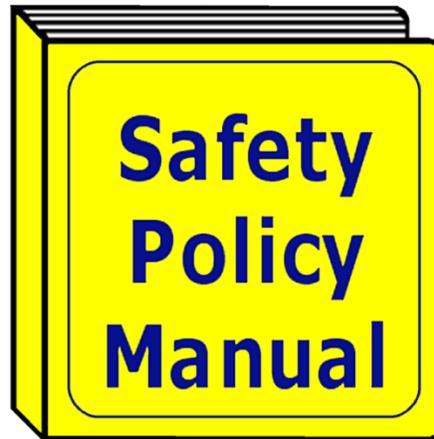


# Guide for Writing Safety Policy



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Note from the author: My experiences have prompted me to write this guide. I have been a safety manager, policy writer, accident responder, defender in litigation and safety training writer/illustrator. I have audited and written and/or re-written maybe three dozen safety policy manuals. My unique experience of writing and illustrating training simultaneously while editing a safety policy caused me to realize that most of the industry is headed toward hugely expanded policy, while training is left wanting. That should change. Read the contents to discover my reasoning.

Disclaimer: We believe that following the advice in this guide will greatly benefit all companies engaged in industry. However, due to the fact that not all people may or will follow the contents herein fully, we advise that you engage our guidance at your own risk.



## Background

Most companies have various amounts of safety policy as one-size does not fit all. There are three basic reasons companies write safety policy:

1. It is required by OSHA and/or companies for whom you perform work.
2. In response to accidents / litigation policy increases.
3. In response to an audit (this usually triggers additions).

**But, before you take any of the above situations as a mandate to increase policy, you should ask these questions:**

- Does all of these policy increases make a safer workplace?
- Do additional policies stop accidents long term?

I want you to keep those questions in mind as my guidance is for you to take a minimalist approach to safety policy writing. Additionally, there are traps you should avoid when crafting the policy. Your role is dual = protect the employee and protect the company. Those goals are not mutually exclusive, but mutually inclusive if done right.



## Safety Policy Traps

- Assuming responsibility for the whole of the law is bad precedent.
- Incorporating OSHA law by reference – be careful with this.
- Excessive verbiage clouding the issues.
- Written for lawyers?!? Did you forget who your audience is?

**Definition: convoluted** con-vo-lut-ed  
*adjective*

1. (especially of an argument, story, or sentence) extremely complex and difficult to follow.

Problems come when you create complex verbiage systems for people who prefer to work with their hands. Do you really want them distracted? I would argue that the greater the policy verbiage the less safe your operation tends to become. It is a myth that people multitask successfully. They actually just spend a lot more energy in rapidly switching tasks. It is only a matter of time before they get lost or confused with that effort and accidents become more of a probability. Additionally, history speaks that there always comes a time that regulations should be streamlined. It may be time that industry streamlined their “self-regulation”.

Note: you will never regulate employees into becoming mature human beings!

Take the time to divide Safety Policy, OSHA Law and Safety Training and you will develop a system that employees can actually learn and follow.

## So, where do I divide Safety Policy vs Safety Training vs OSHA Law?

The places for dividing those issues start with studying the categories below. The issues will be broken down in more detail following.

Safety Policy	Safety Training	OSHA Law
<p>Should be short and to the point. Avoid un-common words and phrases where possible. Build for the audience, not for the lawyers.</p> <p>Safety policy is not a writing contest, avoid literary license.</p>	<p>If you feel the need to elaborate about an issue – do it in the training. Illustration can become the cornerstone of elaboration and keep the word count down (keeping training within time constraints). Always ensure that employees get copies of the training for maximum effectiveness (portability).</p>	<p>Has great influence on the other two issues. But is written by legal minds, for multiple industries and addresses “industry” as a whole. Yet your operation(s) may not encompass much of the “whole” of industry. If you are wise you will pick through and only apply the parts relevant to your company.</p>

Note: if, while writing policy you are having to add extra verbiage to describe and explain, you are not writing policy at that point. You are writing training.

### Rule #1 – Keep it simple!

- You can either write for the lawyers or you can write for the employees, but you cannot do both successfully. You simply must choose one audience or the other. I urge you to forget the lawyers and choose the employee. The first order of business is to prevent an accident, rather than pre-litigate it.
- The busier your company gets, the less complicated you should make it.
- Are your rules rational? Can we build in common sense? It is only possible if you make it a goal.

