 11,000 miles w/JLG 10 ton crane. 65'boom & 29'jb=94' hook height. Very nice. $39,500.

1982 Chevy Kodiak, 3208 CAT, 13 sp. tandem w/ ’86 Big John 90AA tree spade. Little use. $39,500.

1985 Ford V8 (factory rebuilt) 5x2 w/ Aerial Lift AL-50 & chip body. Very clean. $29,500.

1987 Ford V8, 5x2 w/ LR50 & chip box. Nice. $37,000. 5 other gas and diesel LR50's in stock from $18,500.

1980 Ford F800 crane & dump. 4 ton crane. $7500.

1985 Chevrolet F800 crane & dump. 1-1/2 ton crane. $18,900.

1980 Ford F800 crane & dump. 4 ton crane. $7500.

1980 Ford F800 crane & dump. 4 ton crane. $7500.

1987 Ford V8, 5x2, 11,000 miles w/JLG 10 ton crane. 65'boom & 29'jb=94' hook height. Very nice. $39,500.

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1987 Ford V8, 5x2, 11,000 miles w/JLG 10 ton crane. 65'boom & 29'jb=94' hook height. Very nice. $39,500.

1988 Chevy w/ Lift All 65'. $49,500.


1983 Ford dsl., 5x2 w/ 8 ton crane, 56' boom. 28,500.

1986 Ford F800 w/ Hiab log loader. $7900. Many in stock!

1987 Ford V8, 5x2, 11,000 miles w/JLG 10 ton crane. 65'boom & 29'jb=94' hook height. Very nice. $39,500.

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1988 Chevy w/ Lift All 65'. $49,500.

1978 Mack dsl. tractor. 6 ton Pitman crane. $15,500.

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**BIG Price Increase Coming!**

Only 10 units in stock at these prices

**Morbark Disc Chippers**

<table>
<thead>
<tr>
<th>Model</th>
<th>48 Months</th>
<th>Lease*</th>
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<td>4 cyl. Ford gas</td>
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<tr>
<td>4 cyl. White gas</td>
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<tr>
<td>4 cyl. Cummins</td>
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<td>$440</td>
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4-Knife Option add $500

**Morbark Drum Chippers**

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**Rayco Stump Grinders**

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<tr>
<td>Model 1620 Super Jr.</td>
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<tr>
<td>Model 1635 ASA Diesel</td>
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<tr>
<td>Model RG1635-A/SP: 35 H.P.</td>
<td>$11,750</td>
</tr>
<tr>
<td>Model RG 1665-AC: 65 H.P.</td>
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</tr>
<tr>
<td>Model 1670DC: 80 H.P.</td>
<td>$21,500</td>
</tr>
<tr>
<td>Hydra Stumper: 240 H.P.</td>
<td>$85,000</td>
</tr>
<tr>
<td>Asplundh Whisper's</td>
<td>$3,000</td>
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**Asplundh Whisper's**

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<tr>
<th>Model</th>
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<tr>
<td>4 cyl. Ford or Hercules gas w/ 12&quot;cutter head</td>
<td>$10,900</td>
</tr>
<tr>
<td>Asplundh Chipmunk</td>
<td>$9,500</td>
</tr>
</tbody>
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*All lease purchases require 2 payments down. $1.00 buy-out with approved credit. Other lease plans available. Used Asplundh & Morbark chippers and Rayco stump grinders available.

---

**Rayco**

Mini Work Force RG20 STUMP CUTTER
20 H.P. SELF PROPELLED
$4995 - LEASE 36 MO. $205 PER MONTH

---

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general foremen to use which addresses four safety management objectives.

1. On the job training—The general foreman must ensure that the foreman’s training responsibilities are being satisfied. We don’t want employees to learn just enough to get by. We want all employees to be thoroughly taught the proper use of all tools and equipment and work techniques related to every job they perform. That’s how we produce experts.

2. Job observation and appraisal—Each crew visit by an Asplundh general foreman involves observing the crew at work. He or she must evaluate the crew’s activity and determine if adjustments are needed to ensure employee safety and overall productivity. Nothing can be taken for granted. Quizzes are one way to determine individual skill levels, but the best way is to watch the person actually perform the work.

3. Equipment inspection and maintenance—While visiting a crew the general foreman must also dedicate part of his time to tool and equipment inspection. He or she must make sure the foreman and crew members are routinely checking for damage or other signs of defects that may have an adverse effect on employee safety.

