



Labor flux, insurance issues loom

If your workforce is fluid, and you're suffocating under oppressive insurance rates, one thing else is certain: you're not alone.

Robert Maronde, current president of the American Landscape Contractors Association (ALCA), predicts that stabilizing the workforce and managing insurance costs are "the top issues of the 1990s."

Maronde believes the labor pool is shrinking; what remains is ever-changing.

Maronde's term as ALCA president gives him a front-row seat at all landscape-related developments, and an opportunity to pass along what he's learned as president of Exotic Plant Rentals, South Elgin, Ill.

Maronde offers three solutions to stabilize the workforce and attract more people to landscaping:

- Higher wages;
- Fluid work hours;
- Innovative benefits, such as day-care subsidies for part-time workers not eligible for group health insurance.

"The prevailing wage rate across the United States is on par with McDonald's and Burger King," says Maronde. "Nobody can live on minimum wage."

Other landscapers in-the-know agree that to be competitive, wages must begin at \$7 to \$10 an hour.

Admittedly, landscaping is not a nine-to-five job. And then there's weekend work. Maronde thinks that to make the work more attractive, companies implement flex time, so workers avoid the hassle morning and evening rush hours. Alternating Saturday work might also help, and would take some schedule juggling, especially at companies with multiple offices.

To suppress volcanic insurance rates, Maronde says worker education programs must be widespread: in offices, greenhouses, warehouses, and in the field.

"We have to do more in-depth training," Maronde insists. "Workmen's compensation payments are going off the chart because of stupid accidents. The supervisor, manager, or company owner has not taken the time to review the proper way to handle machinery, equipment and hand tools."

Worker safety has long been a concern of ALCA. Its "Safety and Awareness" program contains everything a company needs to make its workers more aware of proper safety measures. It includes lessons in first aid, pesticide application and safe driving. "And it's economical," says Maronde. "All you need is a small TV and a VCR. Sit them down and show them." Regular safety reviews are a mandate at Exotic Plant Rentals.

When did you last review your customer base? Can you accurately describe your typical customer?

"A company owner must do a review (of his market) twice a year," insists Maronde. "Look at population growth or trends that influence your direct market. Otherwise, you won't be in business two to three years down the road."

Landscapers must pay attention to what may be a shifting market niche, as today, customer profiles are less defined.

"Marketing is a concept, an evaluation, an adjustment to trends that are happening within your grasp," explains, Maronde, who believes advertising is necessary to stay afloat. "If you sit there and don't advertise for a year," he says, "two years from now, nobody knows about you. You're a well kept secret. And you know what happens to a well-kept secret."

Top-flight landscapers perform quality work, but the public needs to know.

"You can win a ton of awards," says Maronde, "but that doesn't mean anything unless you utilize it and market your services. It's great to have all those plaques, but it's also great to have all those plaques in all the newspapers."

Marketing on this level is simple. It's done with an occasional press release to the business and garden sections of local papers. "And you don't have to be a large company to be able to afford it," insists Maronde. "There are a lot of marketing companies that would love to be able to spend four hours a week on your business, and put you three years ahead of yourself."

If you think your company has an image problem, look at the way your workers dress and the condition of the fleet.

Trucks must be bright and clean, insists Maronde. "They don't have to be new, just rust-free. And uniforms can't look like they were first worn in 1965." And: no jeans, no tennis shoes.

Maronde believes that landscape contractors are just as important to a job project as a building contractor; the mutual importance needs to be stressed. "Landscape contractors are not just the last guy to come in," he says. "We're part and parcel of the contracting trade."

Failure to comply with water and pesticide regulations could well put some companies out of business during the next few years. Stringent controls will continue, and the losers will be those who don't follow regulations and don't educate employees.

Maronde promises that the negligent companies will not be able to pass muster on facility inspections, and will fail when it comes to meeting insurance requirements. Quoth Maronde: "You must invest in yourself."

The emotionalism of the environmental movement will continue, albeit in waves. "The idea is to be able to ride through the storm and capitalize on it," advises Maronde. "Come up with a new or better product. Come up with a different way of handling the situation to make your customers better aware."

Landscape contracting and lawn maintenance is now a test of stewardship.