### Rule # 2 – Safety policy is not law

- Company policy is “rules for the company” and should not entirely reflect OSHA law. In addressing “industry” as a whole, OSHA had to incorporate a plethora of descriptive terms. You should not incorporate those convoluted terms into your safety policy. Instead you should narrow your focus on your employee(s) functions and their well-being. Don’t lose focus here and start thinking “more is better”. No, it is not. But “more” just creates more liability.
- Do you really want to be responsible for “the whole of the law”?

### Rule # 3 – Never reference codes of law in your policy

- There is a rule of law that has precedent in the courts - It is called “incorporation by reference”. When you reference OSHA law in your policy you are incorporating by reference the OSHA law that is cumbersome and one-size-fits all. But the truth is that OSHA law does not fit every situation perfectly. Those familiar with the law would agree. The issue is “never assume liability”, especially to something you have/had no control over (the writing of OSHA law).
- Secondly, when you incorporate OSHA regulations in your policy it appears you are seeking to make your workers into legal experts. You need to decide what your company goals are: Is your company attempting to accomplish work in your field of expertise (e.g. manufacturing widgets) or are you trying to develop into a legal think tank? You cannot have it both ways.

- Sadly, some may see my advice to NOT reference OSHA law in policy as dis-honest. But I see it as being protective of the company. I would argue that not addressing hazards in the workplace is actually dishonest and I see a lot more of that with companies who have extensive policies.
- **Address hazards in the training, where it belongs.**
- **Keep policy simple and focus on common sense rules, written in plain language.**
- **You can reference training in the policy. (This is a positive use of incorporation by reference).**

#### **Rule # 4 – Be decisive and write the policy**

**Note:** I recently reviewed and edited a safety policy that was 300 pages and had entire sections of OSHA law copied and pasted into the document. This was given to employees who were already overwhelmed with their work load (physical Labor) and were expected to become versed in this “company policy”. Signing the acknowledgement form that “we read and understood the policy” is meaningless in this case. Personal injury attorneys know this. (I have since edited that policy down to 140 pages and working toward more reduction).

- The policy I referenced in the “Note” above had page after page that described what a good policy consists of, instead of just plainly stating the policy. This serves no purpose other than bloviating verbiage. But the effect of handing a convoluted policy to employees is ultimately a lack of understanding. That doesn’t surprise you, does it?

#### **Rule # 5 – Policy Won’t help you in a lawsuit**

- Not having safety policy typically hurts companies in a lawsuit and will usually get you fined by OSHA. But having a large, over-written safety policy manual never impresses juries who are typically made up of blue collar workers. They see the legaleeze and view it as hypocrisy. It is said that “hypocrisy is the one sin society never forgives”. Let’s not forget that lawsuits are the greater financial danger to a company.

#### **What is the justification for simplifying safety policy?**

In my experience, after having performed hundreds of workplace safety audits, rarely does policy make the workplace safer. I have been in the business long enough to see safety alerts and policy changes after a severe accident have a short-term effect of preventing that same accident, but 15 years later when I had to deal with a fatality from an identical situation, where that same policy failed to stop the accident. This is disheartening and part of what drives me to attempt to correct a fallacy in workplace safety = the assumption that having good, abundant and correct safety policy makes the workplace safer. Typically it does not!

I am not saying that you don’t need Safety Policy. OSHA requires it and you could get penalties for not having it, should they audit you. But I will advise you to minimize it. Yes, it is possible. You just have to start thinking that way. I should also mention that the more policy you write, the greater the liability you create. In the case above the employer was sued for millions and lost for failure to enforce his policy, after having an accident history with that situation. This could have been prevented with quality training that covered those issues and strict adherence to a policy that every employee will complete the training. In this case training would have been worth millions (hindsight).

#### **Another Example of policy failure:**

A recent news article about a detective arresting a nurse at a Salt Lake City hospital, for refusing to follow his orders has a valuable lesson therein. They have reached a settlement in that case for \$500,000 dollars. The arresting detective said he was following orders from his boss. His boss says he “wasn’t aware that the police department had a policy of not arresting nurses because we had not been trained on that”. In this case, ignorance of one small item in a complex collection of policies cost them a lot of money. This was not safety policy but provides a stark example of over-reliance on policy that triggered a failure.

