



# APPALACHIAN HARDWOOD CENTER

FACT SHEET 12

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## CHOOSING A SAFETY CONSULTANT

### INTRODUCTION

Many organizations and businesses have utilized a consultant at one time or another. Webster defines a consultant as "one who gives professional advice or service". Consultants bring from the outside an expertise that cannot be found on site. This can be very cost effective since this person's services may be necessary for only a short period of time and may bring lasting results.

A qualified person, again as defined by Webster, is "fitted (as by training or experience) for a given purpose". Simply stated, it is a person that, through experience and/or education, can perform the task given.

When these two terms, qualified and consultant, are combined, the expectation is someone who can, through experience and/or education provide advice or service for a specific purpose. The expected result is that the task is performed in a professional manner and that, due to lack of internal resources, would not have otherwise been completed. These two terms still leave us with an important decision: determining if the person can provide professionalism and experience at a level sufficient to provide effective service.

In the areas of environment, safety, and health, finding consultants that can perform the task becomes even more complicated. Regulations are becoming more stringent and require diverse experience, education, and expertise in order to complete the task. By following a few simple guidelines, however, an effective consultant can be chosen.

### WHY ARE SAFETY CONSULTANTS NECESSARY?

Safety consultants are often necessary for a variety of reasons. Compliance with today's regulations can become a burden, especially during the start-up of a business or a safety program. The level of expertise necessary may be beyond the initial capabilities of a small safety department. Developing written programs, environmental monitoring, training, and determining the necessary level of compliance are a few tasks that can be performed by an outside consultant. Once the preliminary introductory phase is completed, the program can usually be managed by the company's safety department.

Industrial hygiene services are a perfect example. Equipment for monitoring noise or for collecting air samples and having them analyzed is quite expensive. Equipment is also being improved daily. If equipment has been purchased and is not

being used regularly, the equipment and its user becomes quickly outmoded. The outside consultant in industrial hygiene should be able to offer state-of-the-art equipment, a wide background of knowledge, and a third party result. Being a third party should give a non-bias decision that employees and management both can respect.

Today, being competitive in business requires a leaner work force. This comes at a time when regulations are demanding more thorough preparation and documentation of compliance. Companies and organizations may find it more cost effective to hire outside consultants to perform environmental, safety, or health tasks.

### DETERMINE OBJECTIVES

Businesses should identify the reason for hiring a safety consultant. Will the safety consultant provide overall direction for a program or will he/she incorporate specific tasks into work already being performed? If the safety consultant is being hired to help a facility or organization comply with a new regulation, the company's safety manager should:

- 1) Discuss the regulation with management.
- 2) Examine the impact of the regulation on the facility or organization.
- 3) Discuss the regulation with peers in similar circumstances.
- 4) Determine how many employees are affected.
- 5) Determine other regulations or policies that may need to be changed or integrated into the new regulation.

These five points will initiate the process for determining the overall impact and deciding how to approach the problem. When a new regulation is introduced, many law firms, universities, or professional organizations offer introductory courses on how to comply. This is an excellent means of obtaining information on a new regulation and how that regulation will affect you.

A key consideration is how a new regulation will impact the facility or organization. The safety manager needs to consider:

- Does the facility operate one, two, or three shifts?
- Is there an expected increase or decrease in production or in employees during or after the implementation period?
- How will management accept its role in this new regulation?
- Will the regulation require training?

All these questions should be thoroughly considered. Employees on all shifts should obtain the same level of

compliance with a new regulation. An increase or decrease in production and employees may affect the time in which the consultant can perform the task. A need for follow-up services must also be considered ahead of time. This will eliminate gaps in compliance with a new regulation.

Management plays a key role in the success of any safety program. If management is not convinced that safety is important, workers cannot be expected to take the program seriously, regardless of the quality of the safety consultant.

### **CHOOSE A SAFETY CONSULTANT WITH EMPLOYEES IN MIND**

Once the objectives and the impact of the new regulation have been determined, the employee situation will have to be considered. Many facilities choose for their management staff to participate in implementing a new regulation. The safety consultant may perform the task with a management focus. These type of courses are often called "train the trainer". Management is thoroughly trained on the new regulation. The management staff is then responsible for carrying out compliance with those employees they supervise.

There are advantages and disadvantages to this approach. The advantages are that management has more control of the implementation of the regulation. A manager knows what shift changes or certain times of day are the best time to inform and train employees. The manager, familiar with the operations under his/her direction, can answer specific questions. The manager will also be able to work through critical points with employees and keep his/her department in compliance.