4. Compliance with manuals—It is important that operations manuals be thoroughly understood by crew personnel in order to prevent accidents. General foremen give routine quizzes on the contents of these manuals to make sure the crew understands why compliance with manuals is necessary for safe operations.

As an aid to documentation, all of our general foremen are required to use a special safety training/audit survey during crew inspection. It consists of a comprehensive outline of all aspects of safety management, including information contained in the Asplundh Foreman’s Manual and other safety publications. By using this survey, we can be more assured that our general foremen will cover a broad spectrum of safety topics during their audit process. The information gained from these surveys is used to evaluate the overall effectiveness of our safety program and may help to trigger new innovations that will address safety deficiencies.

Asplundh general foremen also have access to an extensive library of video training materials which we have developed and expanded over the past few years. With more than 100 videos to choose from and portable video equipment that can be used at the job site, our general foremen have good tools for providing high-impact communications that reinforce other training initiatives.

To handle all the responsibilities that come with the position of general foreman, weeklong training programs are conducted periodically which address many aspects of field operations management, including safety management.

Corporate auditing of divisions

As part of Asplundh’s safety program, I oversee six safety supervisors who travel thousands of miles per year auditing field operations in their assigned territories to help support our commitment to excellence. While visiting a general foreman’s crews, they check for compliance with corporate policies as well as federal regu-
lations and they assist the general foreman in correcting unsafe work practices or equipment deficiencies.

At the conclusion of this auditing process, the division manager, supervisors and general foremen hold a conference to discuss how to implement corrective action plans. They work as a team to develop innovations, some of which are listed below:

— experimenting with back supports in an effort to reduce back injuries;
— requiring ballistic leg protection (chaps) for ground cutting operations;
— using fluorescent traffic vests for greater visibility on the job;
— emphasizing seat belt use policy;
— developing new video and audio training materials;
— focusing on advanced training for our employees; and
— analyzing workers compensation claims data.

Prevention, as we all know, is one of the keys to safety management. A pre-employment checklist has been developed for our field supervision to use in hiring new employees. Driver's license checks, pre-employment questionnaires and interviewing techniques have also been valuable in determining whether an applicant will be a safety-conscious employee.

**Employee recognition**

No safety program would be complete without a system of giving recognition to employees who work safely. Asplundh has developed a corporate safety awards program that rewards each employee who works a full year without an accident. Part of this program includes a drawing for valuable prizes in which the name of every qualifying employee is entered. In addition to the prize drawing, every employee with a clean safety record for the year receives a special gift and a certificate of achievement. Crew foremen who maintain an accident-free crew for the entire year and general foremen who run accident-free operations for the year receive special awards in addition to the standard awards. Intra-divisional safety incentive programs are also highly encouraged and supported by our corporate Safety Department.

Asplundh’s philosophy is to always look forward. We believe it is important to be active in industry organizations such as the National Arborist Association, of which Asplundh is a longstanding member. Through industry unity, we can make a difference in improving our work environment. As a leader in the line clearance industry, Asplundh strives to be innovative and to set an example. As an employer, Asplundh can only be as safety-conscious as each employee learns to be.

I believe our corporate safety program is effective and encourages innovation. These qualities help us to be a leader in the tree care and line clearance industry.

Jim Allard, safety director at Asplundh Tree Expert Co., Willow Grove, Pennsylvania, is chairman of the National Arborist Association Safety Committee and a longtime member of the ANSI Z133 Committee.
Praise for “Outlook”

This letter is to compliment you on your “Outlook” editorial in the May issue of TCI magazine. I feel it is the best and most concise commentary on why it is so important for “tree people” to belong to professional organizations. For some reason I find it very difficult for me to convincingly explain to other arborists why they should belong. Your editorial does it for me. Therefore, I would like your permission to copy that page from your magazine and put it out at our display booth for people to pick up at our Minnesota Chapter, ISA meetings. By using the whole page, it will strongly identify where the article came from and maybe even get you a subscriber or two.

Dave De Voto
Chapter Director
ISA, Minn.

Join an association

I am responding to a letter that you received from Jack Moreland Jr., published in the June issue.