## **With Writing Safety Policy-you can't win! With Building or Obtaining Safety Training – you can't lose!**

You cannot write Safety Policy without the tendency toward negative connotations. Most policy writers are oblivious to this point. But the negativity is not lost on your workforce. Similarly, discussion of safety policy/rules connotes negatively in the courtroom, should there be a lawsuit, especially among juries made up of blue-collar workers. The implication is that “either you failed to complete all thoughts concerning said rules (e.g. not enough policy, explanations, etc.) or you failed to follow your own policies”. That is always the logical (negative) conclusion. It doesn't help that most policy writing (additions) is triggered by a negative event such as an accident, lawsuit or an audit. The people triggering those events and re-writing are often the most literally educated in the company. They write in answer to each other, forgetting that their workforce at best has an average of a 10<sup>th</sup> grade education (typically).

### **Safety Training**

Safety training, conversely, is largely viewed as a positive. Of course, the safety training should actually be positive based and have been reverse engineered to adapt to the specific work effort. Safety must be integrated (as training), not segregated as abstract notions. The safety training should clearly illustrate how to positively overcome hazards, while not hiding said hazards. This resolves/removes hypocrisy. Safety training should not be heavily inundated with regulations nor policy. Quoting law and convoluting training serves no purpose. The weighted balance of your safety efforts should be lent far more towards training than policy. Additionally, the materials should be adapted toward field use (portability) and all supervisors recruited into the training effort. Realistically, supervisors lead the main work effort and they are the front line trainers anyway. They should actively teach the safety methods directly associated with the task, at the job site, in real time.

Policy can reference well-built training (Incorporation by reference) and there is no need for duplication. Under those terms policy means much more.

### **Here are some rules to follow when constructing workplace safety:**

- 1) Craft or obtain safety training materials that are integrated with the work effort. Make them portable to the jobsite.
- 2) Work at reducing policy and transferring that knowledge into training.
- 3) Provide safety administrator training for the supervisors (if it is lacking).

Note: My experience has taught me that it is empirically true that more regulations just lead to more rule breaking during company operations. Nuances of policy written for lawyers often fail to achieve prominence in the work effort. This is because employees must actually achieve the work, not study extensive policies. But good training, especially if you have a field training method, expresses those nuances naturally. ***Policy and training both have the same goals but only training has the vehicle to get there.***

You can train employees and educate toward a more mature understanding of hazards and safe working methods with a real expectation of time and money well spent. Balanced and illustrated training materials that are portable to the worksites lend greatly toward maturing employees into safe workers, as they work through the materials that reflect the actual work.

