

MEMBERS' WINTER 2022 EDITION  
*Pennsylvania*



**LICA**

Since 1970

## REGISTRATION FORMS AND CONVENTION DETAILS ARE INSIDE!

**PALICA's State Convention will be held  
at the Toftree's Golf Resort in State  
College PA**

**THURSDAY, FEBRUARY 23<sup>RD</sup> –  
SATURDAY, FEBRUARY 25<sup>TH</sup> 2023  
Room Rates are \$79/night + tax**

**IT WILL BE A GREAT 2 DAYS OF  
CLASSES, INFORMATION, FUN  
AND MEETING UP WITH OTHER  
MEMBERS.**

**PLEASE RETURN FORMS ASAP &  
make hotel reservations BY 1/26/23**

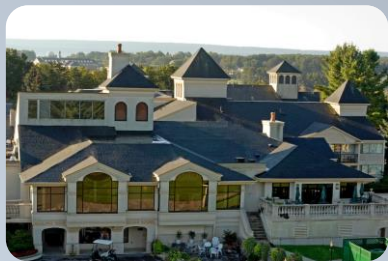
**(Registration forms can be emailed back to  
Joanie or call in your registration info – payment  
can be mailed separately )**



**PALICA  
775 MERCER ROAD  
GREENVILLE PA 16125**

**TO:**

**Toftree's Golf Resort**  
One Country Club Lane  
State College, PA 16803  
814-234-8000



**Nightly rate is \$79.00 + tax for a King Room or 2 Doubles**

The room block is under *PALICA Conference* – you can call to book your room or book online @  
<http://bookings.ihotelier.com/bookings.jsp?groupID=3451035&hotelID=97834>

**DEADLINE TO RESERVE YOUR ROOM AT THE SPECIAL RATE IS JANUARY 26<sup>TH</sup>.** You can  
always cancel your reservation but once the block closes, the rates will change.

**CLASSES/SPEAKERS CURRENTLY SLATED  
for Friday & Saturday**

1. DEP - Question & Answer Panel
2. PENNVEST – Homeowner Sewage Loan Program
3. Septic Design & Maintenance Class – (tentative)
4. Erosion Control & Wetlands Class
5. Hands-On Trench Box Building Class
6. 811 Class on Online Call Reporting & Ticket Management
7. TOPCON Solutions – 3D Machine Mounted Application Class & Demo
8. How to Bid Government Jobs/Contracts
9. Information on the new LICA Health Insurance Program

**\*\*Classes and speakers are subject to change**

**THE PENNSYLVANIA LICA BOARD  
MEETING AND MEMBERSHIP  
MEETING WILL TAKE PLACE ON**

**THURSDAY FEBRUARY 23<sup>RD</sup> from  
3pm-5pm (SEE AGENDA DETAILS INSIDE)**

**Followed by pizza, snacks and drinks  
in the hospitality suite - 5pm-11pm.**



**If you're able to arrive Thursday,  
please join us for the board meeting  
and the hospitality suite. There will  
be registration packets for all to pick  
up at that time.**

## THURSDAY, FEBRUARY 23RD

3:00 pm – 4:30 pm

**Registration and Board Meeting**

4:30 pm – 6:00 pm

**PALICA Annual Meeting**

6:00 pm – 10:00 pm

**Hospitality Suite – Pizza/snacks/drinks**

## FRIDAY, FEBRUARY 24TH

8:30 am – 9:00 am

**Breakfast items available in meeting room**

9:00 am – 9:45 am

**PENNVEST -Presentation on availability of loans for homeowners**

10:00 am – 12:00 pm

**DEP Panel with a Q & A Session**

11:45am – **Ladies leave for cooking class**

12:00pm- **15 Minute Break**

12:15 pm – 12:45 pm

**Drain Tile Safety Coalition – Deanna Centurion**

1:00 pm – 2:00 pm

**Lunch – Update of LICA Veteran’s Educational Program by Eddy Mayan**

2:15 pm – 3:30 pm

**TOPCON Solutions – Overview of 2D & 3D machine control for compact track loaders and mini excavators**

3:30pm **15 Minute Break**

3:45pm – 4:45 pm

**Monica Rakoczy – OSHA safety speaker – *Everybody, Anybody, Somebody & Nobody – Whose Job is Safety?***

5:30 pm – 9:00 pm **Associates Night, Dinner, Open Bar, Welcome New Members & Scholarship Auction**

9:00 pm – 11:00 pm – **Hospitality Suite will be open**

**(ASSOCIATE MEMBERS CAN HAVE THEIR TABLES UP FROM FRIDAY MORNING THRU SATURDAY NIGHT AND CAN TEAR DOWN AFTER CLOSING DINNER.)**