The best way to keep abreast with the tree industry is to be a member of the International Society of Arboriculture or National Arborist Association. These organizations continually bring in new publications and ideas for their members. A New Tree Biology, Tree Pruning and Modern Arboriculture, all by Dr. Alex Shigo, were printed in 1986, 1989 and 1991, respectively. Richard Harris’ book, Arboriculture: Integrated Management of Landscape Trees, Shrubs and Vines, was printed in 1992 (original in 1983); Pirone’s Tree Maintenance was updated for the sixth time in 1988. In defense of these books and the knowledge contained therein, current information on tree care is available.

Any one of us who is a “book worm” knows that you need several points of reference to properly learn every subject; no school issues one book for a student to learn math or science, and on tree care there are several works on all phases, including diseases and insects.

We at Arborist Supply House carry an extensive list of books about trees, and would be happy to send a book list to anyone interested. Our telephone number is 1-800-749-9528.

Geraldine Hoyt
Arborist Supply House
Fort Lauderdale, Fla.

Letters should be addressed to:
Tree Care Industry, Editor
P.O. Box 1094
Amherst, NH 03031
Focus On Safety

Management Is Key In Providing Safe Work Environment

By David deSousa

In 2200 B.C., the King of Babylon wrote the Code of Hammurabi to assure the safety of workers on the job and the safety of the public from shoddy craftsmanship. Here is a passage from his code: "If a builder builds a house for a man and does not make its construction firm and the house which he builds collapses and causes the death of the owner of the house... that builder shall be put to death." (A little wordy, but I think you get the point.)

Why was this code written? Why have the codes and laws involving safety been written? The answer lies in the past failure to provide protection for people, equipment, materials and the environment. That protection has to come from management.

Because of the increasing emphasis on safety over the years, more than 2.5 million lives have been saved in the United States. Between 1912 and 1984, the accidental death rate per 100,000 population dropped from 82 to 39. If we take out motor vehicle accidents, the rate is 79 to 19 per 100,000 for that same period. We are making progress.

There are many reasons for the increased emphasis on safety.

1. Unions have continued to put pressure on management to create safer working conditions.
2. Consumers have continued to demand safer products and have had products banned or severely restricted.
3. The courts are bogged down with "sue-happy" parties trying to cash in on liability settlements.
4. Technology in the past 50 years has developed more equipment and processes than have been developed in the past 1000 years.
5. The work force has changed. It is more educated, older and includes more women.
6. Legislators have been rapidly passing laws in response to safety concerns. In New Zealand, for example, a 24-hour workers compensation law covers workers on or off the job.
7. Medical research continues to identify physical and health hazards, which can force recalls and identify consumer problems.
8. The rising cost and lack of energy affects the timely delivery of products and services.

Changes in attitudes

Management control and attitudes have also been changing. In the early 20th century, machines were not designed with operators in mind. Labor was unskilled and untrained; power sources were changing from man and horsepower to steam, internal combustion and electricity. Work was considered an impersonal exchange of labor for money, and bosses tended to rule hired hands. Safety was injury-oriented (limited to what actually hurt the worker).

Eighty-five percent of all accidents were considered the fault of workers and 15% the fault of management.

By the middle of the century, the "sweat shops" evolved into the integrated management responsibility of today. Compensation laws were passed, and management started to look at safety in a broader perspective, resulting in safety management and a systems approach to accident prevention.

Management itself started to be considered a profession. The concept of damage control (minimizing losses when accidents do occur) appeared and served as a bridge to today's safety programs.

Studies started to show a correlation between safety, quality, production and cost control. Now we know that 15% of all accidents can be attributed to workers and 85% is a result of inadequacy in the management.

In the past two decades management began to realize that loss control management/safety has a significant effect on profit margins.

Management also looked at the direct and indirect monetary losses from accidents and found that for every dollar in direct costs, hidden costs ranged from $6 to $53. Accident ratios showed that for every 600 near-misses there was one serious accident.

The sales volume needed to make up for the costs of accidents is tremendous. For example, if your direct cost of accidents was $50,000 and your company's profit
margin was 3%, your company would need an additional $1,667,000 in sales to pay for the losses. If your profit margin was 2%, you would need sales of $2,500,000.

Thus, whatever system is used to control the quality, production and cost of a product and/or service, should also be used to control accident losses/safety. Management should also identify the work to be done, develop standards, measure performance against the standards, evaluate the measurements and correct or commend (ISMEC).

The legislation that created the Occupational Safety and Health Administration requires that management provide a work environment free from recognizable hazards. The fees can be steep for employers who do not comply with OSHA regulations.

