

BUREAU OF FORESTRY

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Bureau of Forestry

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*****@pa.gov

(Timber Sale Buyer)

RE: Enforcement of Safety Clauses in Contracts

Dear Timber Sale Buyer

Safety is and always has been a priority for the Bureau of Forestry including visitors, employees and contractors. Since August, 2005, the Bureau of Forestry has had a safety clause within its Timber Sale contracts that any operator on State Forest Lands, needs to conform to OSHA safety regulations (Section 16 of the contract). One of the biggest challenges with that clause is making sure loggers and operators use personal protective equipment, or PPE. This includes such things as hardhats, eye and ear protection and protective chaps or pants to help prevent wounds from chainsaws. When this clause was amended to the contract, possible enforcement at that time included such things as warnings and safety shutdowns.

Fortunately, since the addition of that clause and even before that, safety and safety as a culture for operators and loggers has been on the rise and compliance by the vast majority of our operators has not been an issue. Most operators and loggers now use PPE with fewer and fewer non-compliance issues reported by our foresters. However, despite the contract requirement and operator responsibility, not to mention the good judgment and common sense, there are still a few hold outs who insist that safety equipment is not necessary or they do not feel a need to wear it. Therefore, it has been decided that not wearing personal protective equipment, especially such things as hard hats and chaps/protective pants, will be *clearly* addressed from here on, for all State Forest timber sale contracts currently active and yet to be bid.

To address non-compliance of the safety requirements of the contract the Bureau will be implementing the following measures:

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- 1) The first non-compliance on PPE will result in a warning to the individual logger to correct the situation and a letter will follow, to be sent to the contract holder of the timber sale.
- 2) The second violation will be handled the same way, with the exception that the second letter will be sent certified with additional language that a 2 days suspension of operations will be imposed upon a third violation.
- 3) A third violation will result in a 48 hour shut down of operations on that particular timber sale and for every violation thereafter.
- 4) Violations that result in a shutdown occurring prior to contractual shutdown period or weekend, may be enforced on the next regular work day at the discretion of the Bureau of Forestry.
- 5) The Bureau of Forestry reserves the right to terminate the timber sale contract for continued non-compliance in egregious cases.

Hopefully this policy will lead to better conformance for those few operators and loggers not wearing the required safety equipment. You are a valuable and skilled work force who provide a valuable service in managing our state forest system, keeping everyone as safe as possible is everyone's responsibility. If you have any questions regarding this policy, you may contact me directly at 717-772-0272 or email me at scomiller@pa.gov

Sincerely,

Chief, Silviculture Section
Bureau of Forestry