

ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
MAY 2019

Director's Comments:



Last October, AUCA was privileged to have The Voice of the Auburn Tigers, Rod Bramblett serve as the guest speaker for our Fall General Meeting in Montgomery. Tragically, Rod and his wife Paula were killed in a traffic accident in Auburn over Memorial Day Weekend. They leave behind two children, who will be forced to endure the pain and suffering without the love and comfort of their parents. Please keep them in your thoughts and prayers.



In preparation for our meeting last year, as well as at the event, I had the opportunity to spend some quality time corresponding with Rod. As an Auburn University graduate, I found myself somewhat star-struck to be working with the man that had made so many memorable radio calls for my beloved Auburn teams. However, in spite of all his career success, he was a genuinely nice and humble man, and never once seemed to have an ego.



While his life has ended much sooner than anyone expected, he did leave a lasting legacy. I read something this week that struck me as interesting. Rod was able to spend his life working the job of his dreams, for the employer of his dreams. How many people can truly make that claim?

The point is, life is short and we never know when the end will come. Therefore, make sure to follow your heart and do what you enjoy doing for your career. And most importantly, make sure to always tell your family and friends how much they mean to you, in case you never have another opportunity.

Tim

Inside This Issue:

Upcoming Events	2-3
Legislative Update	4
News & Notes	5-7
OSHA Trench Safety	8-11
CWCC Report	12-13

Upcoming Events:

AUCA Board of Directors Meeting
June 12, 2019 at 10:00 a.m.
Montgomery, AL

AUCA Local Lunch Meetings
Dates and Locations To Be Announced

SAVE THE DATE

**GRAYSVILLE STORE
GRAND OPENING**

AUGUST 1, 2019
10:00A.M. – 3:00 P.M.

Events include: Ribbon Cutting | Lunch |
Vendor Reps | Door Prizes | Simulators |
GPS Demo |

www.warriortractor.com

Contact Brenda Culp at 205-988-4472 or brenc@warriortractor.com for more information

ALABAMA
damage prevention
summit
A CGA REGIONAL PARTNER EVENT

September 17 – 19, 2019
The Grand Hotel, Point Clear



Upcoming Events:



***AUCA Fall General Meeting &
Sporting Clay Shoot***



October 17, 2019

**Lower Wetumpka Shotgun Sports Club
Montgomery, AL**

**Special Guest Speaker:
Tommy Tuberville
Former Auburn University
Head Football Coach
and
2020 Republican
U.S. Senate Candidate**



Alabama Legislative News:

As I write this report, legislators are meeting in Montgomery for their 27th day of the 2019 Alabama Legislative Session. Although they are allowed to meet for up to 30 days during a regular session, many believe this may be the final day if the House and Senate can come to an agreement on the General Fund and Education Budgets.

During this session, several significant bills that impact our industry have passed. Among these are SB315, The Underground Utility Damage Prevention Bill. It passed the House by a vote of 97-2 and has been sent to the Governor for signature. While not perfect, this law should greatly improve the One-Call program in our state and hopefully benefit our industry. Rural broadband expansion was a recurring theme throughout the session. HB400, dealing with broadband construction and installation within electric easements by electric providers passed and now also awaits the Governor's signature, as does SB90, which would amend the Alabama Broadband Accessibility Act that passed in 2018 to expand the definition of an "unserved area" eligible for grant funding, increase the percentage of project costs eligible for grant funding, and broaden the permitted use of other federal and state support. However, HB70, that would provide a procedure for the deployment and investment of broadband infrastructure and other telecommunications services near the right-of-way of railroads, including railroad crossings was unsuccessful in passing.

Other bills of significance included SB193, dealing with Unemployment Benefits. This will set a variable rate for Alabama's unemployment compensation, basing it on the state's unemployment rate. This will allow a person to receive benefits for a longer duration during difficult economic times and a shorter duration during better times. The legislation also includes a five-week extension of benefits for anyone enrolled in a state-approved training program. HB479, will permit Alabama to issue Class A commercial driver licenses to applicants at least 18 years of age. The current age restriction bars anyone under the age of 21 from operating the standard tractor-trailer combination in Alabama. The Sunset Bills for the continuation of the Licensing Boards for General Contractors (HB110) and Onsite Wastewater (HB111) until October 1, 2020 also both passed were signed into law.