Safety/loss control is a management responsibility. Let's act positively before more laws are passed that force us to act and cost us a lot of money. Stop accidents without laws. Let's keep our workers safe, healthy and in one piece. Instead of paying big fines to the government, we can put the savings in the till.

Dave deSousa is an employee of the F.A. Bartlett Tree Co., and a management consultant in Meredith, New Hampshire. He will lead a crew leader training workshop at TC1 Expo '92 in Baltimore, Maryland.

This article appeared in “Tree Topics,” a Bartlett Co. publication, and is reprinted here with permission. Information for this article was taken from “Practical Loss Control Leadership” by Frank E. Bird Jr. and George L. Germain.
The National Arborist Association has a full menu of comprehensive business tools to help you do a better job of running a profitable company. Tools such as a simplified cost analysis system, a uniform chart of accounts, sample company policy manuals, tips for creating effective newsletters and much more.

These management guidelines are why so many tree care firms belong to the NAA—but they’re not the only reason. NAA has home study programs that provide basic training in arboriculture for field personnel, safety programs, crew leader training programs, videos, marketing support and a wealth of information that enables arborists to easily comply with government regulations. NAA’s publications keep me abreast of what is going on in the industry. A major benefit is networking with other members. Another benefit is NAA’s knowledgeable staff and their toll free HOT LINE - 1-800-733-2622.

If your firm is not an NAA member, why not JOIN TODAY—and start enjoying all of the benefits of membership.

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Regulations Primer

Do You Meet OSHA, DOT And Other Requirements?

By Brian Barnard

Keeping track of the assortment of regulations set down by federal and state agencies is cumbersome. Employers should ask themselves regularly if they meet the requirements of the Occupational Safety and Health Administration, Department of Transportation and other regulations, and if they are aware of changes in those regulations.

Meeting all requirements is a challenge, but not impossible. While compliance with federal and state regulations requires aggressive monitoring, help is available. Professional organizations such as the National Arborist Association closely monitor, help shape and report on federal requirements to ease the burden on tree care companies. State and local arborist associations keep arborists up to date with changing regulations. Trade magazines like TCI offer continued guidance.

Here is a summary of federal regulations affecting arborists.

OSHA

The Occupational Safety and Health Act of 1970 contains a General Duty clause. This catch-all clause says that employers must provide a workplace free from recognized hazards. Industry precedent usually dictates what is a recognized hazard.

OSHA compliance officers commonly cite tree companies with general duty violations. If a tree care company fails to provide training or fails to document its training before exposing an employee to a recognized hazard, an OSHA compliance office could issue a general duty citation.

Often, general duty citations refer to more specific performance guidelines found in consensus standards. The American National Standard for Tree Care Operations—Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush, is the safety standard for the tree care industry. It is often referred to as the ANSI Z133.1 Standard. All companies in the industry must follow Z133.

Perhaps the most overlooked OSHA requirement is the posting of required signs in the workplace. Employers must post a notice telling employees of the protection and obligations set down by the OSHA Act. Companies with 10 or more employees must annually post OSHA's Form 200, Log of Occupational Illnesses and Injuries. Regional OSHA offices can provide these.

Beyond this, OSHA has specific directives for aspects of tree work, such as hazardous materials in the workplace or work near electric utility lines.

1. Electrical hazards—OSHA’s Electrical Safety-Related Work Practices Standard covers all residential or commercial tree workers who during their work get closer than 10 feet to overhead power lines.

The standard requires employers to document that employees are adequately trained. Employees must be able to recognize electrical hazards and use special practices to perform their duties safely. Only qualified employees can trim trees within 10 feet of overhead power lines.

Employees of line clearance tree trimming contractors will be covered by a vertical standard for the utility industry which OSHA is now developing. This standard, OSHA 1019.269, is expected to be published next year.

OSHA’s telecommunications standard, OSHA 1910.268, covers employees of telecommunication tree trimming contractors. Right-of-way clearing operations for telephone lines are covered under OSHA 1910.268.

The National Arborist Association provides training programs in electrical hazard awareness. Call the NAA office at 800-733-2622 for information.

2. Hearing conservation—OSHA’s Hearing Conservation Amendment requires that employers provide employees with hearing protection as well as training in hearing conservation. Hearing protection includes ear plugs and ear muffs.

