# <sup>166</sup> <u>Mike Pascoe</u>



Hello, this is Mike Merrill with the Mobile Workforce Podcast. Today, we have Mr. Mike Pascoe on. Mike is an attorney and a trial lawyer who specializes in OSHA compliance in the field and also is an expert in all things construction related. Mike works for the law firm Hahn-Loiser.

And they are a 104-year-old company, one of the top 500 largest firms in the United States. So very experienced, very well-versed. You're going to learn and hear a lot of interesting and new things as it relates to OSHA compliance, as well as common sense practices to help make sure that your company is practicing your construction habits safely. I think you'll really love this one. Tune in and we'll get to the show.

Well, welcome onto the podcast, Mike. It's a pleasure to have you on today. You bet. I guess we can call this one Mike and Mike in the morning, right? Sounds like a radio show. That's probably, it's probably 18 different shows that have that trademark, so.

#### Mike Pascoe:

Thank you for having me. I appreciate the opportunity.

That's right. We might get sued for that. As your lawyer, I would advise you against it. How's that?

#### Mike Merrill:

Well, Mike, again, it's been a long time coming. We've been talking with you quite a bit about your expertise and your background as it relates to OSHA related items, which are very important for construction. And I just wanted to check in with you and see from your perspective, how do you think the political changes that are going on in the current environment are influencing the activities within OSHA?

# **Mike Pascoe:**

So that's a great question. The Biden administration really has been focused on climate and that led to the national emphasis program that we saw in heat two years ago.

And to harken back to before that in the previous administration, there was a significant focus on rewarding compliance and really looking at what companies had done to have zero tolerance policies, to enforce safety rules. And those actions were rewarded and citations were vacated for even very serious injuries. Like we saw in the Suncor case, we had two workers who were inside of a heater at a turnaround for a oil refinery and fell from a height of three stories and were seriously injured. And ultimately that ended up, the citation ended up being vacated because of Suncor's very robust safety policy. We fast forward to what's happening now, and this really did start with the HEAT National Emphasis Program. It has expanded to both trenching and to fall protection, but HEAT was the impetus of it, which is a... huge issue for the current administration. We saw OSHA engage in what has become a pattern in practice for them where they will not have a rule per se. I there is heat rulemaking underway, but as we know from the silica standard that's a decade off at least. And they will issue these national offices program alerts and will then at the same time issue what they believe would constitute compliance with however they're going to cite you, whether it be

# **Mike Merrill:**

Mm -hmm.

# **Mike Pascoe:**

for heat general duty clause violation or a safety standard violation something along those lines and they then proactively notify you that hey every single time we inspect someone we're gonna tack on a heat inspection and the year ago a little over a year ago we saw the first set of statistics from the heat national emphasis program and I think actual citations compared to you know attorneys all come together. You know, the government and solicitor's office who enforces OSHA policy trumpeted it as a great success. And there was a question from the crowd from one of the employee first side lawyers. How can you call it a success? You didn't issue any citations. And, you know, I never, I never liked to be the guy who asks the question at the end of the session and makes everyone stay, right? Everyone wants to get their coffee and take their break and get a snack. But I went up afterwards and talked to them.

# **Mike Merrill:**

Mmm.

#### **Mike Pascoe:**

And the conversation I had was, look, I view that as a tremendous success because they implemented essentially without rulemaking a heat safety policy and they got everybody to do it. And it's the play that works. You run the play again. And so they ran it again with fall protection. They were running again with trenching. And they really are using that as a way.

# **Mike Merrill:**

Right.

#### Mike Pascoe:

To advance current agendas and sidestep all of the morass that is rulemaking like we saw with the silica standard which took I think 26 years to go from you know notice of initial rulemaking to final rule and even now that the rule is kind of a nightmare.

# **Mike Merrill:**

So that's very fascinating, Mike. Interesting how those changes in administration have such an impact on this. But for the listeners that may not be familiar with HEAT, can you explain a little bit more about what that is and what it pertains to?