This session will be remembered by many for making national news with the passage of the abortion ban bill, which was immediately signed into law by Governor Ivey. Regardless of whether the session ends early or not, most expect another special session to be called later in the year to address the state's Prison system. The first special session was held in March, and saw the passage of the Rebuild Alabama Act, which will hopefully benefit our members in the years to come.

Remember to check our weekly "Legislative Pipeline" email report for continuous Legislative updates

News & Notes:

2019 AUCA Scholarship Program:

- AUCA will announce the 2019 Scholarships award winners in June.
- Each scholarship is worth \$1,500, and the money will be paid directly to the College or Trade School of the winner's choice.
- We thank those students that took the time to submit an application for our scholarship program this year.

AUCA 2020 Board of Directors Nominations:

AUCA will be soliciting the membership for suggestions of people to serve on the 2020 AUCA Board of Directors. If you have someone in mind that you think would be an asset on the AUCA Board, please email us by August 31st to recommend them to the AUCA Nominating Committee. If you are interested in serving yourself, please feel free to list your name as well.

Nomination Forms will be sent out electronically to all member companies. The Nominating Committee will review the nomination forms of those desiring to serve on the 2020 Board at the September 11th AUCA Board Meeting. The proposed slate of nominees will be announced to the membership and the candidates will be voted on by the members in attendance at the October 17th General Meeting in Montgomery.

Commercial Vehicle Safety Alliance International Roadcheck – June 4-6

Over this 72-hour period, commercial motor vehicle inspectors in jurisdictions throughout North America will conduct tens of thousands of roadside inspections on commercial motor vehicles. If history is any indicator, thousands of vehicle and drivers will be placed Out of Service. For example, during Roadcheck 2018, enforcement personnel conducted 67,703 inspections which resulted in 11,910 vehicles and 2,666 drivers being placed Out of Service. The 2019 goal is for over 73,000 inspections. – yes that's 17 per minute across North America.

During International Roadcheck, CVSA-certified inspectors will primarily conduct the North American Standard Level I Inspection, but the area of Special Emphasis this year will be on Steering and Suspension. Be prepared and avoid costly financial penalties! With the subsequent impact on your company's Safety Scores and the costly down time – sitting on the side of the road due to non-compliance can severely impact your bottom line.



News & Notes:

2019 Trench Safety Stand Down Week - June 17-21:

The National Utility Contractors Association (NUCA), along with other partnering organizations, is sponsoring Trench Safety Stand Down Week to educate workers on trenching hazards. Below are their suggestions to prepare for a successful Trench Safety Stand Down:

1. Start early. Make everyone in your organization know that this is your top priority. Designate a coordinator to organize the stand-down. If you have multiple work sites, identify the team that will lead the stand-down at each site. Identify members of your management team that will participate in conducting the stand-downs. Assign different managers (upper and middle managers, project managers, estimators, etc.) to separate projects during the stand-down to reinforce the commitment of your company leadership.
2. Request subcontractors, owner, architects, engineers, or others associated with your projects to participate in the stand-down.
3. Review your trench/excavation safety program. This will help provide a more effective stand-down.
 - a. What types of incidents could happen?
 - Cave-ins
 - Struck-by
 - Trips and falls
 - Materials handling
 - Other
 - b. What needs improvement? Is your program meeting its goals? Are you experiencing fatalities, injuries, or near misses? Are employees aware of the company's trenching/excavation procedures?
 - c. What training have you provided to your workers? Does it need revision?
 - d. What equipment have you provided to your workers? Is better equipment available?
4. Decide when to hold the stand-down and how long it will last. Decide if the stand-down will take place over a break, a lunch period, or some other time. Set a date and time for your company wide stand-down and announce it in advance so managers can plan for it.
5. Develop presentations or activities that will meet your needs. Decide what information will be best for your workplace and workers. The meeting should provide information to workers about hazards, protective methods, and the company's safety policies, goals and expectations. Provide



News & Notes:

(Continued from page 6)