The regulation says there is danger of hearing loss if an individual is exposed to 85 decibels or more for eight hours a day on a time-weighted average. Brush chippers and chain saws commonly exceed 100 decibels. When used properly, hearing protection reduces noise to below 85 decibels.

OSHA’s Hearing Conservation Amendment has required hearing protection for the tree care industry since 1985.

3. Hazard communication—The OSHA Hazard Communication Standard requires employers to inform and educate employees about hazardous materials in the workplace. This is often called the right-to-know law.

The manufacturer determines if a chemical is hazardous. Employees must receive hazard communication training if they use gas, pesticides and other hazardous products on the job. Even some common household products are considered hazardous. If a common household hazardous product is used on the job continuously, it
must be included in a company’s hazard communication program.

DOT
Most Department of Transportation requirements kick in when vehicles exceed 10,000 pounds or when a company uses any size vehicle to transport hazardous materials. Drivers of vehicles weighing more than 26,000 pounds must meet additional requirements.

Recently, DOT issued training requirements for safely transporting hazardous materials. The rule affects any employer who transports hazardous materials. It requires training specific to the job function and driver training.

Under the rule, employers must keep records that show each employee has received the required training. Employers must also establish a hazard communication program to assure that all employees understand how to handle hazardous materials safely. Contact DOT’s Research and Special Programs Administration for training information at 800-PLANFOR or 708-972-3275.

A Commercial Driver’s License (CDL) is required to operate a vehicle weighing 26,001 or more pounds, tow a vehicle weighing more than 10,000 pounds, or drive any size vehicle that requires hazardous materials placards. Contact your state Department of Motor Vehicles for information on CDL’s.

ADA
The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified disabled employees. It covers all employers with 25 or more employees. In July 1994, the rule will extend to companies with 15 or more employees, including managers, office personnel and field workers.

The requirements of ADA are quite detailed, but the key words are “reasonably accommodate.” The company must decide if it can make reasonable accommodations to enable the employee or applicant to perform a job.

The act only protects qualified individuals. In a report for National Arborist Association members, NAA labor law counsel summarized ADA’s definition of a qualified individual as one who performs the essential functions of the job with or without reasonable accommodation.

To avoid ADA violations, employees must clearly spell out the essential functions of the job in a detailed job description.

Also, ADA limits the use of physical exams or medical history questionnaires. The employer may only use these hiring tools if the job applicant has received a conditional offer of employment. Further, the employer must use the same procedure for all job applicants.
Back Injuries

A Company Explores Another Angle In Prevention

By requiring all field, shop and warehouse personnel to wear back belts, Trees, Inc., reduced the number and severity of back injuries suffered by the company's workers.
By Bob Reeder

According to the 1991 edition of Accident Facts, produced and published by the National Safety Council, back injuries occurred more frequently than all other injuries listed. In fact, back injuries occurred almost 58% more than leg injuries, the next most frequently listed workplace accident.

The number of back injuries creates an enormous economic loss to the nation of at least $20 billion annually. In addition, more than 25% of the total indemnities paid out for workplace disabilities goes for back injuries.

Developing a program

In order to attack the problem successfully, the company conducted a study of how various back injuries occurred. What was the cause? Was it due to the behavior of the individual, a pre-existing condition, lack of training in lifting or an unsafe act? These were important issues to examine before a comprehensive program was put in place.

Not surprisingly, when the facts were assembled, all of the above issues were seen to be part of the problem. The company, therefore, developed a comprehensive program to prevent back injury, including the use of back support belts to complement other methods of back injury control.

Positive results

Results are encouraging. Field employees have responded positively to the back belt policy, and, best of all, back injuries have been cut by 44% from July 1, 1991 through December 31, 1991, as compared to the same period the previous year. Severity rate is down by 85%. The costs associated with back injuries came down 89% for that same period. Thus, we see that the back belt policy is working.

When the policy initially went into effect, some workers complained that the belts were uncomfortable and that they would be unable to work with the belts on. Those complaints have since subsided, and there are many more positive statements, such as, "My back doesn't feel as tired at night," or, "The belt really makes me think about lifting correctly."

Perhaps as important as reducing back injuries is the psychological effect the belts have had on the workers. They realize that Trees, Inc., cares about their safety in all aspects and they seem to be making a greater effort to "do things right."

Back support belts seem to be working for Trees, Inc., and are proving to be one more weapon in the battle against back injuries. Hopefully, other companies will benefit from our experience, and may want to try the same method.

