

## Safety Concerns for Private Clubs

Top Violations Cited by OSHA

by Alan Achatz, CCM, CHE

Should you be concerned about another club's safety program or their lack of any programs? When it comes to compliance with the Occupational Safety and Health Administration's (OSHA's) regulations, the answer is yes!

OSHA publishes safety violations by type of citation and industry, which can serve as a safety "do's and don'ts" guide for your club. The OSHA website links show the most recent annual data and the associated punitive financial penalties on OSHA citations issued to:

- Golf/country clubs
- Athletic/city/university/fraternal clubs
- Yacht clubs and marinas
- Homeowner/property owner's associations (HOAs/POAs)

General information can be found on the OSHA website ([www.osha.gov](http://www.osha.gov)).

A look at federal OSHA inspection data shows clubs and HOAs/POAs had violations at 39 operations resulting in 153 citations and \$218,903 in fines. It is important to recognize many more clubs have had OSHA visits—but these inspections are not made public as no citations/punitive fines were issued.

Before OSHA visits any operation, compliance safety and health officers (CSHO) are directed to adequately prepare for each inspection. This means the CSHO will look at the most cited standards and verify if your club has had a prior

OSHA visit before coming on-site. If OSHA has cited an operation within the past five years, the potential fines are considered willful or repeat violations and can result in fines in excess of \$100,000 per violation (see box below).

OSHA MAXIMUM AMOUNTS FOR CIVIL PENALTIES	
Type of Violation	Penalty Maximum
Serious	\$12,471 per violation
Other-Than-Serious	\$12,471 per violation
Willful or Repeated	\$124,709 per violation
Posting Requirements	\$12,471 per violation
Failure to Abate	\$12,471 per day unabated beyond the abatement date [generally limited to 30 days maximum]

Source: OSHA

### Common Industry-Wide Concerns

Safety concerns vary by club type and location. The information conveyed in this article focuses on federal OSHA rules and regulations; if you are in an OSHA state-run program, there may be more stringent requirements. The following states have OSHA state-run

programs for private employers: Alaska, Ariz., Calif., Hawaii, Ind., Iowa, Ky., Md., Mich., Minn., Nev., N.M., N.C., Ore., S.C., Tenn., Utah., Vt., Va., Wash., and Wyo.

Regardless of location, clubs are most frequently cited for violations in the following areas.

*Training:* Most clubs are not aware of or are not addressing OSHA employee training requirements. This training should be done in a language and manner that employees can comprehend. Clubs should recognize that having employees watch a video or participate in web-based training without having a competent person available to answer their specific questions does *not* satisfy OSHA training requirements. The most common training-related citations include:

- Emergency action plans (including evacuation and roll call procedures)
- Personal protective equipment including respiratory protection
- Hazard communication
- Lockout/tagout

*Communication:* According to federal OSHA standards, if you have 10 or more employees, written safety policies are required for the applicable concerns.

*Hazard Communication:* The club must have a written policy and all employees who work with or are potentially exposed to hazardous chemicals must receive training. It is essential that all employees know how to read a safety data sheet and where the safety data sheets are located, and understand the routes of chemical exposure and first aid procedures.

*Recordkeeping:* Clubs must maintain and make available OSHA 300 and 300A logs for a five-year period. Form 300 is completed for each injury and illness and form 300A summarizes the previous year's work-related injuries and illnesses. The general manager or a board member (not the comptroller) must sign the OSHA 300A log before the February 1 to April 30 required



annual posting. The club's Safety Committee should review the various incidents and determine if they can be negated in the future.

According to federal OSHA standards, since social organizations such as city clubs are considered a partially exempt industry, they are not required to comply with recordkeeping provisions unless they are asked in writing to do so by OSHA, the Bureau of Labor Statistics (BLS), or a state agency operating under the authority of OSHA or the BLS. However, all employers, including those partially exempted, must report to OSHA any workplace incident that results in a fatality, in-patient hospitalization, amputation or loss of an eye.