# **Mike Pascoe:**

Sure, so the issue with HEAT is it is the number one weather related cause of injury and fatality in work sites across the country. And the poster case for this is a gentleman by the name of Tim Barber who is 26 years old. He worked on a construction site one day. The next day his... exhaustion and you know he was he was in the sun and he was unprotected and he was by himself. And so it's an illustration of heat as a hazard and how it can affect anybody, even people without comorbidities, without being at a risk factor of age or weight or health or anything along those lines. And so in an effort to address that, OSHA issued a notice of proposed rulemaking and is working on a rule for heat.

The complexity comes in with the concept of what does it mean when heat is high, right? When is it a danger? And OSHA has used in the Sturgill roofing case and then in the USPS cases, they've used the National Weather Service chart, which you've probably seen. It has temperature on one side and humidity on the other. And it has a chart that goes from yellow to orange to red to dark red, depending upon a combination of temperature and humidity. And what...

#### **Mike Merrill:**

Right, right.

#### Mike Pascoe:

What that says is essentially that there is a risk as the temperature and as the humidity increase. And so what OSHA did is, at least in the National Offices Program, they said, look, here's a hazard. We're giving notice through this. So we meet our general duty clause requirement to provide notice of a hazard in the industry. Tim Barber in the case here provides evidence that it's a serious hazard likely for serious injury or death.

And here's how you obeyed it, right? Have a rest program, have water available, have breaks, and not just breaks, but mandated breaks, right? Have shade available, put in what are called administrative controls, so potentially start earlier in the day if it's possible, if you're going to engage in paving or other types of activity. Potentially allow a climatization if a worker has not worked in that type of an environment, slowly introduce them into a climatization. And then of

course, you know, the number one, is and this is what happened with Tim Barber is training to understand how to recognize what heat exhaustion looks like.

Because by the time you get to the point where you are in trouble, you're not sweating and you're not capable of asking for help, right? It's affected your cognitive process to the point where you're incapable of voicing to others, I don't feel well, I need assistance. And so training people on how to recognize that is a key part of any kind of program to address heat. And that's why it is the number one weather related hazard in our industry.

# **Mike Merrill:**

Yeah, it makes sense. I have a background in construction and I remember we'd had framing crews and we're out there sometimes 110 degrees and you're up on a hot roof and I'm in Utah, I'm not in Phoenix. So a little less extreme than some climates, but definitely a problem. And I think to your point, a lot of times the body goes more into survival mode and there's some automation that your body kind of takes over and your brain's not necessarily in sync. So I think.

I think there's a lot of wisdom to what you said about the awareness isn't necessarily there, even though there is really quite a bit of danger going on, right?

# **Mike Pascoe:**

Yeah, absolutely.

#### **Mike Merrill:**

So from your perspective, and I think I know the answer, but what approaches have you seen that seem to be more effective to OSHA's dealing with these things? And do you feel like there are positive changes coming down the pike, or is there more to be concerned about if we're in construction?

# **Mike Pascoe:**

So like I said, the heat playbook OSHA really is running with that, right? And. The positive thing about it for safety conscious construction companies is they give you the whole recipe, right? It isn't just here's a danger

go figure it out, right? It's they want to cite you under general duty. It's a general duty requires four things existence of a hazard awareness of the hazard in the industry likelihood of serious death or injury serious injury or death and a feasible means of abatement and so for them to issue these national emphasis programs and have a chance that's a and a citation to enforce them, they try to meet all four of those prongs in these national emphasis program alerts that they give you. And so along with the notice of the hazard comes, in the case of HEAT, proposed options that would constitute a feasible means of abatement.

And while we don't see that in the national emphasis programs on trenching and on fall protection, because we have rules that relate to those. And so abatement is compliance with the rules. And if you're cited, it's not going to be a general duty clause. It's going to be a violation of a specific standard. We're still seeing in these national emphasis programs.