"If we can conserve water," suggests Maronde, "we cut down on water pollution. If we can filter the air, we can cut down on air pollution. There are ways to be pro-active. You can be part of the emotionalism, or part of the solution."

—Terry McIver □



Bob Maronde:
Emphasize worker safety and marketing.



price. That means that instead of paying \$2500 a month for gas, we'll be paying almost \$5000. And if you're locked into annual contracts like we are, you can't adjust the prices you charge until next year."

Competition is high

Stewart reports that competition in his neck of the woods is stiff. "In the past it was the land of plenty. For every construction job, we used to bid against five other companies. Now, it's about 40." More emphasis, too, is being put on full-service maintenance as the construction boom has faded.

To survive, he says, "you have to be good. Service and professionalism have to be stressed. It's going to keep separating the men from the boys."

To foster quality workmanship and responsibility within the ranks, landscapers must continue to promote from within their companies.

"If I have to hire a crew leader (from outside the company), then I've got a problem," says Mike Puckett, landscape construction manager at Fullcare, Inc., Louisville, Ky. "That means I can't keep good lead people."

Puckett thinks leadership is a quality most people have, "they just don't get the opportunity to develop it within themselves."

By hiring from within, Puckett follows a well-designed management blueprint.

"They know they have that opportunity," he says. "They want that responsibility; they want to upgrade themselves, they want to make more money. They can aspire to do that as opposed to just coming in, doing their work, and leaving. Every once in a while you'll get a guy who is not satisfied with that. He's restless. That's the person I'm looking for."

Wages must rise

ALCA says wages must begin in the \$7.50 to \$10 range, and Stewart agrees. He starts his laborers at about the \$7.50 level.

In addition to a good paycheck, Puckett believes that workers deserve "mental wages" everyday. "That means you compliment people," he explains. "You tell them what they're doing well. You give constructive criticism.



Stewart



Ahlers



Leider

"I owe it to the guys to let them know anything and everything that is a positive," Puckett says. "Many times people are motivated by money or self-respect. One thing everybody likes is to be complimented."

Insurance woes

Like many areas of the country, eastern Pennsylvania is experiencing an increase in the cost of Blue Cross/Blue Shield coverage next year. Coverage there will jump to \$560 per month per employee.

"There aren't many landscaping companies that can afford those rates," says Heyser. "Many companies, like us, are passing along some of the expenses to employees. We pay for so much coverage and then give the employee the option to purchase more."

Likewise out in California, where Ahlers says "you can't find a person who doesn't ask about insurance when you offer them a job" and in Illinois, where Leider notes that the health insurance prices are "ludicrous."

Attack of the low-bidders

Price undercutting by some companies is a grub in the turf of many landscapers.

Who are the low-bidders? Is "right-to-work" a valid concept? Not when it affects quality and, in the long run, the collective image of the industry.

Mark Yahn, president of Ground Control Landscaping, Orlando, Fla., says contractors must "learn to bid responsibly for their own financial well-being as well as that of the industry."

"It does little good to take premium jobs out of the market," explains Yahn, "if the final result is conflict with the owner and no profit; or, in some cases, red ink."

"A lot (of the undercutters) have been in business for a short time," notes Stewart, "and I don't think they know a lot about pricing." But he says he looks forward to that competition, because in the long run, the most professional and service-driven companies will survive.

According to a new report by the Center for Golf Course Management, golf course superintendents consider environmental safety to be an extremely important priority in maintaining their courses.

When asked to rank special areas of concern, superintendents surveyed said groundwater protection was their highest priority. Also mentioned as important aspects of management were:

- notifying the public of control

product applications,

- water-use restrictions and
- regulations on underground storage tanks and hazard communications.

John Schilling, executive director of GCSAA, believes the survey is strong evidence that superintendents are sensitive to environmental issues.

"The study shows clearly," says Schilling, "that golf course superintendents are very well-informed about our nation's environmental priorities."

Pat Jones, GCSAA director of communications, says that its certified superintendents are acquiring a new respect from environmentalists.

"In the past," recalls Jones, "the



Puckett

superintendent was cast in the role of the villain. That was frustrating for GCSAA members who are very much concerned about protecting the environment."

