

TABLE OF CONTENTS: -

- 1 Notes from the Editor.
- 1 Contractor Advertising Laws.
- 2 81% Increase in Safety and Health Penalties
- 4 RCAW/IBA Important Reminder
- 6 First Aid & CPR Classes + Golf Anchor Sponsors.
- 6 Building Relationships – Umpqua Bank
- 7 Bloodborne Pathogens.
- 10 First Aid Essentials – L&I

remedy the situation. The first aid training went very well also, and Sonya has many bookings to go to the premises of the requesting companies this makes it very convenient so that your crews can get back to work in a very short time frame.

Web Site, when you are registering for the various events on the web site please can you fill in the names of the people who are part of your team. Because this give us an opportunity to get name badges correctly.

Notes from the Editor.

By: Sefton Oxford.

TRADE SHOW, In February we hosted our annual trade show on which we did extensive reporting. It was a real success and as a result we have found many participants that are interested in joining the RCAW to help us with our mission to assist the roofing industry. And to protect the industry from unnecessary burden of overreaching regulations. We have a vested interest in ensuring our members go home every day having completed a full day's work safely.



The safety training that was provided went very well and all of the participants should be receiving their certificates in the mail. If anyone was missed please do not hesitate to bring this to our attention and we will quickly

Contractor Advertising Laws

By: Gary Smith from IBA

As construction season is beginning, contractors must be very vigilant about ensuring they are complying with contractor advertising and document laws.

The law requires that if you:

- advertise,
- solicit bids or
- offer to perform work,

You must always include your contractor registration number.

This includes:

- business cards,
- Yellow Page ads,
- newspaper ads,
- estimates and
- bid proposals

While the state law has not caught up with the internet technology and other forms of advertising, your firm does not want to become the test case by the Department of Labor and Industries and the Washington State Attorney General of whether your advertising is in compliance with the state's contractor registration



ROOFING REPORT

Volume: 44 Issue 3 MARCH 2018 – Sefton Oxford - EDITOR

advertising law. RCAW and IBA recommend that contractors show their contractor registration number on all webpages and company based social media. As you can see in the law below, it also covers all radio and television advertising.

Also note that the law states that it is illegal for a contractor to claim to be “insured and bonded” if they only have the bond and insurance required by the contractor registration law.

Read the law below and you will see that it attempts to cover all advertising.

After you've registered you must use your contractor registration number on all your business communications. (emphasis added by Dept. of Labor and Industries)

By law, when you advertise, solicit bids or offer to perform work, you must always include your contractor registration number. This includes business cards, Yellow Page ads, newspaper ads, estimates and bid proposals.

Washington State Law, RCW 18.27.100 states

(3) All advertising that shows the contractor's name or address shall show the contractor's current registration number.**Advertising by airwave or electronic transmission is subject to this subsection.**

(4) No contractor shall advertise that he or she is bonded and insured because of the bond required to be filed and sufficiency of insurance as provided in this chapter.

81% Increase in Safety and Health Penalties

By: - Gary Smith of the IBA.

Roofing contractors will face an 81% increase in safety and health penalty amounts starting in 2019 as a result of legislation passed by the 2018 Legislature. Serious violation penalties increase

from a maximum of \$ 7,000 to \$12,675. Repeat and willful violations will increase from \$70,000 to \$126,749.

These new penalties are a result legislation passed by Congress in 2014 to increase federal penalty rates based on inflation. The old OSHA penalties for serious violations were \$7,000 and were increased to \$12, 675. Repeat and willful violations penalties were increased from \$70,000 to \$126,749. Washington State is a delegated OSHA state that is required to implement safety and health laws the same as OSHA. When OSHA increases penalties, Washington State must increase penalties.

RCAW and IBA were successful in stopping these 81% increases in penalties for the past two years. But with the election of one more Democrat to the Washington State Senate and the Democrats taking control of the Washington State Senate, this penalty legislation passed in 2018.

Recently, a roofing contractor was fined \$1.523 million by OSHA for safety and health violations. The roofing contractor got 11 willful violations and 3 repeat violations.

How RCAW Can Help You Avoid 81% Higher Safety and Health Penalties

Clearly, safety and health penalties just got a great deal more expensive and wise roofing contractor must get very serious about avoiding these penalties.

1. Make safety an extremely high priority for your business is critical. The law says, you, the employer, are responsible for your workers' safety, not the worker. You, the employer must be able to demonstrate that you are actively working to provide a safe workplace. See below for more information.
2. Current state safety and health statistics show that 50% of all roofers already have one fall protection violation. A

second fall protection violation within three years is a repeat violation and is subject to the \$126,749 penalty.