In addition, the National Arborist Association Safety Committee has spent many years looking at the back injury problem and trying to find solutions. The NAA has recently completed a videotape on back injury prevention that is available for purchase.

Bob Reeder has been manager of Health and Education at Trees, Inc., for 15 years. He is also a longtime member of the National Arborist Association Safety Committee and the Forestry Safety Committee of the National Safety Council. Mr. Reeder teaches first aid, CPR, defensive driving and tree safety. He earned a master's degree from the University of Houston and currently lives in Houston, Texas.
August 19-21
Field Diagnosis: Insects and Diseases on Trees and Shrubs
New York State Arborists
Cornell University
Contact: Elizabeth Seme, 518-783-1322

September 20-25
National Urban Forestry School
Session I
Nebraska City, Neb.

Contact: National Arbor Day Foundation, 402-474-5655

September 24-25
ISA/Minnesota Chapter Meeting
Rochester, Minn.
Contact: Kathy Widin, 612-436-8811

September 27-October 2
National Urban Forestry School
Session II
Syracuse, N.Y.
Contact: Christopher Price, 800-727-5737.

September 28-29
New York State Environmental Exhibition and Dept. of Environmental Conservation Conference
Syracuse, N.Y.
Contact: Paul Ries, 503-373-7854

October 8-10
ASCA Annual Conference
Quality Inn Biltmore
Asheville, N.C.
Contact: John Duke, 303-466-2722

October 28-31
ISA/Texas Chapter Meeting
Dallas, Texas
Contact: Len Newsom, 512-454-1411

November 1-5, 11-15
Tree Biology Seminars
Featuring Dr. Alex Shigo
Appalachian State University's Camp Broadstone
Boone, N.C.
Contact: 704-262-3045

November 12-14
Arbor Expo
Orange County Convention Center
Orlando, Fla.
Contact: 818-781-8300

November 16-19
PLCAA Annual Conference & Green Industry Expo
Indianapolis, Ind.
Contact: PGMS, 410-667-1833

November 19-21
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Tree Technology Systems, Inc., has received EPA label approval for the liquid microinjection of Bayleton (R) fungicide in the treatment of pine tree decline. The product will be sold in the company's ArborX injectors under the Systrex trademark. When blended with fertilizer, the product will be sold as Systrex Plus. Systrex and Systrex Plus offer ArborX injector's leakproof design and factory disposal of used injectors. For further information, contact Richard M. Stedman, 1014 Rein Road, Cheektowaga, NY 14425. Phone: 800-622-2831.

Direct Safety Company introduces the Triangular (TM) Highway Emergency Kit. The unique triangular shape of the bright orange case doubles as a warning sign by day and a lighted warning sign at night. Kit includes jumper cables, two flares, siphon pump, 12-volt spotlight, water bag, tire sealant, tape, flag and four towelettes for cleanup following repairs. For further information contact Direct Safety Company, 7815 S 46 St., Phoenix, AZ 85044. Phone: 800-528-7405.

Bandit Industries, Inc., introduces the Go Bandit, a self-propelled 6-inch capacity tree and brush chipper designed for off-road chipping. The unit features a four-wheel hydraulic skid steer drive and 34-inch design, allowing it to pass through most gates. The 360-degree swivel discharge allows the chips to be blown in any direction. A bagging attachment for collecting the chips is available. For more information contact Bandit Industries, Inc., 6750 Millbrook Road, Remus, MI 49340. Phone: 517-561-2270.
NAA Offers Spanish Training Videos

A language barrier makes training more difficult, but it does not remove the employer’s legal and moral responsibility to the non-English-speaking employee. Recognizing that the tree care industry employs many Spanish-speaking individuals, the National Arborist Association has produced Spanish language versions of several of its most popular programs for arborists.

Three video titles are currently available in Spanish: “Professional Tree Care Safety,” a four-part program outlining all the safety requirements for tree workers found in the ANSI Z133 Standard; “Electrical Hazards & Trees,” which teaches arborists how to recognize and work around electrical hazards; and “Aerial Rescue,” which details the latest recommended techniques for getting an injured worker out of a tree or bucket truck.

These are not English programs with Spanish subtitles, but completely remastered programs with Spanish narration. Trainer manuals in Spanish are shipped with every order.

NAA’s Electrical Hazards Awareness Program, a comprehensive home study course that fulfills the training requirement to become a qualified line clearance tree trimmer, also will soon be available in Spanish. Later this year, NAA will make its popular Tailgate Safety program available in Spanish.