## CONVENTION AGENDA

**(times & speakers subject to changes)**

## SATURDAY, FEBRUARY 25TH

8:30 AM – 9:00 am

**Breakfast items available in meeting room**

9:00 am – 10:00 am

**811 – Online ticket management for 811 calls**

10:00 am – **Ladies Sip & Paint Class (2 hours)**

10:15 am – 10:45 am

**Erosion Control – Wetlands - Joe Greco**

10:45 am **10 Minute Break**

11:00 am - 11:45 am

**Septic Design & Maintenance (tentative)**

12:00 pm – 1:00 pm

**Lunch w/Speaker**

1:15 pm – 2:15 pm

**Tips on how to Bid Gov’t Jobs - Eddy Mayan**

2:30 pm – 5:00 pm

**Hands on Trench Box Building & Safety Class w/OSHA safety speaker Monica Rakoczy**

**\*\*\* (All attendees for this class will receive a hard hat & goggles with registration-please note on sheet that you will be taking this class)**

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6:00 pm – 8:00 pm

**Closing dinner**

8:00 pm – 10:00 pm

**Hospitality Suite will be open –**

**2023 State Convention comes to a close**





## 2022 PALICA 53<sup>rd</sup> Annual STATE CONVENTION REGISTRATION

Toftrees Golf Resort, One Country Club Lane – State College, PA  
February 23<sup>rd</sup> – 25<sup>th</sup> 2023

COMPANY NAME: \_\_\_\_\_

- IF YOU ONLY WANT TO ATTEND JUST ONE OF THE DAYS OR SEND ADDITIONAL EMPLOYEES FOR JUST A DAY, CONTACT JOANIE FOR SPECIAL PRICING OPTIONS.
- REMEMBER THAT ATTENDING EDUCATIONAL SEMINARS IS TAX DEDUCTIBLE -SAVE YOUR RECEIPTS FOR YOUR ACCOUNTANT.

<u>Attendee Names:</u>	<u>Entire Convention Fee</u> <u>\$225.00 PP</u>	<u>Ladies Activities – Cooking Class</u> <u>and Sip 'n Paint Class - \$50.00 PP for both</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
GRAND TOTAL FOR ENTIRE CONVENTION: \$ _____		

**\*\*HOW MANY IN YOUR GROUP WILL BE TAKING THE TRENCH BOX BUILDING CLASS: \_\_\_\_\_ (please fill this in)**

**HOTEL RESERVATIONS NEED TO BE MADE BY 1/26/23 TO GET THE (\$79/NIGHT + TAX) RATE – YOU CAN ALWAYS CANCEL– IF YOU CALL AFTER 1/26/23 YOU CAN STILL ASK FOR THE PALICA BLOCK NAME BUT THERE'S NO GUARANTEES ON RATES – 814-234-8000 (direct line to hotel)**

Or Book online at: <http://bookings.ihotelier.com/bookings.jsp?groupID=3451035&hotelID=97834>

**Registrations must be received by February 14, 2023 w/payment in order to have correct count for food and meeting space.** You can email this sheet to Joanie @ [pennsylvanialica@gmail.com](mailto:pennsylvanialica@gmail.com) prior to that date and mail check separately. Credit cards accepted – fill in info below.

Checks can be made out to PALICA, 775 Mercer Road, Greenville, PA 16125 (724-866-1082). Credit cards are accepted as well (a 4% processing fee will be added on)

CC# \_\_\_\_\_

Exp. Date: \_\_\_\_\_ CVC # \_\_\_\_\_ Name on Card: \_\_\_\_\_

## LADIES ACTIVITIES

Friday you will be going off-site to take a 2-hour cooking class



***LET'S  
BRUNCH!***

where you'll prepare and eat brunch  
at the Taste Buds Kitchen in State College (car pooling would be best).

- NAME(S) ATTENDING: \_\_\_\_\_
- TOTAL # OF PEOPLE ATTENDING \_\_\_\_\_ X \$25 pp = \$ \_\_\_\_\_

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Saturday morning, we will be having a Sip-N-Paint Class off-site.

- NAME(S) ATTENDING: \_\_\_\_\_
- TOTAL # OF PEOPLE ATTENDING \_\_\_\_\_ X \$25 pp = \$ \_\_\_\_\_
- 

**TOTAL TO ATTEND ONE OR BOTH OF THE LADIES' ACTIVITIES: \$ \_\_\_\_\_**

**\*\*\*CHECKS CAN BE MADE OUT TO PALICA AND INCLUDED WITH YOUR REGISTRATION FEE**



## PENNSYLVANIA LICA BOARD OF DIRECTORS

### PRESIDENT

**BARRY MUTZABAUGH JR.**

### VICE PRESIDENT

**JEREMY PRUSKOWSKI**

### TREASURER

**RON RONCAGLIONE**

### IMMEDIATE PAST PRESIDENT

**CHRIS MOORE**

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**DAN MICKSKY**

**MIKE MARTINO**

**JUSTIN HOOVER**

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### ASSOCIATE MEMBER

### REPRESENTATIVES:

**JOE GRECO – BIG SWITCH**

**STEVE LATIMER – GROFF**

### EQUIPMENT

### WEBSITE:

[www.pennsylvanialica.com](http://www.pennsylvanialica.com)

### EXECUTIVE DIRECTOR & NEWSLETTER EDITOR

Joanie Micsky  
775 Mercer Road  
Greenville, PA 16125  
724-866-1082

### EMAIL:

[Pennsylvanialica@gmail.com](mailto:Pennsylvanialica@gmail.com)



## President's Message

Hello and Happy New Year! Hoping you all have had a good holiday! The first newsletter of the year brings the news for the state convention. Joanie and the board members have put together a very informative one this year. We have topics from septic, trench safety, 811 and more. Please come in February for good information, entertainment, food and drink. Meet some of our Associates and see what they have to offer you. Hope to see you there and as always, be safe out there!