3. The best way to avoid a penalty is to prove to the Department of Labor and Industries that your safety and health program is “effective in practice” and that a safety and health violation was due to “unpreventable employee misconduct.” You can only do this by doing the following:
 - a. Have regular safety training and document who was trained and what type of training the workers received.
 - b. Have some way to show that that the worker understood the training such as a quiz after the training was completed. Keep those records
 - c. Conduct random and unannounced jobsite safety inspections and document each inspection and keep that documentation.
 - d. Have a very effective worker safety discipline program and prove you are applying it. Keep those documents.
 - e. Claim “unpreventable employee misconduct” if your company is cited for a safety violation and be prepared to show the proof as listed above in a – d to the Department of Labor and Industries. The steps in a – d must be done over time, for a year or more, to prove your company is “effective in practice.” Be aware, this claim of

“unpreventable employee misconduct” does not work every time, but your chances of beating a citation are greatly increased if you have the proof listed above.

4. RCAW provides outstanding safety and health training programs for RCAW members. Use those programs to avoid these higher penalties. RCW will also help you review your safety and health program and advise you how you can make it better to avoid a costly safety and health penalty.
5. Consider asking the Department of Labor and Industries for a consultation visit from a safety and health consultant and use the consultation to strengthen your claim of being “effective in practice.” Contact RCAW for more details.

New Apprenticeship Utilization Law Passes 2018 Legislature

Roofing contractors working on public projects costing more than \$1 million need to comply with a new law requiring 15% of the roofing work hours on the project were performed by state approved apprentices. The new law (HB 1849) requires roofing contractors who do NOT have 15% of the roofing work hours on the project performed by state approved apprentices, are subject to monetary penalties. The new law says that roofing contractors that DO have 15% of the roofing work hours on the project performed by state approved apprentices are eligible for monetary incentives. This new Apprenticeship Utilization legislation takes effect on 1/2020. The state agencies will be busy in the coming year figuring out:

- How the monetary incentives will work



ROOFING REPORT

Volume: 44 Issue 3 MARCH 2018 – Sefton Oxford - EDITOR

- How the monetary penalties will work
- How the entire law will work

RCAW will be there to keep you advised about how this new law will work.

RCAW will also be actively looking into apprenticeship options for roofing contractors. IBA and RCAW opposed the apprenticeship utilization legislation (HB 1849) in the 2018



legislature. IBA and RCAW stopped the apprenticeship utilization legislation in 2017. With the election of one more Democrat to the Washington State Senate that gave control of the state Senate to the Democrats, the



IBA and RCAW were unable to stop this legislation in 2018. The fact that the AGC worked to “perfect” this legislation

and make it something they could “live with” made it extremely difficult to defeat this legislation in 2018.

New Training Required Before Contractors Can Bid on Public Projects

Roofing contractors who want to bid to work on public projects will be required to complete new public contractor training before they will be allowed to bid on public projects as a result of the passage of HB 1674 by the 2018 Legislature. There is an exemption to this requirement for contractors who have completed three or more public contractors and have had a state business license for three years or more.

This new law takes effect on 7/2018.

State agencies have are not yet prepared to implement this new law, so the implementation of the law will be delayed until:

- The training course is developed

- After the grandfathering for existing contractors who have completed three or more public contractors and have had a state business license for three years or more is developed and implemented.
- Etc.

RCAW and IBA will be working with state agencies to “fill-in-the-blanks” as listed above to implement this legislation.

IBA and RCAW opposed (HB 1674) in the 2018 Legislature. IBA and RCAW stopped HB 1674 legislation in 2017. With the election of one more Democrat to the Washington State Senate that gave control of the state Senate to the Democrats, the IBA and RCAW were unable to stop HB 1674 in 2018. The fact that the AGC worked to “perfect” this legislation and make it something they could “live with” made it extremely difficult to defeat this legislation in 2018.

Other Legislative Issues Affecting Roofing Contractors

There are a number of other legislative issues that will affect roofing contractors that are described in the March, IBA small Business Report that every RCAW member receives and should read carefully.

RCAW/IBA Reminder

(By; Gary Smith of the IBA)

In December 2017, we advised IBA members of their responsibility to post OSHA 300A form from February 1st through April 30th. This notice is a reminder of that requirement.