Information from OSHA on how to comply. And that really is their focus. They're looking for compliance, not necessarily citation. But the trend that we're seeing, and there is a recent response coming out from the employer side that we'll talk about more in the presentation at the conference this year, so make sure to attend if you're interested. But OSHA really has gone beyond... in my, this is just my personal opinion, what they're permitted to do, and they really are engaging in rulemaking without going through the rulemaking process, and it's not appropriate for them to do that. It's good, it's good to be safe, and the outcome is positive, but you have to have the checks and balances, and what we're starting to see is there is a challenge now to what's called Chevron deference, which is a legal policy of deferring to, executive agencies that administer rules. And it strikes me as the employer's response to OSHA to say, hang on a minute, okay, you're not abiding by the rules, you're not getting our input, you're not getting our insight. And so this is our response. It is a little bit of a, be careful what you wish for, because I don't think that the outcome from it will be what anybody really wants.

## Mike Merrill:

Yeah. Right?

But at the same time, when you look at the notice of proposed rulemaking for heat, when you look at all of the conferences, there's tremendous participation from the industry and comments. And in fact, the comment period was extended, I believe, twice to take more comments from the industry because it is such a complex issue. And your point, to being in Utah or Arizona, and we're here in Cleveland, Ohio, what's hot to me here in Cleveland? Maybe just a normal spring day to someone in Utah.

# **Mike Merrill:**

Okay.

# **Mike Pascoe:**

And that's the whole acclimatization process and the concept of how hot is hot and when is it a hazard? And my general response to that and what I tell all of my clients is it doesn't matter. That's the tail wagging the dog. We'll get to a rule. California has a rule. Some state plans have rules. We'll get to a rule. What the practical advice is is have a program.

# **Mike Merrill:**

you... Uh huh... you

#### **Mike Pascoe:**

Make sure it's implemented, make sure that you ensure compliance with it, and make sure everybody's trained on how to recognize what the hazard is, and then you're fine. I mean, that's the practical approach to all of the jockeying back and forth between OSHA and the Solicitor's Office's enforcement and the employer side and the employee side.

That's the practical response is it is a hazard. We don't know what the perfect answer is, but here's a set of four or five or six things that you could do, right? Just do those things, right? Do those things, keep your workers safe. You everyone goes home at the end of the day to their family, which is what we really want.

# **Mike Merrill:**

Yeah, I think to your point, I don't know any company that doesn't want their employees to be out there and be safe. You know, nobody wants anyone getting injured. And I think there are good intentions around. But again, compliance is a tricky thing because there is some accountability on individuals to take care of themselves also. What are you seeing companies do as far as?

Software or technology solutions or other things to document and to make sure not only number one that they're they're being safe because that's the important thing but number two if there is risk of a violation or something else that they have the documentation to make sure that they are proving that they are in compliance or at least doing their part.

#### **Mike Pascoe:**

Yeah, so the right we're talking about things like site specific safety plans and various other documentation, right? That's all immediately accessible on, you know, on the iPad, right? It's it and we're not getting into those situations of, oh, you know, you don't have your site specific safety plan here. You don't, you know, everything is accessible. And, you know, we've we've seen potential uses for that for what we call enhanced compliance. So technology as

# **Mike Merrill:**

Mm -hmm.

#### Mike Pascoe:

as a means of enhanced compliance, we'll have people who have not so much a heat, but maybe a fall protection issue. And so we'll offer what we call an enhanced abatement where we'll have a client say, hey, I understand. We had people and they were on a roof and they didn't have fall protection. But rather than a citation, let's get another in serious or let's agree to hold this citation in advance and we'll implement an enhanced enforcement program where,

On any given day, I'll randomly select five of our roofing crews, call it. And I'll send, the safety director will send

a text message to each of the superintendents. You have two minutes to take a picture of all the guys or women on the roof with their fall protection on. And you got to text it back to me in the two minutes. And if you don't, there's no, I didn't get the text message. There's no, it's, you're deemed to be non -compliant and you'll be sent home for the day, right? And nobody gets paid. And so that's a, that's a way to use technology for compliance. In the heat context, we all have the relative humidity on our iPhones. We've got location services, we can know exactly what we're doing, where we're doing it. Technology really has taken away the excuse of, oh, I didn't know, oh, I didn't respond, or oh, I don't have, as far as a response to any kind of a safety incident like that.

