# CHAPTER TWELVE

# LIFE-SAVING SAFETY RULES:
## *Effective Implementation*

*If we can't keep the promise to our people that we will keep them safe, what promise can we keep?*
—Metals company executive

There are some situations and tasks so hazardous that approaching them unsafely just one time can result in a serious or fatal injury. "Life-saving rules" (sometimes known as cardinal rules) are designed just for these situations. These rules are deemed to be safety-critical and there is zero tolerance for violation. Adoption of life-saving rules can be a helpful approach to ensure ongoing focus on those protective measures most important for avoiding serious injuries. That doesn't mean, however, that implementing them is easy. Without a carefully planned approach, implementing life-saving rules, rather than protecting employees, can result in serious problems that actually detract from an organization's safety objectives.

## WHY ARE LIFE-SAVING RULES SO HARD?

The principle of life-saving rules is straightforward enough: Some situations are inviolable in their seriousness and there can be no deviation in approaching these situations with utmost care. So why is it that so many organizations find that these rules can become points of contention, or worse, inconsistently used? Before we look at how to implement life-saving rules well, it is helpful to understand the pitfalls that managers can fall into with respect to them:

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## Inconsistent enforcement

A life-saving rule must be enforced with 100% consistency based on the rule being followed, independent of whether there is an injury that occurs. Still, one of the most common ways that an organization can undermine the rules is to allow variation in how life-saving rules are enforced.

### Solution

The organization must be prepared to commit to 100% enforcement and must be prepared to discipline anyone, whether agreement worker or supervisor or manager, who does not follow the life-saving rule. In addition, a supervisor or manager who does not enforce a life-saving rule with consistency must be disciplined. (That is, zero tolerance applies both to following and to enforcing the rule.) Additional discussion of the proper use of discipline is found in chapters 13 and 14.

## Unclear consequences

Say there is a life-saving rule around following the confined-space entry procedure. That procedure may require display of the completed work permit in a visible location close to the work being performed. The person doing the work takes appropriate precautions, completes the permit perfectly, but puts it in his pocket. What action do you take? Without clear guidance and communication, some managers would interpret this as a rule violation and apply discipline, while others would say the procedure is designed to control exposure for the most high-risk activities and the failure to post doesn't warrant discipline.

### Solution

There must be clear consequences for failure to follow a life-saving rule. This may already be specified in various labor agreements and/or HR policies, but the consequences need to be reviewed to be sure they can be applied with 100% consistency of enforcement.

Moreover, it is important to define what "zero tolerance" really means. As a team, walk through as many types of potential scenarios as possible, so that you can agree on the desired approach and communicate it clearly.

## Lack of specificity

Having a life-saving rule of "act safely" (or something similarly ambiguous) is impossible to enforce consistently. The definition admits too much room for interpretation.

### Solution

Assure that each life-saving rule is specific enough to support alignment. Instead of "act safely," you could define what that means in specific circumstances, for example, "No work between or under rail cars without blue flag protection."

## Poor selection of life-saving rules

Sometimes life-saving rules are drafted in response to issues that are important but that don't meet the qualification of being life-threatening. For example, attempting to address late reporting of injuries through a life-saving rule would potentially create two problems: First, it would make the life-saving rules appear to employees not to be focused on reducing exposure. Second, it could be seen by regulators as suppressing the reporting of injuries (since some injuries truly cannot be reported until sometime later and subjecting this to discipline could result in people not reporting legitimate injuries).

### Solution

Select life-saving rules for their ability to reduce high-risk exposure, not for administrative issues.

## HOW TO SAVE A LIFE

So how do you avoid the pitfalls and go about establishing effective life-saving rules?

### *Describe the compelling reason for change*

Change starts with a vision. Fundamentally, you want senior leadership to articulate why this change is important and what benefits we will achieve through the change. Questions to answer might include: Why are we making this change now? What will the change look like?

### *Form a cross-functional implementation team*

This team's purpose is to manage the development and implementation of life-saving rules. (Ideally this team is a joint management/labor team.) Implementing a life-saving rules program is a significant undertaking and requires considerable planning and development work. Having participation and input from varying perspectives is important to assure the program and implementation itself are both well designed.