Employers – OSHA 300 Reporting



ROOFING REPORT

Volume: 44 Issue 3 MARCH 2018 – Sefton Oxford - EDITOR

Who must report?

Employers with 10 employees *at any time* during that calendar year, the employer may come under the OSHA 300 and OSHA 300A requirement. When counting employees, you must include full-time, part-time, temporary, and seasonal workers. This exemption is based on the employment of the entire company rather than the establishment. For example, if a company has two establishments, one with 5 employees and one with 7 employees, the company must fill out the forms for each establishment because the company employment is greater than 10. There is an exemption for establishments classified in certain industries. For example, the forms do not need to be completed for restaurants, banks, and medical offices. A complete list of exempt industries can be found on the Recordkeeping page by using the Partially Exempt Industries link: <https://www.osha.gov/recordkeeping/ppt1/RK1exempttable.html>.

What Forms Do Employers Need To Report On?

There are three forms you--the employer--must complete. OSHA forms 300 and 301 are maintained on an ongoing basis. Recordable injuries and illnesses must be entered on these forms as they occur throughout the year. The OSHA Form 300A is completed after the end of the year, summarizing the number of recordable cases that occurred. Employers may use equivalent forms in place of these forms as long as the equivalent forms contain all of the same data elements and are as easy to read as the OSHA forms. Access the forms and instructions at: <https://www.osha.gov/recordkeeping/new-osha300form1-1-04.pdf>

What must be reported?

Fatalities must be reported along with any injury or illness as an abnormal condition or disorder. Injuries and illnesses include cases such as cuts, fractures, sprains, skin diseases, or respiratory conditions. For OSHA recordkeeping purposes, an injury or illness can also consist of only subjective symptoms such as aches or pain.

Exposures that do not result in signs or symptoms are not considered injuries or illnesses and should therefore not be recorded on the OSHA forms. For example, if an employee is exposed to chlorine and does not exhibit any signs or symptoms due to the exposure, the case would not be recorded on the Log, even if it involved prophylactic—that is, preventative--medical treatment.

See <https://www.osha.gov/recordkeeping/tutorial/508.html> for more details

What If Employer Has No Reportable Work Related Injuries?

All establishments covered by Part 1904 must complete the Summary of Work-Related Injuries and Illnesses (OSHA 300A), even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary. Using the Form 300, count the individual entries you made for each category. Then, write the totals on the left side of the Form 300A, making sure you've added the entries from every page of the Log. **If you had no cases, write in a zero.**

What Form Must Be Posted?

Employers required to maintain an OSHA 300 form must post an OSHA 300A form (OSHA 300A is a

summary of the OSHA 300) from February 1 – April 30th

DO NOT POST the OSHA 300 FORM as it contains confidential information



Beacon Roofing Supply

RCAW Platinum Sponsor and Parent Company of ABR & Intermountain Supply. RCAW Golf Co-anchor Sponsor. Proud sponsor of the RCAW Golf 2017 Golf Tournament.

Our thanks for the continued support from all our very dedicated sponsors.



FIRST AID AND CPR CLASSES

We are offering **First Aid or CPR classes** to any member company; \$44 for members per person. Please can you contact Sonya Wytcherley 253-205-

7277 call or Text for an appointment. There is a minimum charge \$275 for up to 5 people. Above 5 to 12 will be plus \$44 per person. These costs are for RCAW Members only. Non-Members will be \$75/person with a minimum of \$375 for up to 5 people, thereafter it will be plus \$75/person in addition to the minimum.

GOLF TOURNAMENT ANCHOR SPONSORS

We are proud to acknowledge the Anchor Sponsors of our 2017 golf tournament are GAF and Beacon Roofing Supply. We thank you for your continued support.



RCAW Gold Sponsor & RCAW Golf Co-anchor Sponsor.

Proud sponsor of the RCAW Golf 2013,14,15,16 & 2017 Golf Tournaments.

Building Relationships

By: - Susan Lind (Umpqua Bank)

Building relationships and believing in the best in people is Umpqua in a nutshell. Recently I received a customer referred from a member of RCAW. They were in dire need of a roof and financing but there were some challenges. I listened to their whole story. It was amazing. A family held together by the strong love a family should have for each other. This couple had spent everything they had to get custody of their grandchildren and were already taking care of their parents. Their credit had taken a big hit. Not due to negligence but sometimes life throws us a curve ball, and we have to deal with it the best we can. They were an automatic decline. But I knew if their circumstances were taken into consideration, the heart of Umpqua would make a different choice. With several phone conversations, emails, and the desire to change life's circumstances, the loan's decline status was



UMPQUA
B · A · N · K

changed to approved and moved on through the process. That one choice will

change the life of a family that was thrown a curve



ROOFING REPORT

Volume: 44 Issue 3 MARCH 2018 – Sefton Oxford - EDITOR

ball and have done all they can to keep their family together. That's how we earn our tagline "the world's greatest bank".

them the opportunity to review your current liability or health policy in order for them to develop a comprehensive, specialized program for your business.

