

SAFETY FIRST

WITH TAMMY K. CLARK



Construction Headaches: Owner-Supplied Contractors (Part 1C)

In [Part 1B](#) of the series, “Owner-Supplied Contractors”, we discussed the problems that owners are creating for themselves and for the industry when they bypass the GC/CM relationship and hire contractors directly. This is a serious problem for the industry today, so the industry must address this problem collectively. The focus of this month’s article is on realistic solutions to this problem.

As with all things safety and compliance-related, this is actually not a difficult problem to solve. If you ask my clients what my motto about safety is, they will all tell you what I am known for saying: “Safety is not hard; It is just about planning and communication.” This issue is no different. It simply comes down to planning and good communication, *pre-construction*. If we recognize this issue and plan to get ahead of it, we can remain proactive and in control. By having effective pre-construction meetings with our clients, the owners, to inform them of all legal requirements with project management, and educating them on their own role with site safety, this issue should be resolved before it ever becomes an issue.

My clients are having great results resolving this issue by strategically addressing it in all pre-construction meetings and conversations with the owners. By educating owners and clients about the legal responsibilities the GC/CM firm carries, and informing clients of their own legal obligations to ensure a safe site, owners will buy in rather easily. Think about it; what do owners know about construction? What do they know about regulatory issues that affect them? Even if they have an owner’s rep, the answer is still pretty much, nothing. We must recognize this and do our due diligence to educate them on the regulatory requirements regarding site safety and compliance at all times on their property, their project, and their role in ensuring all of this.

Due to “multi-employer”

clauses in the OSHA standards, there has been legal precedent established where owners have been pulled into citations due to unsafe and/or non-compliant work activities on their projects. If owners understand their own liability in ensuring safe and compliant projects, they will be much more likely to listen when you explain why, if they are going to hire their own contractors, they must require them to follow all site safety rules, sign their crews in daily as the GC/CM firm’s contractors do, and require them to read the site safety rules and acknowledge that they will abide by all safety rules onsite. If the client understands that the legal responsibilities for safety and compliance rest squarely on the shoulders of the GC/CM firm that has been hired to manage the project, they are much more likely to inform their direct-hire contractors that they must follow the GC/CM’s safety rules at all times. If they also understand that they are 100% liable for their own contractors (they now become the controlling contractor to their own direct-hires), they will be much more likely to require them to follow your site safety rules. Problem solved before it becomes a problem! (...continued on next page)



Tammy K. Clark is a construction industry Safety & Quality Consultant with over 20 years experience as a business owner, consultant, educator, and speaker. Tammy has worked with renowned clients nationwide. She is a member of ASSE, former Chair for the NAWIC National Safety & Health Awareness Committee, and was nominated as one of the Grand Rapids Business Journal’s 50 Most Influential Women. You can contact Tammy at tammy@tammykclark.com or visit her website; www.tammykclark.com.

SAFETY FIRST



WITH TAMMY K. CLARK

(Safety First continued....)

It really is that simple. But if we do not recognize this issue and approach it from a proactive, educational standpoint, we will always find ourselves in a reactive mode; reacting to contractors who refuse to adhere to the site safety rules, creating a major headache for site Superintendents.

This is a simplified solution to a complicated issue, but I have built my reputation on simplifying the complicated! And I can verify from experience that if you take this approach, you will find your owners following your lead. They don't want to take on any unnecessary liability,

so don't be surprised if, once they understand all of this, they award you the contract for ALL subcontract work onsite!

Thank you for reading the monthly "Safety First" column over the past year! I hope the articles have been informative and educational.

Due to my diverse business pursuits, I will be taking a break from the construction column to focus on the real estate and investment segments of my business. Stay proactive and stay in control!

Thank you to Tammy K Clark for guest writing in our newsletter for the past year! The Builders Exchange of Michigan and its members wish you the best of luck in your future endeavors, and we hope to hear more from you soon!