### *Make an initial selection of life-saving rules*

Aim to identify a small number of rules, ideally no more than eight or ten, that represent high risk in your organization. You may select rules based on their reflection of exposures with very high-severity potential or because they reflect exposures with lower severity but very high frequency. The credibility of the life-saving rules depends on them being items that everyone would recognize as important for worker protection. (It should be apparent to everyone that they would not want to be working with someone who violated these rules.) Study of the injuries with potential for serious injury or fatality can be a good source of data to support development of life-saving rules. In addition to identifying the life-saving rules, it is important to decide on two related issues:

1. *Will life-saving rules be enterprise-wide or department specific?* In other words, are the exposures in different departments sufficiently unique to require separate life-saving rules, and if so how will these be applied in locations where more than one department's personnel work?
2. *Do we need to eliminate variation in existing procedures before we can implement life-saving rules?* For example, there may be multiple versions of lock out/tag out procedures within the organization. Unless these are made consistent, a life-saving rule that said "follow lock-out/tag-out procedures" would be very difficult to validate (see below) and consistently enforce.

## Define the consequences

There must be clear and unambiguous definition of the consequences that will occur when a life-saving rule is violated. Because these rules must be enforced with 100% consistency, the organization must define consequences that it is willing to truly use. Of course these consequences must be consistent with any requirements or restrictions contained in labor agreements. The consequences may be progressive—that is, a different consequence for first offense than for subsequent violations—but the consequence at each step of progression must be applied consistency to anyone violating a life-saving rule.

## Union collaboration

In organizations with labor unions, there should be early communication with the union leadership about the organization's reasons for implementing life-saving rules, the principles under which it is being done, and the approach planned to implement it. Input should be sought on both the draft rules and the implementation process so that hopefully the unions can support this endeavor, but if they are not willing to actively support it, at least they do not try to block it.

## *Validate life-saving rules*

You must assure that if rules are going to be enforced with zero tolerance for violation that the rules can, in fact, be followed. For example, in some organizations we see a rule requiring tie-off for people working at heights, but people are assigned jobs in situations where there is nothing to which they can tie off. Every life-saving rule must require a behavior that is enabled. Rules should be validated by having them reviewed by employees who do the work in which the rules apply as these employees will best understand what barriers may exist to following the rules.

## *Communication to employees*

There must be a well-designed communication plan that reaches all affected employees and explains why this change is being made, what the life-saving rules are and why these specific things were selected, how the rules were validated, and what consequences will occur in case of violation of life-saving rules. The plan should provide multilevel ongoing communication covering not only the compelling reasons for implementing life-saving rules but also what each level's (senior leaders, mid-managers, front-line supervisor, and front-line worker) roles are, and what they need to do to make the process successful. A "one and done" communication approach will not be sufficient.

## *Train supervisors and managers*

All supervisors and managers must be trained to understand how to recognize life-saving rule violations and how to handle these violations. The training should involve both classroom and field training prior to implementation of the life-saving rules. For agreement workers, before going live with life-saving rules it is valuable to create "teachable moments" where no repercussions exist. This helps ensure both the supervisors and the front-line workers understand what is expected and what good looks like. This may be done through an initial "grace period" during which life-saving rule violations will result in correction but not discipline.

### *Provide methods for barrier removal*

Even when you have tried to assure that a life-saving rule will always be enabled, there may be situations that are missed in which there is a physical or systems barrier preventing the rule from being followed. It is important that workers have a reliable mechanism to report any situation they know of or encounter where a life-saving rule will not be able to be followed. This mechanism should also provide feedback to the worker on how the situation is being addressed.

### *Pause work authority*

If there is zero tolerance for violation of a life-saving rule, then workers must be allowed to refuse work that can't be done other than by violating a life-saving rule, and that refusal must have no adverse consequences for the worker. (In fact, a worker refusing to violate a life-saving rule should get positive feedback for doing so as this presumably avoided a high-risk situation.)

### *Monitor enforcement*

Implement a process to monitor the performance of supervisors and managers in enforcing the life-saving rules.

## LEADING THE WAY

Regardless of whatever else is happening, good managers know that they must never lose sight of the fundamentals. In safety, those fundamentals include a focus on life-altering injuries. You need not be a safety expert to assure the appropriate use of life-saving rules. You only need an acquaintance with their principles and an unflagging attention to their use.