According to Jones, the golf superintendents' initiative has paid off. "We've heard from folks in the environmental movement," says Jones. "They see us in a better light. People are looking at golf courses as a way to set aside natural land, and keep wildlife in areas that it might otherwise have been driven out from."

Superintendents have also become more accepting of the integrated pest management (IPM) concept. "We're pleased that it's becoming a practice on golf courses, and not just a philosophy," says Jones. "The interesting thing about (IPM)," continues Jones, "is that for a long time people thought it was something that you could pull out of a box. It doesn't work that way. The person has to learn the basic principles of turf management, and then relearn them and apply them at his or her facility. That puts a lot of impetus on the manager to make it a priority." **LM**

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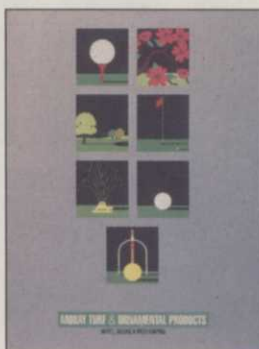
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While the law demands that you comply with regulations such as OSHA's Hazard Communication Standard and SARA Title III, the real benefits come from providing a safe workplace and being a responsible citizen.

CHEMICAL SAFETY: IT'S IN YOUR HANDS

Any company that handles pesticides must comply with the appropriate safety regulations. But many don't know exactly what is required by law.

by Julie M. Baranyai, Ph.D.

Handling chemicals safely means being informed about the products you're handling, being aware of their hazards and being prepared to control, contain, and clean up a spill.

Golf course superintendents, landscape contractors and others who use pesticides and fertilizers must plan ahead and think about the "what-ifs":

"What if application equipment leaks?"

"What if there is a fire in a chemical storage building?"

If you are to handle chemicals safely, you must inform your employees by complying with the Occupa-

tional Safety and Health Administration (OSHA) Standard or Worker Right-to-Know Law. You also need to be aware of your responsibility to inform the community at large about chemicals used at your facility as required by SARA Title III or the Community Right-to-Know Law. Understanding and using Material Safety Data Sheets (MSDSs) is part of both of these laws.

Worker right-to-know

The worker right-to-know law was issued by OSHA on November 24, 1983 as the Hazard Communication Standard (HazCom). Initially, the legisla-

tion was limited to chemical manufacturers, imports, and distributors. It was expanded to include other users of hazardous chemicals, such as golf course superintendents and landscape contractors, on June 24, 1988.

The federal OSHA standard preempts any state or local worker right-to-know law unless it is an OSHA-approved state plan. HazCom protects the worker in the work place; it does not extend outside the work place. Employees of all businesses that handle hazardous chemicals, including contractors and subcontractors, are protected under the law.

Businesses are not responsible for a

worker who is self-employed; however any employees of a self-employed business owner are covered by the law.

Legal requirements

The law requires that hazards of all chemicals used in a work place be evaluated and that information and training for safe use be provided to employees. Under HazCom, "hazardous chemical" is defined as any chemical that presents a physical (fire, explosion, etc.) or health hazard in the workplace, according to criteria set by OSHA.

Many pesticides not considered hazardous by the Environmental Protection Agency (EPA) or Department of Transportation (DOT) are considered

hazardous by OSHA, including most fertilizers and all pesticides. The MSDS received from your supplier should be consulted to determine if a product meets the OSHA definition of "hazardous chemical."

HazCom requires employers to:

- 1) Evaluate hazards of all chemicals handled in the workplace.
- 2) Develop and maintain (keep cur-

rent) a list of all hazardous chemicals to which employees are or may be exposed.

- 3) Obtain and make available to employees MSDSs for every hazardous chemical in the workplace.

- 4) Insure that all hazardous chemical containers on site are properly labeled.

- 5) Develop an employee training program to inform employees of physical and health hazards of chemicals and how to protect themselves.

- 6) Establish emergency procedures.

- 7) Establish proper work procedures in handling hazardous chemicals.

- 8) Develop a record system for inventory and training.

- 9) And develop a written hazard commu-

nication program.

The written Hazard Communication Program must explain how the employer intends to meet the law's requirements. It must include the hazardous chemical list, location and availability of MSDSs, and the employee training program.

Employees must be given the following information:

The MSDS says what a chemical is, why it's hazardous, and how to use it safely.