Barry R. Mutzabaugh Jr., President

## REMINDERS FROM THE EXECUTIVE DIRECTOR:

- Scholarship applications are due to National LICA and PALICA by March 30, 2022.  
**(applications are on the websites)**
- Send me your first PA One Call Invoice of the year, either by email or snail mail so I can get that taken care of for you (Please don't pay yourself and then send to me – it's part of your membership dues).
- Please make sure any updates to your business information gets sent to Joanie so that the upcoming directory has your correct contact info.
- Award Nomination forms are in this publication for Contractor of the Year, Lady LICA of the Year and Associate of the Year. Please consider nominating one of your fellow contractors.  
**Nomination forms are on our website** on convention information page.
- The National Winter Convention is being held in Las Vegas at CON EXPO – go to their website for more details.....[www.licanational.com](http://www.licanational.com)
- Remember if you sponsor a new member to PALICA, you will receive a \$50 SHEETZ gift card.



# Two Dead in Florida Trench Collapse



Ryan Whisner-Equipment World



May 11, 2022--Emergency personnel shored up the sides of the trench to locate the bodies of the two construction workers that perished in a collapse on Monday, May 9.

Two members of a utility construction crew died in a [trench collapse](#) Monday, May 9, in Punta Gorda, Florida.

**The pair had reportedly jumped into the trench to take a quick measurement when the trench collapsed upon them, trapping them both.** The utility project was reportedly part of a \$14 million, five-mile utility extension that is part of an upcoming development in the area.

The two men were identified by the Charlotte County Sheriff's Office as Marco Santiz-Lopez, 41, and Brandon M. Colburn, 25, employees of Guymann Construction of Cape Coral, Florida. Due to the pending investigation, the company declined to **Charlotte County Fire & EMS**

comment about the incident.

The Sheriff's Office Major Crimes conducted a preliminary investigation and found no signs of foul play or criminal intent, ruling the incident on Burnt Store Road an accident.

Charlotte County Fire and EMS Public Relations Manager Todd Dunn says the U.S. Occupational Safety and Health Administration will investigate to determine if the crew was following safety standards. "It wasn't a normal cut into the earth," Dunn said. There were two utility lines, an existing concrete storm sewer and a water transmission line. In addition, he said, the side of the trench was adjacent to the roadway. "The side closest to the edge of the asphalt is what caved in on them," he said.



Firefighters prepare wood beams to prop up a hole Monday, May 9, after a trench collapse near Punta Gorda. Two workers were killed in the collapse. Daily Sun photo by Frank Difiore. According to Dunn's estimates, the trench would have been about 10 feet deep prior to the collapse. While the first victim was found near the surface, the second was found far into the depths of the trench after several hours.

Dunn said the emergency call came in from Burnt Store Road around 3 p.m. Monday. [The Daily Sun](#), the local newspaper, said the 911 call was released to the media on Tuesday. “Hey, help me get him out! He’s moving!” shouted the caller to the 911 dispatcher as sounds of digging were heard. Dunn says deputies were the first to arrive on the scene and apparently got into the trench to assist another Guymann Construction crew member who was trying to keep his co-worker alive with CPR. The man’s head was reportedly still visible above the dirt. Attempts to revive him were unsuccessful, and he was pronounced dead.

When the Charlotte County Fire and EMS members arrived, they immediately got everybody out of the trench, Dunn said. Although at the time the first victim was not out all the way, and the co-worker and deputy had attempted CPR, for their safety and to ensure no one else was hurt, they had to shore up the trench before initiating any further rescue efforts, he said.

According to Dunn, there was no support box in the trench when firefighters arrived. An OSHA inspector was on the scene Monday evening as part of the investigation.

Meanwhile, Dunn said firefighters and EMS personnel quickly worked to deploy wooden beams to shore up the trench and allow them to reach the two victims.

Dunn said Charlotte County firefighters were assisted by Lee and Collier counties, as well as Florida Urban Search & Rescue Task Force 6 members. Task Force 6 is a team of specially trained members from different agencies that are called in for specific rescue operations like this.

All together he said there were 30 Charlotte County firefighters and 26 other emergency personnel on scene.

“A lot of work goes into that process,” he said. “We have to unload the wood, cut parts to length and put them down in the trench to keep it from collapsing.”

The first victim was retrieved quickly near the top of the trench. However, it took nearly 4 hours, until around 7:30 p.m. on Monday, May 9, to recover the second victim.



**The trench, part of a water and sewer utility extension, was originally approximately 10 feet deep. The two men had reportedly gone in for a quick measurement.**

Source: Charlotte County Fire & EMS



**At the PALICA convention in February, you will get a hands-on opportunity to build a trench box and learn everything you need to know so that this never happens to you or any of your employees. All those that take the class will also receive a hard hat and pair of goggles from PALICA. Monica Rakoczy will be the instructor for this final class of the convention on 2/25 – DON'T MISS OUT!**



# OSHA Severe Violator Enforcement Expanded to Cases with No Death or Injuries

PUBLICATION OF EQUIPMENT WORLD MAGAZINE



Criteria for placement in [OSHA's](#) Severe Violator Enforcement Program has been expanded to include violations of all hazards and OSHA [safety](#) standards.

