

# Compliance vs. Injury Prevention

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## How do you choose?

by Larry Wilson

I know, I know. Compliance with the law and preventing injury are supposed to be one and the same. But guess what? They're not. And everybody knows it. A safety director I met at a recent conference summed it up perfectly: "I'd love to be able to do some stuff that would really reduce injuries," he said to me. "Unfortunately, I'm so busy with compliance and audits right now that I just don't have the time."

### Putting the Compliance Cart before the Safety Horse

The reason we have OSHA laws is to prevent injury. But the great irony is that the laws have become a distraction. We're so wrapped up in getting all the details of compliance right that we tend to overlook what should be obvious safety risks.

I mean, why is it that an experienced and certified safety professional performing a compliance audit can spot a container on the back shelf without a label during a compliance audit, but not notice that everyone—and I mean everyone—is violating an ergonomic procedure on the production floor (pulling carts instead of pushing them). Could it be that the former would constitute an OSHA violation and the latter wouldn't? If so, this is sad—especially when you consider that the number one injury at this particular facility of 2,650 was and is shoulder strains.

### A Sad State of Affairs

How on earth did we get here? How could we ever have let anything become more important to us than

preventing injury? We should be dedicated to preventing the causes of accidents: rushing, frustration, fatigue and complacency. Instead, we're spending our hours dotting "i"s and crossing "t"s.

Why? Perhaps it's because we've become more afraid of the lawyers and the government than the injuries or fatalities. If this is true about you, then I want to share a story with you.

### Putting Compliance vs. Prevention in Perspective

I was asked to speak at a conference for logging contractors on Vancouver Island. Mark, the person who introduced me, was the operations manager from one of the major forest products companies in the area. He knew there were some owners and superintendents mixed into the audience of 300 hand fallers. This was his introduction:

"Guys, we've had five potentially fatal close calls so far this year." [two-second pause] "I don't know if any of you have ever had to knock on the door and tell the wife of one of your employees that her husband is dead—but I have."

What he said next really got to me. "And what I've found works best is to just come right out and say, "Your husband was killed in an accident today." [one-second pause]

"But," he continued, "that's not the worst of it—having to stay there until another friend or family member comes over, that's the worst part, because they start yelling,

then crying, then they hug you, then they pound your chest or try to hit you, all the while the kids are crying and screaming, she's crying and screaming. And all you can do is stand there and wait. Wait until that relative or friend gets there... it may only be 15 or 20 minutes." And he looks over the crowd. "But I guarantee you that it will be the longest 15 minutes of your life."

Mark is a big man. Big, 6 feet and about 225 pounds. Strong. And sharp as a tack. He looks at the group and says one last thing, "I don't care how tough you think you are, I don't care what you've been through on your own; you won't want to ever, ever go through that again. You will never want to spend another 15–20 minutes like that again. Ever."

Then he shakes his head, and in a low voice he says, "I've had to do it so many times, that I can't even tell you the exact number. I can just tell you what I've found is the best way to do it." Then he introduces me. I could



barely talk. All I kept thinking about was “The best way I’ve found to do this... The best way...” He’s had to do this so many times that he knows what works best.

Now ask yourself, if you were Mark would you be interested in compliance or injury prevention audit scores or inattention? A moment’s inattention with a forklift, chainsaw or skidder can lead to a fatality. A bad audit score doesn’t seem so significant when you’re on your way to a funeral. Look, I’m not saying that compliance audits aren’t important. I’m just suggesting, urging, that you put them into proper perspective.

Complying with the law is supposed to make us safer. Perversely, though, compliance—at least the administrative part of it, namely, the compliance audit—has become an end in itself, a distraction from safety. Let me put the compliance audit into what I consider is its proper perspective.

### **The Shortcomings of Audit Scores**

Prevention is far more important than audit scores. Don’t get me wrong, I’m not saying compliance audits aren’t a good thing. It’s just that when push comes to shove, and it will whether your work involves cutting down 200-foot trees with 3-foot chainsaws on 45-degree hills or less risky operations—injury prevention is what it’s all about.

And if prevention is our priority, then we should focus on the real cause of accidents—inattention and human error. Compliance audits mostly focus on equipment and mechanical components. Maybe one percent of all acute injuries are caused by such things. The other 99 percent are the result of inattention and error.

If you don’t believe it, just think about all the injuries you’ve suffered in your life—the cuts, bruises, bumps and scrapes. Why did they happen? Because a machine malfunctioned? Or were they the result of a momentary lapse of concentration or error?

Audit scores don’t cure these problems. They have never helped an employee pay more attention when his eyes or mind wasn’t on the task at hand. They have never helped an employee drive a motor vehicle, operate a power tool or lock out a machine more safely.

### **Dealing with Inattention and Human Error**

So, when are you going to deal with inattention and human error?

I don’t mean just telling your employees to be more careful. Nor do I mean simply warning them not to get complacent. Heck, if you’re going to do that, why not also tell them not to get any older while you’re at it?

Dealing with inattention requires teaching your employees how states

like rushing, frustration, fatigue and complacency cause the vast majority of injury-causing errors like “eyes not on task, mind not on task, being in the line-of-fire and somehow losing your balance, traction or grip.”

However, even that isn’t enough. You also have to teach them about what I call the four “Critical Error Reduction Techniques.” And perhaps most importantly, you must motivate them to put some effort into improving their skills, habits and techniques.

If you’re committed, this is easy enough to do. It takes about 10 hours spread out over 10 weeks. The reward: You can expect a 50, 60 or as much as 90 percent decrease in recordables. You can also expect to achieve decreases in first aid incidents, off-the-job injuries and most importantly—if you’re trying to prevent fatalities—motor vehicle accidents.

How many plant audits do you think you would have to do to prevent a fatal automobile accident?

### **Conclusion**

So, let me ask the question again—when are you going to deal with injury prevention?

I know, I know... just as soon as you get done with your compliance audit.

## **About the Author**

Larry Wilson has been a behavior based safety consultant for over 25 years. He has worked with over 2,500 companies in Canada, the United States, Mexico, South America, the Pacific Rim and Europe. He is also the author of SafeStart, an advanced safety awareness program currently being used by over 2,000,000 people in 50 countries worldwide and 30 languages. You can reach Larry through

Electrolab Training Systems  
P.O. Box 320, Belleville ON, K8N 5A5  
Ph. 800-267-7482 Fx. 613-962-0284  
Email: [safety@electrolab.ca](mailto:safety@electrolab.ca)  
Web: [www.electrolab.ca](http://www.electrolab.ca)