- stand-down information and materials in advance to persons who will be responsible for providing the stand-down. Plan to involve employees in the discussion and see if they have any concerns or suggestions. Hands-on exercises (a worksite walk around, equipment checks, etc.) can increase retention.
- Promote the stand-down. Demonstrate a strong commitment and promote the importance of trench safety. Place flyers and posters at your jobsites to promote trench safety and the safety stand-down. Inform everyone on your jobsites of the upcoming safety stand-down so managers and workers can plan around it. This will be a companywide stand-down and everyone is expected to participate, including all managers. Some employers find that serving snacks and lunch increases participation.
 - Ask workers (crews) to audit their respective work areas and identify hazards before the stand-down.
 - Hold your stand-down. Use the materials you select in advance of the stand-down. Make the stand-down interesting to workers. Try to make it positive and interactive. Discuss the findings of their audits. Let workers talk about their experiences and encourage them to make suggestions.
 - Follow up. If you learned something that could improve your trench/excavation program, make the necessary changes. Identify and control unsafe work practices and conditions.



OSHA[®] FactSheet

Trenching and Excavation Safety

Trench collapses, or cave-ins, pose the greatest risk to workers' lives. When done safely, trenching operations can reduce worker exposure to other potential hazards include falls, falling loads, hazardous atmospheres, and incidents involving mobile equipment.

OSHA standards require that employers provide workplaces free of recognized hazards. The employer must comply with the trenching and excavation requirements of 29 CFR 1926.651 and 1926.652 or comparable OSHA-approved state plan requirements.

Trench Safety Measures

Trenches 5 feet (1.5 meters) deep or greater require a protective system unless the excavation is made entirely in stable rock. If less than 5 feet deep, a competent person may determine that a protective system is not required.

Trenches 20 feet (6.1 meters) deep or greater require that the protective system be designed by a registered professional engineer or be based on tabulated data prepared and/or approved by a registered professional engineer in accordance with 1926.652(b) and (c).

Competent Person

OSHA standards require, before any worker entry, that employers have a competent person inspect trenches daily and as conditions change to ensure elimination of excavation hazards. A competent person is an individual who is capable of identifying existing and predictable hazards or working conditions that are hazardous, unsanitary, or dangerous to workers, soil types and protective systems required, and who is authorized to take prompt corrective measures to eliminate these hazards and conditions.

Access and Egress

- Keep heavy equipment away from trench edges.
- Identify other sources that might affect trench stability.
- Keep excavated soil (spoils) and other materials at least 2 feet (0.6 meters) from trench edges.
- Know where underground utilities are located before digging.

- Test for atmospheric hazards such as low oxygen, hazardous fumes and toxic gases when > 4 feet deep.
- Inspect trenches at the start of each shift.
- Inspect trenches following a rainstorm or other water intrusion.
- Do not work under suspended or raised loads and materials.
- Inspect trenches after any occurrence that could have changed conditions in the trench.
- Ensure that personnel wear high visibility or other suitable clothing when exposed to vehicular traffic.

Protective Systems

There are different types of protective systems.

Benching means a method of protecting workers from cave-ins by excavating the sides of an excavation to form one or a series of horizontal levels or steps, usually with vertical or near-vertical surfaces between levels. *Benching cannot be done in Type C soil.*

Sloping involves cutting back the trench wall at an angle inclined away from the excavation.

Shoring requires installing aluminum hydraulic or other types of supports to prevent soil movement and cave-ins.

Shielding protects workers by using trench boxes or other types of supports to prevent soil cave-ins. Designing a protective system can be complex because you must consider many factors: soil classification, depth of cut, water

content of soil, changes caused by weather or climate, surcharge loads (e.g., spoil, other materials to be used in the trench) and other operations in the vicinity.

Additional Information

Visit OSHA's Safety and Health Topics webpage on trenching and excavation at www.osha.gov/trenching.

Workers' Rights

Workers have the right to:

- Working conditions that do not pose a risk of serious harm.
Receive information and training (in a language and vocabulary the worker understands) about workplace hazards, methods to prevent them, and the OSHA standards that apply to their workplace.
- Review records of work-related injuries and illnesses.
- File a complaint asking OSHA to inspect their workplace if they believe there is a serious

hazard or that their employer is not following OSHA's rules. OSHA will keep all identities confidential.

- Exercise their rights under the law without retaliation, including reporting an injury or raising health and safety concerns with their employer or OSHA. If a worker has been retaliated against for using their rights, they must file a complaint with OSHA as soon as possible, but no later than 30 days.

For additional information, see OSHA's Workers page (www.osha.gov/workers).