- Requirements of the worker right-to-know law.

- Operations in the work area where hazardous chemicals are present.

- Location of the written HazCom program, hazardous chemicals lists, and MSDSs.

Training requirements include the following:

- 1) Methods and observations employees can use to detect the presence or release of a hazardous chemical in their work area.

- 2) Health and physical hazards of chemicals in the work area.

- 3) Measures employees can take to protect themselves from chemical hazards and procedures implemented by the employer to provide protection, such as safe work practices and personal protective equipment.

- 4) How to read and interpret hazard information found on labels and MSDSs.

- 5) And how contractors or non-employees in the workplace are to be informed of chemical hazards.

Training is to be done when the employee is initially hired or assigned to a work area where hazardous chemicals are present. Although refresher courses are not required, any new hazard or hazardous chemical introduced into the workplace requires additional training.

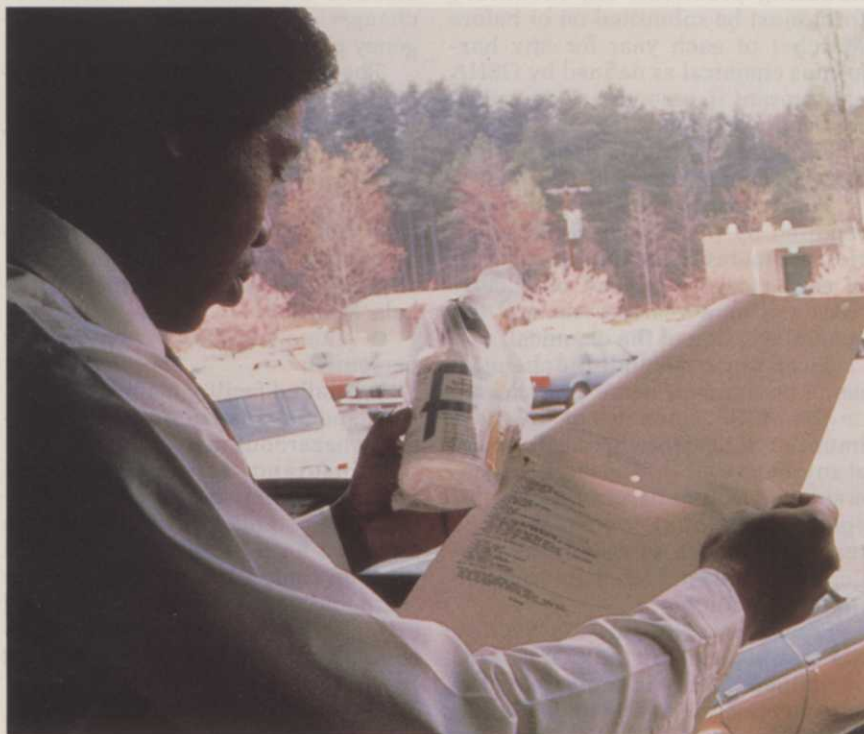
Material Safety Data Sheets

The MSDS identifies what the chemical is, details why it is hazardous and tells how to work with it safely. Manufacturers of hazardous chemicals must provide MSDSs to their customers. If the customer is a distributor, the distributor must provide the MSDS to his customers, and so on down the line.

You should make sure that MSDSs you receive are complete and adequately explain hazards, that you have MSDSs for all chemicals on site, and that employees have access to MSDSs and can understand information on them.

SARA Title III

SARA Title III is administered by the EPA rather than by OSHA. It was included in the 1986 Superfund Amendments and Reauthorization Act (SARA). Title III of the Act is also known as the "Emergency Planning and Community Right-to-Know Act." This law has four major components: Community Right-to-Know Reporting (Sections 311 and 312); Emergency Notification (Section 304); - Emergency Planning (Sections 301-303); and Toxic Chemical Release Reporting (Section 313, not discussed here -



Purveyors of hazardous chemicals are responsible for informing employees and the community at large about the control products used at your facility.

EMPLOYEES MUST BE GIVEN THE FOLLOWING INFORMATION:

- ✓ Requirements of the worker right-to-know law
- ✓ Operations in the work area where hazardous chemicals are present
- ✓ Location of the written HazCom program, hazardous chemicals lists, and MSDSs

applies to manufacturers only).