*Safety Equipment and Practices:* Common violations related to this category include:

- **Personal protective equipment (PPE).** OSHA issues significant fines to businesses for not ensuring the employees are wearing their eye/face, hand, head, torso and/or foot protection. If the club issues PPE, it must conduct a hazard assessment and explain to employees when PPE is needed, how to put on and remove equipment and share the limitations of the specific item.
- **Respiratory protection.** Respirators are also considered PPE, but have numerous additional requirements. If the employees are using respirators beyond dust masks, a written program is required along with comprehensive training. All respirator users must be medically certified as able to wear a respirator.

- **Lockout/Tagout.** “Lockout/tagout” refers to specific practices and procedures to safeguard employees from the unexpected startup of machinery and equipment, or the release of hazardous energy during service or maintenance activities. This requires, in part, that a designated individual turns off and disconnects the machinery or equipment from its energy source(s) before performing service or maintenance and that the authorized employee(s) either locks or tags the energy-isolating device(s) to prevent the release of hazardous energy and takes steps to verify that the energy has been isolated effectively.
- **Fire extinguishers.** According to OSHA standards, employers are required to teach staff how to use a fire extinguisher. If staff is not trained on fire extinguisher use, instruct them to evacuate.
- **Abrasive wheel grinders.** This citation used to be one of the most frequently cited (and financially penalized) for golf/country clubs. Most times, the machine guards on the bench grinders had been removed. Other violations involve the bench rest not being properly adjusted and the wheel being damaged or excessively worn. Some grinders still in use at clubs were built before machine guards were manufactured.
- **Hand and portable power tools.** There are multiple violations than can occur in this area. According to OSHA, each employer shall be responsible for the safe condition of tools, wires and equipment used by employees, including tools and equipment that may be furnished by employees. Also, compressed air shall not be used for cleaning purposes except where reduced to less than 30 pounds per square inch and then only with effective chip guarding and personal protective equipment.
- **Electrical.** OSHA standards mandate that safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits that are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.

The following citations were issued under marinas and POAs yet may apply to all operations.

- **Flammable and combustible liquids.** Clubs should be aware of where gasoline cans, gas mixture, propane and other flammables are stored. Gasoline should be stored in an approved metal flame-proof locker.
- **Walking and working surfaces.** Guarding floor and wall openings, fixed industrial stairs, design/features of exit routes have been cited for violations.
- **Asbestos.** Older buildings may have asbestos. If asbestos is suspected to be in the facilities, ensure you have an audit documenting the locations. Removal can be a costly concern and improper removal (disturbance) has resulted in significant fines.

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### Multi-Employer Worksite Citations

If the club is doing a construction project, it can be cited for the actions of others, unless the construction contract specifically outlines the responsibilities where OSHA is concerned.

Citations can be issued to the operator/business owner who creates, exposes, controls or corrects the hazard.

### Recommendations

If you don't have a Safety Committee, start one. Have your Safety Committee review all injuries and illnesses and make recommendations to negate any and all incidents from recurring.

While the Safety Committee provides key oversight, it is the responsibility of the department in which the injury/illness occurred to resolve the issue. A tool to assist all departments is the OSHA Incident Investigation publication which provides a consistent set of questions to get to the root cause.

Establish a safety budget line for each department and fund it. Maintain your OSHA 300 logs, sign and post the 300A log, and retain all items for five years. You can download the log forms here: <https://www.osha.gov/recordkeeping/new-osha300form1-1-04-FormsOnly.pdf>. Ensure you have a written hazard communication policy and are conducting annual training. Practice the applicable emergency responses for your operation.

This article is intended to challenge club executives to look at the various safety issues by sharing the OSHA citations, fines and penalties other clubs have experienced. To best use this article, make a copy of it. On one, highlight what you think your club's potential concerns may be and then share a copy with the department heads or Safety Committee. Perhaps your hazard awareness will be changed by another's knowledge. This concept may make it easier to reach a consensus of pertinent safety issues.

While most senior managers have some ideas of unsafe acts, club employees may not have this same awareness. Employees bring their habits and culture to the operation. Management has the responsibility to ensure all workers return home in the same or better condition every night.

To support safety initiatives, it is essential to dedicate the necessary financial resources to address the identified concerns. Recognize potential hazards at your operation and inspire the staff to address these concerns.

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