How to Contact OSHA

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov or call OSHA at 1-800-321-OSHA (6742), TTY 1-877-889-5627.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.



U.S. Department of Labor



DOC FS-3476 09/2011



PROTECT WORKERS IN TRENCHES

Prevent trench collapses and save lives:

SLOPE or bench trench walls,

SHORE trench walls with supports, or

SHIELD trench walls with trench boxes



U.S. Department of Labor

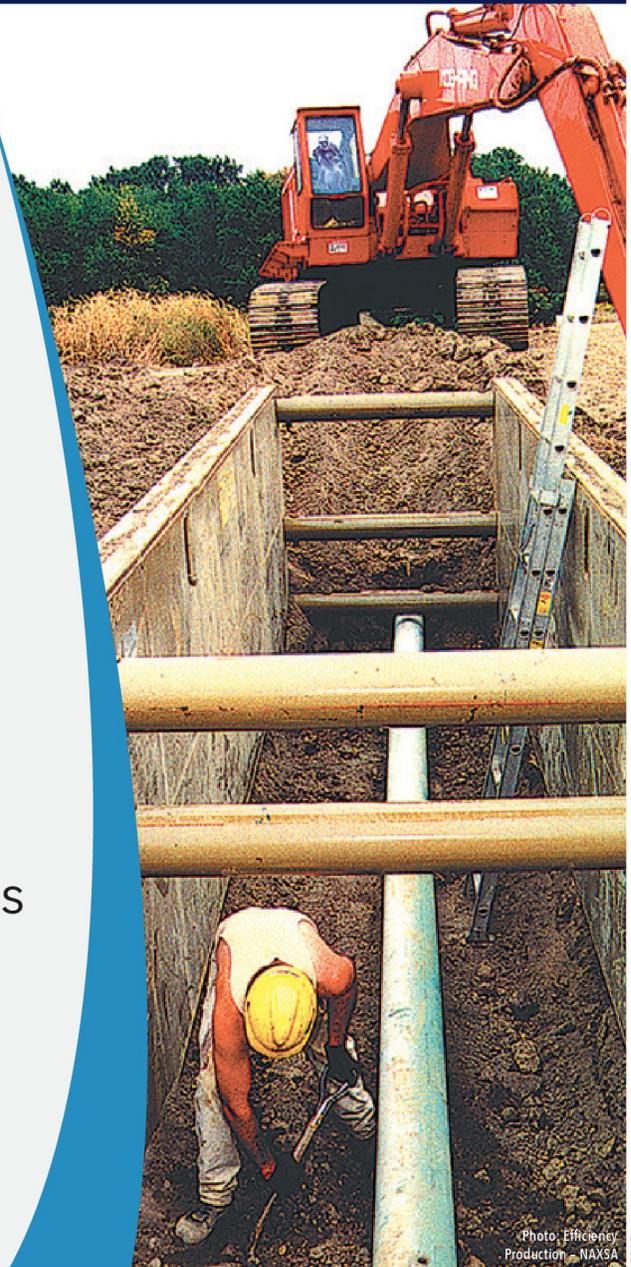


Photo: Efficiency
Production - NAXSA

WWW.OSHA.GOV/TRENCHING • 800-321-OSHA (6742) • TTY 877-889-5627

OSHA 3215-06R 2018



Working Safely in Trenches

When done safely, trenching operations can reduce worker exposure to cave-ins, falling loads, hazardous atmospheres, and hazards from mobile equipment.



OSHA standards require that trenches and protective systems be inspected daily and as conditions change by a competent person before work begins.

Never enter a trench unless:

- It has been properly inspected by a competent person.
- Cave-in protection measures are in place.
- There is a safe way to enter and exit.
- Equipment and materials are away from the edge.
- It is free of standing water and atmospheric hazards.

Prevent trench collapses:

- Trenches 5 feet deep or greater require a protective system.
- Trenches 20 feet deep or greater require a protective system designed by a registered professional engineer.

Protective systems for trenches:

- SLOPE or bench trench walls by cutting back the trench wall at an angle inclined away from the excavation.
- SHORE trench walls by installing aluminum hydraulic or other types of supports to prevent soil movement.
- SHIELD trench walls by using trench boxes or other types of supports to prevent soil cave-ins.