Focused on repeat offenders in all industries, previously, an employer could be in the program for failing to meet a limited number of standards. The changes made by the U.S. Department of Labor will broaden the program's scope with the possibility that additional industries will fall within its parameters.

"The Severe Violator Enforcement Program empowers OSHA to sharpen its focus on employers who – even after receiving citations for exposing workers to hazardous conditions and serious dangers – fail to mitigate these hazards," said Doug Parker, assistant secretary of labor. "Today's expanded criteria reflect the Biden-Harris administration's commitment to ensuring OSHA has the tools it needs to ensure employers protect their workers or hold them accountable when they fail to provide safe and healthy workplaces."

Since 2010, the Severe Violator Enforcement Program has focused on enforcement and inspection resources on employers who either willfully or repeatedly violate federal health and safety laws or demonstrate a refusal to correct previous violations. In addition to being included on a public list of the nation's severe violators, employers are subject to follow-up inspections.

"It is critical that OSHA uses all the tools it has available to protect workers when an employer repeatedly disregards their health and safety," Parker states in a blog about the new criteria.

The updated criteria include the following:

- **The expanded program criteria now include all hazards and OSHA standards.** The old criteria were limited to cases involving [fatalities](#), three or more hospitalizations, high-emphasis hazards, the potential release of a highly hazardous chemical (process safety management), and enforcement actions classified as egregious.

- **Employers will be placed in the program if OSHA finds at least two willful or repeated violations or issues failure-to-abate notices based on the presence of high-gravity serious violations.** Under the old criteria, the focus was on cases of willful or repeated serious violation or a hazard the employer failed to abate that was directly related to either an employee death or an incident that caused three or more hospitalizations.
- **Follow-up or referral inspections must be conducted within one year, but not longer than two years, after the final order.** Previously, there was no required time frame in which OSHA would conduct a follow-up inspection after the final order.
- **The potential for removal from the program begins three years after the date of verification that all SVEP-related hazards have been abated, instead of when final order is issued.** A final order and meeting other conditions are still required for removal from SVEP, but the clock for potential removal starts when the employer fixes the hazard instead of at the end of a highly variable administrative process.
- **Employers can reduce the amount of time in SVEP to two years if they consent to an enhanced settlement agreement that involves implementing a safety and health management system.** The system must include the seven basic elements outlined in [OSHA's Recommended Practices for Safety and Health Programs](#). Previously, employers were only eligible for removal from SVEP after three years. These last two changes incentivize employers to fix problems quickly and develop lasting solutions to change their health and safety culture.

"It is the goal of this administration to maximize all tools available to us to ensure employers comply with their legal obligation to provide safe and healthful workplaces," Parker wrote in his blog. "These changes to SVEP will hold a microscope to those employers who continue to expose workers to very serious dangers and help ensure America's workers come home safe at the end of every shift."





## NOMINATION GUIDELINES FOR

### PENNSYLVANIA LICA CONTRACTOR OF THE YEAR AWARD

Please submit the name of your nominee for PALICA CONTRACTOR OF THE YEAR. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in State College.

(use separate sheet of paper if needed)

Nominee for Contractor of the Year: \_\_\_\_\_ Nominator: \_\_\_\_\_

Why you feel they deserve this award: \_\_\_\_\_

\_\_\_\_\_

The following information **could be used** in your submission, but it is not mandatory.

- 1) A brief description of the contractor's business
- 2) Contributions to the PALICA chapter
- 3) Participation in PALICA functions
- 4) Community involvement

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### NOMINATION GUIDELINES FOR PENNSYLVANIA LICA LADY OF THE YEAR AWARD

Please submit the name of your nominee for PALICA LADY OF THE YEAR. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in State College.

Nominee for PA Lady LICA: \_\_\_\_\_ Nominator: \_\_\_\_\_

Please write below why you feel this lady should receive the recognition. \_\_\_\_\_

\_\_\_\_\_

The following information could be used in your submission but it is not mandatory.

- 1) A brief description of this nominee's family and hobbies?
- 2) What community or civic projects or activities make her outstanding?
- 3) How has she been active as a PALICA supporter in your state?

**PLEASE RETURN THESE FORMS WITH YOUR CONVENTION REGISTRATION. IF NOT ATTENDING,**

**PLEASE MAIL TO THE PALICA OFFICE, BY 2/10/23.**



## **Corky Miles Award**

Please submit the name of your nominee for the **CORKY MILES AWARD**. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in State College.

Nominee: \_\_\_\_\_

Nominator: \_\_\_\_\_

**\*\*Candidate must exhibit exemplary effort and dedication towards the growth and sustainability of PALICA.**

In a few sentences, please indicate why you feel the individual you nominated should receive this prestigious award.

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## **ASSOCIATE OF THE YEAR AWARD**

Please submit the name of your nominee for the **ASSOCIATE OF THE YEAR Award**. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in State College.