Community right-to-know

Community Right-to-Know Reporting businesses are required to report information about hazardous chemicals at their sites to the Local Emergency Planning Committee (LEPC), State Emergency Response Commission (SERC), or local fire department. Physical and health hazards of chemicals are to be reported by indicating which—if any—of the five EPA hazard categories applies: Immediate (acute) Health Hazard, Delayed (Chronic) Health Hazard, Fire Hazard, Sudden Release of Pressure, and Reactive Hazard.

Section 311 requires a one-time submission listing hazardous chemicals present at a facility. Alternatively, MSDSs may be provided. The lists or MSDSs are to be provided for all hazardous chemicals for which OSHA requires an MSDS if present in amounts greater than or equal to their Threshold Planning Quantity (TPQ). Currently, the TPQ is 10,000 pounds, except for chemicals designated as "Extremely Hazardous Substances" (EHSs) in Section 302 of SARA Title III.

TPQ listings

The TPQ for many EHSs is listed in Section 302. For those not listed, the TPQ is 500 pounds (or 55 gallons). These TPQs are subject to change by EPA. The list or MSDSs must be submitted within three months after the facility first becomes subject to Section 311.

It is recommended that a list rather than MSDSs be provided, since every revised MSDS received by the facility must be re-submitted to the LEPC,

SERC and fire department. The list must include the EPA hazard categories for each chemical, chemical name, common name, and hazardous components of each substance, and, for mixtures, the identity of individual elements or compounds which are hazardous.

The LEPC, SERC, or local fire department may later request an MSDS for any chemical on the list.

Section 312 is an annual responsibility requiring more detailed information on chemical hazards and handling practices. An inventory form must be submitted on or before March 1 of each year for any hazardous chemical as defined by OSHA and present in amounts as described for Section 311 reporting.

Facilities may submit either a Tier I form or the more detailed Tier II form.

Tier I consists of a list of chemicals reported by the EPA hazard categories, estimates of maximum amounts of each category present on a daily basis and on a yearly basis, and the general location of the chemical.

Tier II reports include the chemical name or common name as indicated on the MSDS, estimates of the maximum amount of the chemical present at any given time during the year, general location, and description of storage. State, local, or emergency response officials, as well as the public, may request Tier II information from the facility.

Emergency Notification Section 304 requires that the LEPC and SERC be notified if there is a release of certain chemicals in excess of the Reportable Quantity (RQ) established by EPA for each covered substance. Chemicals covered include the Sec-

tion 302 EHSs and CERCLA hazardous substances.

Releases to the environment which go beyond the facility boundary must be reported, although EPA encourages reporting all releases for which there is a risk of movement offsite.

If a CERCLA chemical is involved, the National Response Center also must be informed, even if the release stays on your own property.

EPA has proposed to designate EHSs not on the CERCLA list as CERCLA hazardous substances, so that all releases, whether off your property or not, would be reportable on the local, state, and federal level. It is recommended that all of these groups be notified whenever any substance is spilled in an amount exceeding its RQ.

Emergency planning

Any facility which has any of the Section 302 Extremely Hazardous Substances present in amounts over the TPQ must notify the SERC. You should work with the local fire department or LEPC to develop an emergency plan.

As a first step, appoint an emergency coordinator for your facility. Give his or her name, along with a copy of the emergency plan, to the fire department and LEPC. The plan should also be readily available to employees and extra copies should be filed at primary and secondary facility contact people's homes. The plan should be modified whenever changes at your facility affect emergency planning provisions.

The emergency plan should include:

- procedures to follow for spills, fire, or explosion;
- responsibilities of facility personnel;
- list of available safety and clean-up equipment and its location;
- product safety information (labels, MSDSs);
- phone numbers of emergency personnel;
- detailed facility map;
- special instructions for especially hazardous materials; and
- insurance information (name and phone number of agent).

While compliance with these two laws is a legal requirement, the real benefits come from providing a safe workplace for your employees and acting as a responsible corporate citizen in your community. **LM**

Dr. Baranyai is health and environmental safety specialist for Ciba-Geigy, Agricultural Division. She earned her Ph.D. in pharmacology from Duke University.