For further information on NAA Spanish language videos or other training programs, call NAA at 800-733-2622.

Edwin Irish Receives ISA Award

Edwin E. Irish of the Chas. F. Irish Company, Inc., of Detroit, Michigan, received a lifetime honorary membership award from the International Society of Arboriculture. The award was presented at the ISA’s 68th Annual Conference in Oakland, California this month.

Irish is a longtime member of the ISA. He was instrumental in the development of the ISA’s “Tree Valuation Guide” and the accompanying “Manual for Plant Appraisers.” He has been a staunch supporter of the ISA Research Trust and has played critical roles in other research and educational efforts, especially large tree transplanting.

Irish is active in the National Arborist Association, having served as its president in 1965 as well as chair and trustee of the National Arborist Foundation for many years. He received the NAA Award of Merit, the association’s highest award, in 1978.

His father was organizing chairman of the NAA in 1938, and his son, Chuck, is active in the company.
Get Ready for NAA’s Annual Meeting

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The National Arborist Association’s 1993 Annual Meeting and Management Conference in February will provide you with management insight. It will help you take two steps forward in business.

The meeting will be held at the Don Cesar Resort Hotel in St. Petersburg, Florida, February 9-13, 1993. You are cordially invited to attend, whether you are an NAA member or not.

Dr. Alex Shigo is the keynote speaker. The rest of the speakers are equally exciting and will focus on a broad range of important management subjects.

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Arbor Care/Orlando—Arborist position requires sales & management abilities. Must have strong background in operations with high safety standards, an interest in high quality product and a drive for customer satisfaction. Send resumes to Peter Sortwell, General Manager, Arbor Care, 477 Old Winder Garden Road, Orlando, FL 32811.

Complete tree company looking for tree climbers—best working conditions—good pay—year-round work—management opportunity for aggressive self-starter—hard workers. Bob’s Nursery. NAA members. Call Bob or Frank, 318-232-TREE.

Exp. tree climber, owner of own tree co., has own 60’ TECO bucket truck & equip, 10 years exp., w/ref, wants to work, 206-398-2465, Lynden, WA.

Immediate opening for arborist—Must be experienced, have formal education in arboriculture, know NAA guidelines for tree care, & be able to relocate. Please send resume to: The Virginian Golf Club, 1375 Jonesboro Road, Bristol, VA 24201.

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TREE CARE INDUSTRY - AUGUST 1992

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Heroism Or Negligence?

By Jim Brunner

In our business we not only cut trees but we also move larger trees. On one job we were moving large locust and maple trees for a nursing home. We were digging the holes with a backhoe, moving the trees with a tree spade, and backfilling with fresh soil being moved with a front-end loader.

As I stood in a hole 40 feet away measuring depth for the backhoe operator, the other men were setting another tree. One employee was bringing the soil to the hole with the loader. He was traveling with a full bucket of soil weighing about 1000 pounds with the bucket up in the air about 10 feet.

As he turned toward the hole, he was traveling too fast and approaching the tree, which was downgrade, at an alarming speed. He tried to stop but he had no braking power because all of the weight was on the front of the tractor. He was approaching a rather steep embankment and was totally out of control and completely panic-stricken.

At this point he had started to balance the tractor on the front tires. As he went past the tree, another employee started to run beside the tractor. As he ran, he reached out over the rear tire and pushed the boom lever forward, bringing the bucket down to the ground. The tractor slid another 25 feet to a safe stop. Needless to say, the operator was shaken and speechless, and we were all relieved that no one was hurt.

Now for the question: Was the employee who reached over the tire and lowered the boom a hero or was he negligent? A hero is defined as someone who is looked up to for something he has done, either brave or noble. Certainly, what the second employee did was brave and noble, but some would say he was negligent putting himself at risk of being run over. We may never answer the question, but I am thankful things worked out the way that they did and no one was hurt.

After this incident there was much discussion about the safe operation of all equipment. In our business, every tool we pick up or operate can do us harm—from a pair of handsnips to the chipper or bucket truck.

I was a fortunate employer that day. As employers, it is our job to educate our employees on the proper use and operation of all tools—no matter how much they complain about being told the obvious. It is when the obvious little things are forgotten that accidents occur.

Jim Brunner is the owner of Brunner Landscaping, in Spring Hill, Florida.

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