Nominee: \_\_\_\_\_

Nominator: \_\_\_\_\_

In a few sentences, please indicate why you feel this company you nominated should receive this award.

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**PLEASE RETURN THESE FORMS WITH YOUR CONVENTION REGISTRATION. IF NOT ATTENDING,**

**PLEASE SEND BY ITSELF, BY 2/10/23.**

**Mail to: PALICA  
775 Mercer Road  
Greenville, PA 16125**



# COMPLIANCE OVERVIEW



## OSHA FAQs: Identifying Work-related and Recordable Incidents

In general, the Occupational Safety and Health Act (OSH Act) requires covered employers to prepare and maintain records of recordable, work-related injuries and illnesses. The Occupational Safety and Health Administration (OSHA), part of the U.S. Department of Labor, is the federal agency responsible for administering and enforcing the recordkeeping requirements established by the OSH Act.

Though the general requirement to record occupational injuries and illnesses is simple to understand, determining whether an incident is recordable or work-related is not always easy. In some cases, these determinations can be made only after detailed analysis of the incident.

This Compliance Overview includes a selection of answers to [frequently asked questions](#) (FAQs) that OSHA has published to help employers determine whether an injury or illness is work-related and recordable.

### LINKS AND RESOURCES

- OSHA Injury and Illness Recordkeeping and Reporting Requirements [website](#)
- OSHA Forms – [300, 300A and 301](#)

### Work-related Incidents

An injury or illness is work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness.

### Recordable Incidents

Work-related incidents are recordable if they result in any of the following:

- ☒ A fatality
- ☒ Loss of consciousness
- ☒ Days away from work
- ☒ Restricted work
- ☒ Transfer to another job
- ☒ Medical attention beyond first aid
- ☒ Diagnosis of cancer or a chronic irreversible disease
- ☒ Fractured or cracked bones (including teeth)
- ☒ Punctured eardrums

*Note: There are also special recording criteria for work-related cases involving: needlesticks and sharps injuries; medical removal; hearing loss; and tuberculosis.*

Provided to you by **Prins Insurance, Inc.**



# COMPLIANCE OVERVIEW



## Determining Work-Relatedness

Employers must consider an injury or illness to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception applies.

## Frequently asked Questions

### ***What is the "work environment"?***

OSHA defines the work environment as "the establishment and other locations where one or more employees are working or are present as a condition of their employment. The work environment includes not only physical locations, but also the equipment or materials used by the employee during the course of his or her work."

### ***Are there situations where an injury or illness occurs in the work environment and is not considered work-related?***

Injuries or illnesses that occur in the work environment, but are not considered work-related, are not recordable. An injury or illness occurring in the work environment that falls under one of the following exceptions is **not** work-related:

- At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
- The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside the work environment.
- The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness or recreational activity such as blood donation, physical examination, flu shot, exercise class, racquetball or baseball.
- The injury or illness is solely the result of an employee eating, drinking or preparing food or drink for personal consumption (whether bought on the employer's premises or brought in).
  - For example, if the employee is injured by choking on a sandwich while in the employer's establishment, the case would not be considered work-related. However, if the employee is made ill by ingesting food contaminated by workplace contaminants (such as lead), or gets food poisoning from food supplied by the employer, the case would be considered work-related.
- The injury or illness is solely the result of an employee doing personal tasks (unrelated to his or her employment) at the establishment outside of the employee's assigned working hours.
- The injury or illness is solely the result of personal grooming or self-medication for a non-work-related condition, or is intentionally self-inflicted.
- The injury or illness is caused by a motor vehicle accident and occurs in a company parking lot or on a company access road while the employee is commuting to or from work.
- The illness is the common cold or flu.
  - Note: Contagious diseases such as tuberculosis, brucellosis, hepatitis A and plague are considered work-related if the employee is infected at work.
- The illness is a mental illness.
  - Mental illness will not be considered work-related unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and

# COMPLIANCE OVERVIEW



experience (such as a psychiatrist, psychologist or psychiatric nurse practitioner) stating that the employee has a mental illness that is work-related.

## ***How do I handle a case if it is not obvious whether the precipitating event or exposure occurred in the work environment or occurred away from work?***

In these situations, you must evaluate the employee's work duties and environment to decide whether or not one or more events or exposures in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing condition.

## ***How do I know if an event or exposure in the work environment "significantly aggravated" a pre-existing injury or illness?***

A pre-existing injury or illness has been significantly aggravated, for purposes of OSHA injury and illness recordkeeping, when an event or exposure in the work environment results in any of the following:

- Death, provided that the pre-existing injury or illness would likely not have resulted in death but for the occupational event or exposure.
- Loss of consciousness, provided that the pre-existing injury or illness would likely not have resulted in loss of consciousness but for the occupational event or exposure.
- One or more days away from work, or days of restricted work, or days of job transfer that otherwise would not have occurred but for the occupational event or exposure.
- Medical treatment in a case where no medical treatment was needed for the injury or illness before the workplace event or exposure, or a change in medical treatment was necessitated by the workplace event or exposure.