# **Mike Merrill:**

Yeah, that's a great point. So everybody's got an iPhone or an Android in their pocket or an iPad accessible. So I think that's a great example of innovation and technology actually blessing the industry. Now, of course, there are software solutions that can help remind and validate. I know we hear over the years, I always hear companies talk about the employee that took a picture of their time card and they texted it in, but the text didn't. When or the email bounced or the inbox is full. So obviously there's some next level steps to solutions and processes that companies can invoke to make sure they're in compliance. But I think it's great to acknowledge that there really is no good excuse anymore for not only individuals but also these companies to not be in compliance.

#### **Mike Pascoe:**

Yeah, that's right. And that is one of the things. So Scott Ketchum, who is, you know, and you got to love these government titles. He's the director of the Directorate for Enforcement for Construction. But basically the head guy at OSHA in charge of construction issued a statement about trenching and essentially said, there's no reason to have a single trench collapse, injury or fatality. Zero. There is no reason. And...

## Mike Merrill:

Yeah. Wow, he'll catch him.

#### **Mike Pascoe:**

you know, that's what these national offices programs are focused on, right? I mean, it's the same thing with fall protection, right? There is no reason to have a fall protection violation. But I mean, I'll tell you, I have a client, very safety conscious client, excellent, robust safety program is stripping forms off of an abutment. And the competent person, the person who gave the toolbox talk that morning on fall protection, gets up to the top of the abutment, unclips, free walks across the top of the abutment and then rather than go six or seven or eight feet to the right where the ladder is, this person steps down on a railing, the railing gives way and he falls and is seriously injured. And so, you know, they're just, in our industry it just takes a moment. It is a very dangerous profession and people who do it for a long period of time, they get used to it and they forget.

#### **Mike Merrill:**

Wow.

#### **Mike Pascoe:**

And that's what these regulations are for. I mean, it isn't Big Brother looking over our shoulder. It's the reminder that what people who do the work in this industry, who are out in the field doing it, it's dangerous. My biggest danger at the office is a paper cut. I'm not going to get engulfed in a trench or fall off a scaffold. And we have air conditioning. But that's not the way it is in construction.

# Mike Merrill:

Yeah, so that's a great example. You know, someone actually giving the toolbox talk and then, you know, shortly thereafter, actually, you know, major infractions and missteps literally. From another practical standpoint, do you have cases where maybe OSHA was after somebody and they had that validation and even though there was an accident or an injury, the company did their part and

And they were good because they took care of those things from a documentation standpoint.

So, yeah, so if I understand the question, Mike, it's, is there the reverse where they did everything right and got cited anyways? Yeah, we had a client who had a fatality. It was a subcontractor who specifically had the fatality, but they're a controlling employer under OSHA's multi-employer.

#### **Mike Merrill:**

Yeah, that's... Yeah, yeah.

## Mike Pascoe:

And the citation comes across, a couple citations for failure of warrant and a walking working surface violation. And our response and representation is not true. This dealt with balconies, right? And balconies that had been installed, it's been set in place. But unlike what every iron worker will tell you, right? One pin for every connection. Every iron worker will tell you that. And these didn't have pins in them. And somebody went out on the unfinished balcony, the balcony flipped and fell. And so the ultimate result for our client was very good. We got the major citations released or dismissed, but ultimately OSHA wouldn't give up. They needed a citation. There was a fatality and they still do have that mentality that a serious injury demands a citation. And that goes back to your initial. In philosophy, right? I mean, the Suncourt case, and if you look, I mean, there's a write -up on it on our blog and on my website, my bio of what the case and how it specifically sort of shook out, but the previous administration, the previous focus in OSHA was on compliance, and that compliance really did act as an insulator to liability, and we've seen that a little bit less. Now,

#### Mike Merrill:

Okay.