Bloodborne Pathogens

By: - George Kupets, Senior vice President, Bell Anderson Insurance

More than ever, businesses are required to have written programs on all kinds of topics ranging from Hazardous Communication to Fall Protection. One area where we see OSHA cracking down the most is in regard to Blood borne Pathogens which are infectious microorganisms present in blood that can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV), the virus that causes AIDS. Workers exposed to blood borne pathogens are at risk for serious or life-threatening illnesses. Below is a written program that you can use in your business to address the risk of blood borne pathogens.

Bell Anderson Insurance is an **RCAW** member, has years of experience in the roofing industry, and represent the insurance for several RCAW members. **Bell Anderson** is a total lines agency providing property, casualty, life, health, bonding and personal lines coverage. They are one of the largest independent agencies in the Northwest and have excellent access to carriers, coverage, and bonding exclusive to your industry. In addition, they will help you implement a vast range of safety programs. So, when you are approached by **George Kupets** (georgek@bell-anderson.com; 206-465-3298) or **Fred Miller** (fredm@bell-anderson.com; 206-920-3489) please give

Reference Standard

Occupational Safety and Health Administration (OSHA); Blood borne Pathogens, Subpart Z, 29 CFR 1910.1030

Purpose

This program is designed to eliminate or minimize employee exposure to blood borne pathogens.

Scope

This program applies to all of our company employees, all contractors and vendors performing work on company property as well as all other individuals who are visiting or have business with our company.

Note: This training guide does not apply to HIV and HBV research laboratories and HIV and HBV production facilities.

Responsibilities

Management is responsible for the development and review of this program. Management is also responsible for appropriate employee training. Management and supervisors are responsible for the enforcement of this program.

Employees must comply with all procedures outlined in this policy.

Contractors and vendors must comply with all procedures outlined in this policy.

Definitions

Bloodborne Pathogens: (BBP) Pathogenic microorganisms that are present in human blood and can cause disease to humans, such as HIV and Hepatitis B.

Contaminated: The presence (or the reasonably anticipated presence) of blood or other potentially infectious materials on an item or surface.

Contractor: A non-company employee being paid to perform work in our facility.

Exposure incident: Any specific eye, mouth, other mucous membrane, non-intact skin or other contact with blood or potentially infected material.

Other Potentially Infected Material: (OPIM) Any bodily fluid that is visibly contaminated with blood or any fluids in which it is difficult or impossible to tell what the fluid is and/or if it is contaminated with blood.

Personal Protective

Equipment: (PPE) Gloves, safety glasses, suits, face shields, and similar items worn to prevent contact with blood or other bodily fluids.

Regulated Waste: Liquid or semi-liquid blood or OPIM in a liquid or semi-liquid state if compressed; items that are caked with dried blood or OPIM and are capable of releasing these materials during handling; contaminated sharps; wastes containing pathogens or microbiological waste.

Sharps: Medical devices with a point or a blade capable of penetrating human skin (e.g. hypodermic needles, scalpels, etc.).

Universal Precautions: Our approach to infection control. All bodily fluid will be treated as if it was contaminated with a blood borne pathogen and appropriate protection and sanitation steps will be taken.

Vendor: A non-company employee being paid to perform a service in our facility.

Procedure

Exposure Control Plan

There are only two possibilities for blood borne pathogens exposure in our facility:

While responding to an illness or injury to provide first aid care; or

When cleaning and sanitizing a bodily fluid spill.

Additionally, an employee could experience unintended exposure from contact with blood or OPIM.