## ***Which injuries and illnesses are considered pre-existing conditions?***

An injury or illness is a pre-existing condition if it resulted solely from a non-work-related event or exposure that occurred outside the work environment.

## ***How do I decide whether an injury or illness is work-related if the employee is on travel status at the time the injury or illness occurs?***

Injuries and illnesses that occur while an employee is on travel status are work-related if, at the time of the injury or illness, the employee was engaged in work activities "in the interest of the employer." Examples of such activities include travel to and from customer contacts, conducting job tasks and entertaining or being entertained to transact, discuss or promote business (work-related entertainment includes only entertainment activities being engaged in at the direction of the employer).

Injuries or illnesses that occur when the employee is on travel status do not have to be recorded if they meet one of these two exceptions:

- When a traveling employee checks into a hotel, motel or other temporary residence, he or she establishes a "home away from home." Employers must evaluate the employee's activities after he or she checks into the hotel, motel or other temporary residence for their work-relatedness in the same manner as an employer evaluates the activities of a non-traveling employee. When the employee checks into the temporary residence, he or she is considered to have left the work environment. When the employee begins work each day, he or she re-enters the work environment. If the employee has established a "home away from home" and is reporting to a fixed worksite



# COMPLIANCE OVERVIEW



each day, injuries or illnesses are not considered work-related if they occur while the employee is commuting between the temporary residence and the job location.

- Injuries or illnesses are not considered work-related if they occur while the employee is on a personal detour from a reasonably direct route of travel (for example, has taken a side trip for personal reasons).

## *How do I decide if a case is work-related when the employee is working at home?*

Injuries and illnesses that occur while an employee is working at home, including work in a home office, will be considered work-related if the injury or illness occurs while the employee is performing work for pay or compensation in the home, and the injury or illness is directly related to the performance of work rather than to the general home environment or setting.

For example, if an employee drops a box of work documents and injures his or her foot, the case is considered work-related. If an employee's fingernail is punctured by a needle from a sewing machine used to perform garment work at home, becomes infected and requires medical treatment, the injury is considered work-related.

If an employee is injured because he or she trips on the family dog while rushing to answer a work phone call, the case is not considered work-related. If an employee working at home is electrocuted because of faulty home wiring, the injury is not considered work-related.

Source: [\*Occupational Safety and Health Administration\*](#)

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- ✓ BEST PERFORMANCE
- ✓ MOST RELIABLE
- ✓ EASILY REBUILDABLE



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- 5-COLOR LED STATUS INDICATOR LIGHTS
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# Pennsylvania 811

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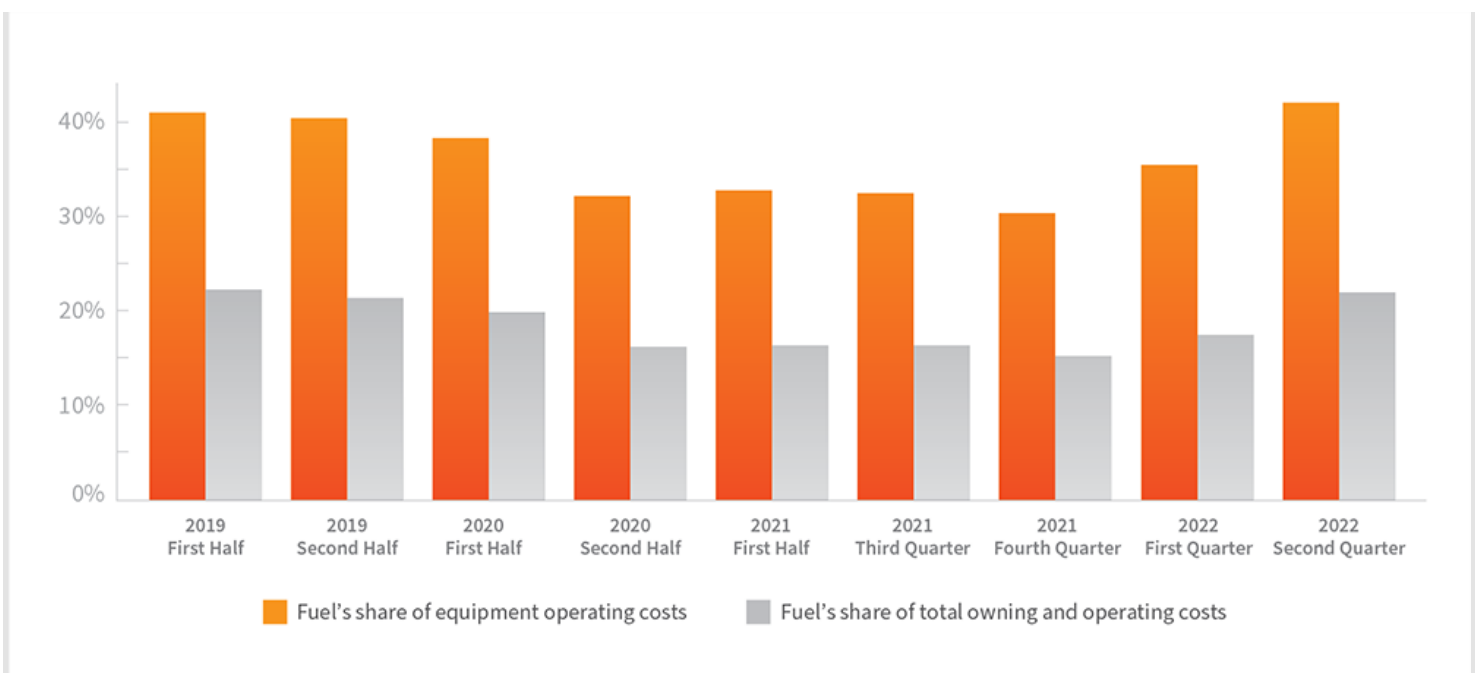