A disadvantage of this method is an increased workload for managers. The manager may not be able to perform all phases adequately. In addition, employees may view training by management as a burden being placed upon them by the company and consequently, not be as attentive and/or supportive. Before choosing a "train the trainer" approach, be realistic about the management-employee relationship.

Organized labor may include, but is not limited to, a union. The facility or organization may have organized safety and health committees in place that can collaborate with management. This committee can then follow up with the employees; and, through a consensus approach, develop the best approach to implementing and maintaining a program.

Small or medium sized facilities and organizations may not have committees or unions to approach. However, all employees respect certain people or supervisors. Set up a meeting with those influential people and solicit their ideas and opinions in determining the best approach to securing employee involvement with compliance of a new regulation.

### **COMPLEXITY OF JOB TASK WILL DETERMINE THE SAFETY CONSULTANT HIRED**

Once the objectives have been determined, the impact of the regulation has been assessed, and the desired level of employee and management involvement decided, you will have a better idea

about the type of safety consultant required. This is where the large consulting firm versus the small consulting firm dilemma comes into play. A small consulting firm may consist of only one or two people. For those regulations that do not require a multitude of expertise and services, a small firm is often quite effective. Another advantage may be that working with one or two individuals on a consistent basis develops a trust with employees and management. Sometimes small firms only work in one specialty area such as accident investigations, emergency planning, or fire protection. Small firms can generally provide excellent service within their realm of expertise.

Large firms can provide a multitude of services that smaller firms cannot. They may provide environmental services, safety and health services, legal counseling, training services, and construction services. These firms often provide an ideal solution when a complex problem exists. They can provide overall services and complete the task in a timely manner. Large firms are also advantageous when a facility is large and needs a multitude of services on a continuous basis. This eliminates the need for keeping up with several consulting firms working on the property at one time.

Location of the consulting company is also a factor. Local safety consulting firms can provide insight into local regulations while also minimizing travel and other expenses. Be realistic of the job task, though. A safety consulting firm from outside the area may have better qualifications for a particular job.

### **LOCATING A SAFETY CONSULTANT**

There are numerous ways of locating a safety consultant. Organizations such as the local chapter of the American Society of Safety Engineers (ASSE) is a starting point. Members may have utilized a safety consultant or be safety consultants.

Two other organizations have stringent guidelines for membership. One is the Board of Certified Safety Professionals (BCSP) and the other is the American Board of Industrial Hygienists (ABIH). Organization addresses can be found in Appendix A. Both organizations require extensive experience and/or education to qualify to take their exams. The first exam is a core exam, which is a test of overall knowledge of the safety and industrial hygiene field. Then, with the successful completion of the test and the required amount of education and experience, the person is allowed to take the necessary specialty exam to become a Certified Safety Professional (CSP) or a Certified Industrial Hygienist (CIH). By hiring a safety consultant with these qualifications, you are assured of someone with experience and background in the areas of safety and/or industrial hygiene.

Universities and colleges may be a source of help for safety services. OSHA and EPA continuously fund universities and colleges through grants to conduct research and provide training to industries in various states or regions. This is an excellent source of information and people qualified to provide services in safety and health. Universities and colleges often utilize grant monies to provide various services at a lower cost than others. A call to the colleges of engineering, health sciences, public health, or to the extension service will provide further information.

Yellow pages can also provide information on the number of safety, health, or environmental consultants in the area. Many large consulting firms from outside the area may choose to advertise in the regional phone book as well.

Safety and health periodicals will sometimes donate or sell advertising space to consultants. Check for one in your region or contact those advertising for further information. The local public library or university/college library can help with finding current periodicals in safety and health.

Most facilities, small or large, need access to legal counsel. This legal counsel may be a staff lawyer or a law firm. Contact the lawyer for advice on safety and health consultants. Many times law offices have had to contact consultants for services, and may know safety consultants by reputation. When entering into a complex contract with a safety consultant, it may be advantageous to utilize a lawyer in developing a contract.

Peer referrals are also a good source of information about safety consultants. They can provide names of safety consultants they have used in the past. Peers can also explain the positive as well as the negative aspects of safety consultants they have hired.

#### **DETERMINING IF THE SAFETY CONSULTANT FITS THE FACILITY'S NEEDS**

When considering a safety consulting firm, set up an initial meeting. In this meeting, you may also want input from the plant manager, an employee representative, the personnel manager, and/or others. Do not bombard the safety consultant with too many faces during the meeting as this may confuse the overall issue. The objectives should already be identified and should be presented to the safety consultant. Be up front with why a safety consultant is being solicited. If an OSHA or EPA citation has been issued, let the consultant know. They will also need access to other safety information or programs on site to provide the services desired. Explain policies and guidelines that employees and consultants must follow. If the consultant will be required to sign a confidential agreement, explain. If printed information about the facility is provided, let the consultant know if it may be copied or if it must be returned. Ask for proposals and/or presentations to be given on:

- 1) How the proposed work will be performed.
- 2) Resumes of those performing work.
- 3) How training of employees is conducted.
- 4) The time frame for performing the job task.
- 5) A breakdown of associated costs.