Accordingly, there are no direct engineering controls available. Our exposure control plan is:

1. Only designated personnel who are trained, authorized and equipped to respond to medical emergencies and or bodily fluid spills will do so. All other personnel will avoid contact and notify their supervisor if a spill or exposure incident is encountered;
2. While responding to bodily fluid spills, an appropriate level of PPE will be worn including:

Safety glasses—Incidents with minimal exposure potential (e.g. a laceration with minimal bleeding);



ROOFING REPORT

Volume: 44 Issue 3 MARCH 2018 – Sefton Oxford - EDITOR

Face Shield—Incidents with a potential of bodily fluid becoming airborne (e.g. a laceration with spurting, arterial bleeding);
Disposable liquid-proof gloves—All incidents;
Apron (or disposable suit) and shoe covers—Incidents with a potential of bodily fluid becoming airborne or incidents in which response personnel could walk through a spill or move against material contaminated with a spill; or
Barrier mask and/or Bag Valve Mask—Incidents requiring mouth-to-mouth or mouth-to-nose breathing;

Adequate supplies of personal protective equipment are kept in the following locations:

(List locations of BBP PPE)

3. Regulated waste (such as contaminated dressings and bandages) and other materials will be double bagged in red biohazard bags and disposed of as regulated waste using an approved disposal contractor. We do not use any medical sharps;
4. All potentially contaminated surfaces will be cleaned and sanitized with an approved sanitizing solution or will be disposed of as contaminated medical waste. Personnel performing this duty will be trained

in all aspects of this plan and will be required to wear appropriate PPE as outlined above;

5. After performing necessary duties personnel will clean, sanitize, remove and discard any contaminated PPE;
6. All personnel are required to wash their hands with soap and warm water (waterless skin sanitizer is available to use when potable water is remote from the scene) immediately after removing PPE;
7. If an exposure is suspected, any employee, trained or untrained, should immediately:

Wash exposed skin surfaces with large amounts of soap and warm water;
Rinse exposed mucus membranes with large quantities of warm water;
Report any actual or suspected exposure incident to their supervisor or the plan administrator. The employee will immediately be referred to a physician or other licensed health care provider for a confidential follow-up (at no cost to the employee);

Plan Review

The program administrator will review and revise this plan annually and as needed.

Training

All employees who are authorized to respond to potential exposure incidents will be trained annually regarding this exposure control plan and their duties.



ROOFING REPORT

Volume: 44 Issue 3 MARCH 2018 – Sefton Oxford - EDITOR

Employees who have no occupational contact with potentially contaminated materials will receive awareness training upon hire.

Hepatitis B Vaccination

All personnel who are assigned job duties where they are required to respond to potential exposure incidents will be offered the Hepatitis B vaccination series at no cost. The initial offer of the Hepatitis B vaccination will be within 10 days of assignment. If the employee initially declines the vaccination he or she can rescind the declination at any time. Any employee who declines the Hepatitis B vaccination is required to sign the declination form. (See Appendix A for copies of the Acceptance and Declination statements)

Recordkeeping

The employer will maintain accurate records for each employee with exposure to blood borne pathogens. Each exposed employee record will include: The name and Social Security number of the employee; A copy of the employee's hepatitis B vaccination status (including the dates of all the hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination);

A copy of all results of examinations, medical testing, and follow-up procedures;

The employer's copy of the healthcare professional's written opinion; and

A copy of the information provided to the healthcare professional.

The employer will ensure that employee medical records are kept confidential and not disclosed or reported without the employee's express written consent to any person within or outside the

workplace, except as required by this section or as may be required by law.

First Aid Essentials

From L&I web site

Emergencies can happen at work in the blink of an eye. Providing first aid assistance and first aid supplies and equipment can help reduce the severity of an injury, the cost of medical bills, and the length of time an employee is unable to work due to work place injuries or medical emergencies such as the following:

- Amputation(s).
- Allergic reactions.
- Broken bones.
- Burns.
- Eye and face (flying debris).
- Head and body trauma.
- Heart attack or stroke.
- Heat illness.
- Lacerations.
- Seizures.
- Shock.

Information provided in this topic page can help employers and employees identify and evaluate existing and foreseeable safety and health hazards. It also provides resources to help with training, prevention methods, and the development and implementation of a required accident prevention program (APP).



More help from L&I

- [Getting Started with Safety.](#)
- [Consultation Services.](#)
- [Workplace Safety Complaints.](#)
- [Worker Rights to a Safe Workplace.](#)

For general information, call **1-800-423-7233**.

Related Topics

- [Accident Prevention Program](#)
- [Bloodborne Pathogens \(BBP\)](#)
- [Construction Industry Safety & Health](#)
- [Emergencies In The Workplace](#)
- [Emergency Washing](#)
- [Outdoor Heat Exposure](#)
- [Recordkeeping and Reporting of Worker Injuries \(OSHA 300 Log\)](#)
- [Reporting a Workplace Death, Injury or Hospitalization](#)
- [Safety Bulletin Board](#)