## HOW DO FUEL PRICES AFFECT YOUR BUSINESS?

Everyone is paying the price when it comes to these incredible increases in fuel. The end looks to be nowhere in sight so some have had to make some hard decisions within their companies.

You can read it in the headlines and see it on your bottom line: The construction economy has been turned upside down. First, [supply chain restraints](#) put major pressure on sourcing construction equipment – both new and more recently used channels. Then, supply chain challenges and other economic factors led to shortages of materials, parts, and labor, driving up those costs, too. Massive increases in fuel prices are just the latest headache.

To illustrate, [the producer price index](#) for inputs to new non-residential construction rose 20.9 percent over the past 12 months. At the same time, an index that tracks what contractors say they would charge to erect five types of nonresidential buildings rose 19.9 percent. The cost index has risen more than the bid-price index on a year-over-year basis for 19 straight months, notes Ken Simonson, Associated General Contractors' chief economist. And let's not forget labor. Worker pay [jumped 6.3 percent in May](#) from the prior year, the largest increase in 40 years.





## How the price of fuel affects your operating costs

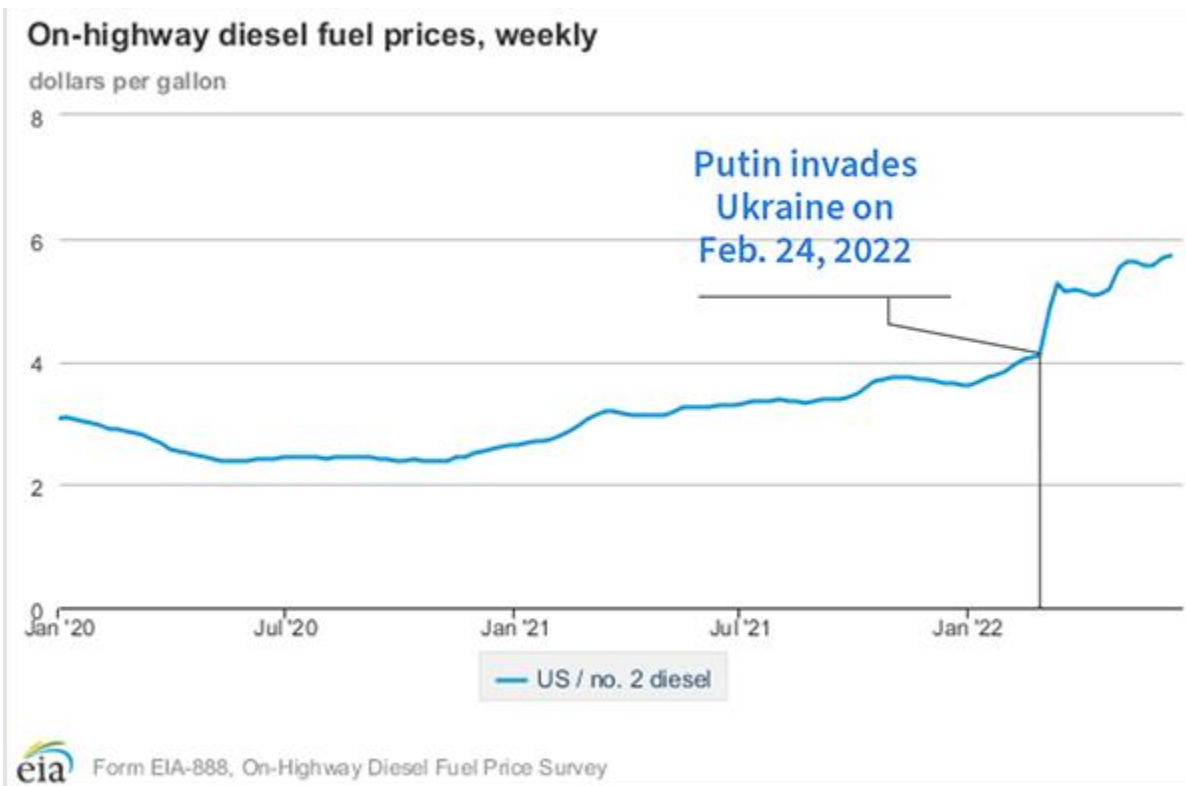
Fuel currently makes up more than 40 percent of your equipment operating costs and nearly 22 percent of your total owning and operating costs, according to an analysis of EquipmentWatch data.