For more information:



OSHA® Occupational Safety and Health Administration
www.osha.gov (800) 321-OSHA (6742)

OSHA 3243-09R 2018

Clean Water Construction Coalition Report

From Bob Briant, Jr. - Chairman CWCC & Sante Esposito - Key Advocates

May 3, 2019

PRESIDENT AND CONGRESSIONAL DEMOCRATS AGREE TO \$2 TRILLION TARGET FOR INFRASTRUCTURE PACKAGE

After a high-profile meeting at the White House this week, President Trump and the congressional Democrats he met with agreed to a top-line \$2 trillion target infrastructure package. While there is no "pay for" or program details, an agreed upon target is viewed by many as progress. Speaker Pelosi says the ball is now in the President's court to come up with a funding mechanism. "A good start" was a common refrain on the Hill, including from Transportation and Infrastructure Committee Chairman DeFazio. Others in the Senate majority remain skeptical.

Key Advocates reports that this pessimism comes from those who believe that an infrastructure measure is not going to happen because it's too complicated, a funding source is too challenging and could be politically controversial, and Democrats don't want to give the President a "win". Other sources have indicated that the effort is "full speed ahead". In the House, a mega infrastructure bill is still Speaker Pelosi's #2 priority – ethics and campaign finance being #1 (the House has already passed a bill on that). As a further indication of that, the Speaker has reserved the designation of H.R. 2 for the infrastructure legislation. Bill designations of 10 or less have traditionally indicated issues of greater importance. Also, the Speaker's staff has had numerous conversations with the staff of Ways and Means Committee Chairman Neal and Transportation and Infrastructure Committee Chairman DeFazio regarding the substance and timing of a bill. DeFazio has said that he believes that a bill can be ready early to late summer. As previously reported, DeFazio has introduced H.R.1497 (discussed further in this report) with bipartisan support, a Clean Water SRF and Alternative Water Source Project bill which, they believe, will be one of the three cornerstones of his mega infrastructure bill – the other two being highways and aviation.

CONGRESSIONAL HEARINGS PRESS INFRASTRUCTURE AGENDA - SUPPORT FOR H.R. 1497 GROWS

Chairman DeFazio embarked on a very aggressive series of infrastructure hearings – four having been held in the past two weeks. In the Senate, the Senate Environment and Public Works Committee has solicited from Members of the Committee what they want in an infrastructure bill. Those "asks" are due by May 1.

Several hearings were held in the House on infrastructure since the last report. The Energy and



Clean Water Construction Coalition Report

Continued from Page 12

Commerce Committee held a hearing on April 10 on energy infrastructure. The Transportation and Infrastructure Committee held hearings on airport (March 26), roadway (April 9) and waterway infrastructure (April 10).

As has been previously discussed and reported, the Coalition sent a letter of support for H.R.1497, the "Water Quality Protection and Job Creation Act of 2019." This bill, introduced by Chair DeFazio, Subcommittee Chair Napolitano, and Representatives Don Young and John Katko, now has 18 co-sponsors. As a reminder, the bill:

- Authorizes \$20 billion in Federal grants over five years for Clean Water SRFs.
- Authorizes \$1.5 billion over five years for grants to implement state water pollution control programs.
- Provides \$600 million over five years for Clean Water pilot programs (including Federal technical assistance and/or grants) for watershed-based or system-wide efforts to address wet weather discharges, to promote storm water best management practices, to undertake integrated water resource management, and to increase the resiliency of treatment works to natural or man-made disasters.
- Authorizes \$375 million in grants over five years for alternative water source projects including projects that reuse wastewater and storm water to augment the existing sources of water.



cleanwaterconstructioncoalition.org

Alabama Utility Contractors Association
P.O. Box 383185
Birmingham, AL 35238-3185
Phone: 205-582-9436
Fax: 205-582-9155
E-mail: tim@aluca.org

**AUCA IS A MEMBER-DRIVEN, NEEDS
FOCUSED TRADE ASSOCIATION CREATED
SOLELY TO PROMOTE AND ADVANCE THE
UTILITY INDUSTRY IN THE STATE OF
ALABAMA.**

**We're on the Web !
www.aluca.org**

**Please print out this newsletter to share with
others in your company. And, if you are
receiving this for the company owner,
please print out a copy for him/her.**

**Let AUCA Be Your Source For All Your
Training Needs**

Contact the Association Office for more information

facebook



@AlabamaUCA

LinkedIn