Let the safety consultant know that the resumes of those performing the work will be reviewed. The personnel manager can be of assistance in this. Consider choosing a few of the resumes and determining the accuracy of the information provided. If a discrepancy is found in education, certification or experience, consider looking elsewhere for a safety consultant. Misrepresentation of employee qualifications should not be tolerated.

Check references. Ask about strengths and weaknesses. If you feel uncomfortable in any way, think again before hiring.

Safety consultants should interact during the meeting with questions as well. Questions to expect from a safety consultant include:

- 1) Who will be the contact person?
- 2) How many employees will be affected?
- 3) How many shifts do you operate?
- 4) Union or non-union work force?
- 5) Are the employees aware of what is being done?
- 6) Why is the facility seeking this type of service at this time?
- 7) Is there a good working relationship between management and employees?
- 8) What is management's philosophy towards safety?

Many times consultants are not told the "whole story" when hired, making their job unnecessarily difficult. The more information the consultant receives regarding the facility, the employees, and the work environment, the better suited he/she is to successfully complete the job. The consultant should request a tour of the facility in order to understand what is necessary to complete the job task. Without one, the consultant cannot truly understand the facility's situation and how to approach the job.

#### **DETERMINE ALL COSTS OF SERVICES**

When accepting bids for services, request a detailed description. Depending on the type of work, a decision must be made on a contract fee, hourly fee, or contingency fee. The contract fee is a specific fee to perform a particular job and should include a ceiling that the cost of the job cannot exceed. Hourly or daily fees are beneficial when the project may be ongoing or in need of follow-ups. Hourly or daily rates are determined by the person performing the work. A CIH or CSP is more costly than a technician. When using hourly contracts, determine who will perform which job and what hourly wage is allotted for them. It is important, of course, to get an estimate of total time for the job. Contingency contracts release payments as sections of the contract are completed. This is a good idea for long term, complex jobs.

Other expenses, such as mileage, meals, and lodging, may also be involved. Ask if the safety consultant has a per diem established for the firm or if receipts are reimbursed. The general cost in the area for hotels and meals can be obtained by making a few phone calls. Agree on a fair limit for travel expenses. Other outside expenses might include personal protective equipment or lab fees.

#### **MONITORING A SAFETY CONSULTANT**

Once a safety consultant is hired, work performance should be evaluated. Depending on the job task, this may be continuous. Remember, if the work is not done to compliance standards, your facility is ultimately responsible. Ask employees working with the safety consultant how work is progressing. Is the safety consultant knowledgeable and communicating well? If the safety consultant is writing compliance programs for the facility, ask for rough drafts. Examine the written programs for inconsistencies with company policies or other written programs already established. Examine the wording so that it does not unnecessarily place the facility under another regulation. If doubts arise, inform the consultant of your concerns.

See that the job task is coinciding with the time schedule allotted. If not, identify the problem and how to resolve it.

If employees are being trained, ask those employees to complete a training evaluation. This will make the safety consultant aware of the facility's commitment to the training. Class size, time allotted to instruction, and the method of instruction should have been agreed upon earlier. A company representative should attend the classes to ensure that the instruction is being performed as planned. Those with experience in instructing safety courses feel that a supervisor or management representative in each class is important for answering questions and addressing and supporting important issues. The safety consultant is not at the facility everyday and, therefore, is not able to answer every question that employees may ask.

## CONCLUSION

Depending on the job task, the choice of a safety consultant can be a difficult one. The safety consultant must meet the requirements of not only OSHA or EPA, but also of those of the facility's policies. Policies may need to be modified or developed in order to come into compliance with state and federal regulations. Choosing the correct safety consultant can be highly cost effective. The wrong choice can be the opposite, involving the facility well beyond the projected time span and increasing costs unnecessarily.

## APPENDIX

American Society of Safety Engineers  
1800 East Oakton Street  
Des Plaines, IL 60018-2187  
Phone (708)692-4121

Board of Certified Safety Professionals  
208 Burwash Avenue  
Savory, Illinois 61874-9571  
Phone (217) 259-9263

American Board of Industrial Hygiene  
4600 West Saginaw  
Suite 101  
Lansing, MI 48917  
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