## Think about that for a minute and try not to cringe!

On top of all those rising costs, fuel prices have increased 74 percent over the last 12 months. Fuel currently comprises nearly 42 percent of your machine operating costs according to an analysis by EquipmentWatch, owned by Equipment World's parent company, Randall Reilly. (Other operating costs include field labor and parts, lube, and track or tire wear and tear.) On-highway diesel fuel hit an all-time record on June 6, jumping to an average of \$5.81 per gallon, \$2.59 higher than one year ago.

**Such fuel cost volatility especially impacts contractors with large projects already in motion. These bids were approved months, sometimes years ago, and in many cases, there is no recourse for recouping the unexpected added fuel costs. That alone can be enough to put anyone out of business.**

With profit margins hovering around 3 percent for heavy civil projects, such discrepancies between what contractors pay versus what they can charge are not sustainable, says Nick Holsinger, EquipmentWatch Strategic Account Manager.



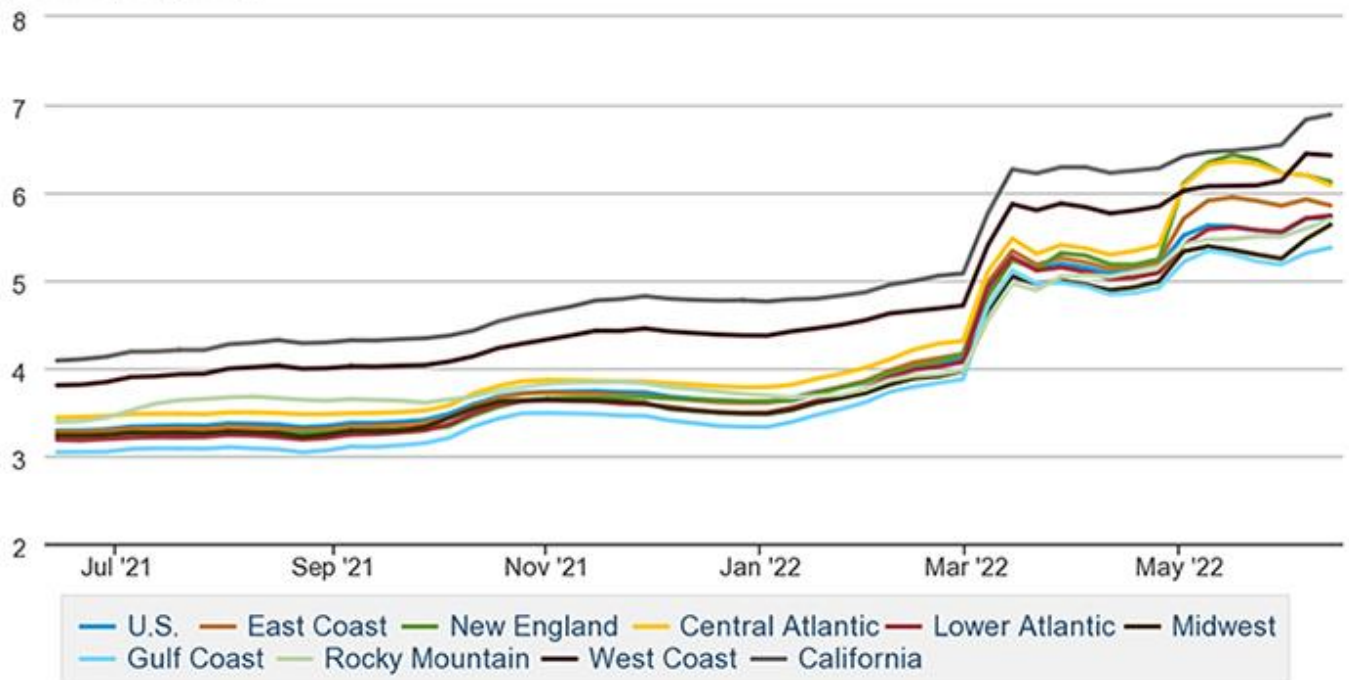
## Sky high diesel

The price of diesel fuel was \$2.40/gallon two years ago and started increasing in March of last year. Then in March of this year prices shot straight up for 2 weeks (due in part to Russia's war in Ukraine and the response via sanctions, according to GasBuddy), before leveling off briefly and then beginning another steep climb.

“Not since 9/11 have we seen this level of impact on our business,” says Brett Ames, district president with SEMA Construction, Denver, Colo., a full-service construction firm that operates 1,000 pieces of equipment. “These recent fuel price increases impact more than just what we are pumping into the equipment.”

## On-Highway Diesel Fuel Prices

(dollars per gallon)



Source: U.S. Energy Information Administration

And the situation is likely to get worse. While the [construction industry](#) celebrated the passage of the \$1.2 trillion infrastructure package last November, most of that money has yet to be spent. With too many dollars already chasing too few goods and driving up inflation, what will happen when 50 states and countless municipalities all start projects and try to buy materials, hire workers, and fuel equipment?



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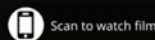
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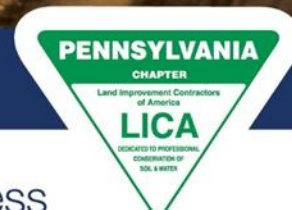


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