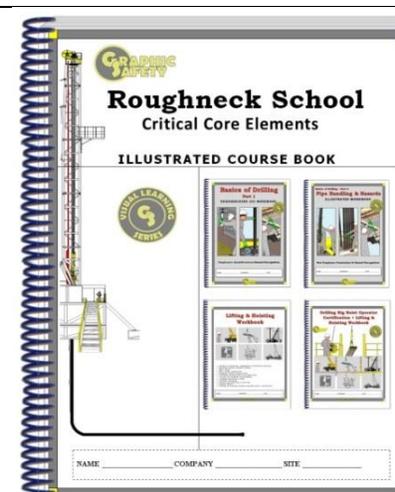
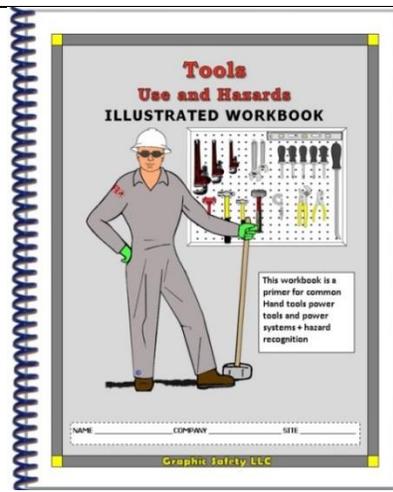
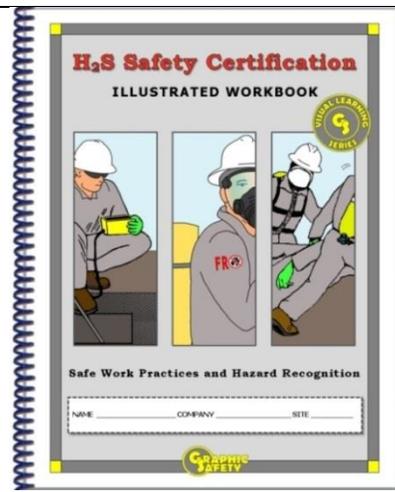
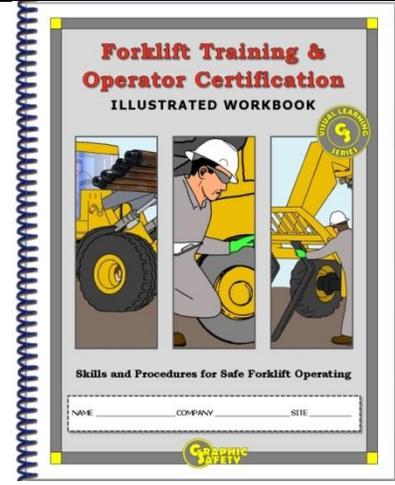
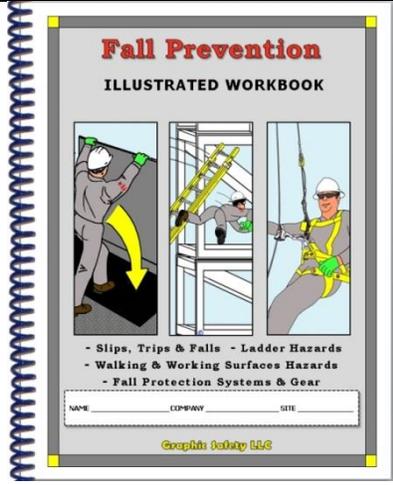
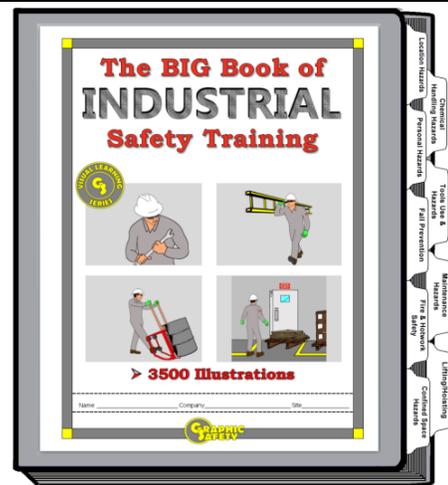
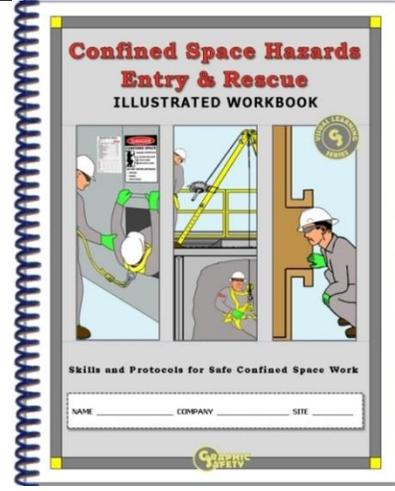
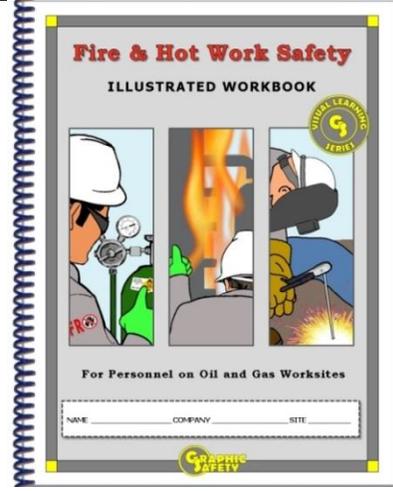
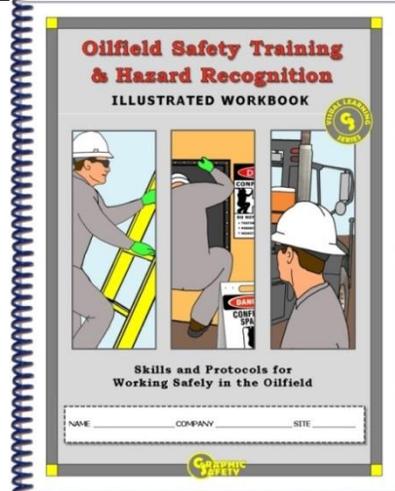
Wise employers will limit their rules and implement comprehensive safety training!



*Wade Rohloff is a Safety/Industrial Illustrator because when it comes to communication “The visuals matter”. See more of Wade's work [here](#).*

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## Portable Safety Training Solutions



We spent the last two-year+ bust-period illustrating and re-working all of our workbooks. A long term customer bought copies of our new *Basics of Drilling Complete (Roughnecking 101) Workbook*. Some returning employees commented how much more difficult we made the workbook because it now requires answering challenge questions on almost every page. They said, quote: “we like being challenged this way”. This shows that we should stop creating lame-duck training. Make it real!