#### Mike Pascoe:

There was a whole presentation at the ABA OSHA seminar this year about the rogue co-show, the rogue compliance safety health officer who goes off and issues these citations and makes a bunch of things up and doesn't do their job. OSHA thinks that that's a myth and the employer thinks that that

exists and all of this. But I think the truth really is more in the middle where you will get movement on citations if you can prove compliance, if you can prove documentation, if you can prove that you did it. But it's still not where, at least from the employer side, I would want it to be, which is, look, if I can prove that my client did everything right, they have the documentation, they did the toolbox talks, they had the training, the equipment was on site, and somebody like this supervisor who is the competent person does something silly, right?

# **Mike Merrill:**

Yeah, yeah, right.

# **Mike Pascoe:**

Why would we be cited? Why are you demanding that we be cited? And that disconnect is still there. We did resolve it. All of this is public records. I'm not speaking out of school. But we did resolve it, but the citation didn't go away. And it just does get to a point, unfortunately, in our industry where, because of the nature of our work sites, they are mobile. I mean, construction projects end, and you go to another location. And so unlike general industry,where there's a tremendous focus on fighting absolutely every single citation, you know, a lot of these end up as an other than serious and some kind of a minor penalty, which is frustrating, especially for companies that do have a great safety record and do.

## **Mike Merrill:**

Yeah, so outside of writing your congressman, you know, the common phrase that everybody says, or replacing the administration in the White House, what can companies do to have an impact on how OSHA is enforced in their area and how it impacts them, if anything?

#### Mike Pascoe:

Well, so I think you fight the citations. I think that the big key is to get companies to understand how the citation process works. And they all want to go in for what's called an informal conference. And if you've never done that before, it's always offered. And it's

a direct conversation between the company and the regional or local office. And the local office.

# **Mike Merrill:**

Okay.

#### **Mike Pascoe:**

and it makes everyone's job easy and they get a little bit of money and that's the end of it. And what I say to my clients is, you look, you don't need me to do that, right? Learn how to do it.

But start your clock ticking. And when the working days expire, you've got to appeal. You've got to file your notice. And you can resolve it at any point. But it's sort of what we call in the law an issue evading review, where you have an issue, but it doesn't get into the court system because the economics don't drive it or it's not worth the time. And so that's how you solve this problem. I mean, if you have...

Citations that are coming in and you're compliant you should fight it right and fight it practically I mean the advice we give to our clients is to be practical about it We're not going to scorch the earth on these pieces of litigation But we're going to get in front of a lawyer for the solicitor's office, and we're going to prove to them why it's gonna make their life difficult, why they're not gonna win their cases. And the good ones will listen to you. I mean, have gotten citations completely vacated when you get in front of a lawyer and the lawyer looks at it and they say, you're right. I mean, we had a client who was doing work on a bridge, both sides of a river, and a co -show shows up, this is a couple years ago, National Emphasis Program, height, serious danger, that used to be the standard, I wanna inspect.

# **Mike Merrill:**

You

# Mike Pascoe:

And so the client's trained on what to do when OSHA comes knocking. And that's a presentation that we give all the time on how to handle that. never going to get it right. But they have their opening conference and

my two clients... at him and they say, you what are you doing? He's like, well, I'm

He's like, well, you know, I can go wherever I want. And if you read, it's interesting, if you read the field operations manual, which is what they give to those co-shows, it incorrectly says that they're allowed to do that. And they're absolutely not, right? It's the same as a search by a police officer.

## **Mike Merrill:**

Wow. Yeah.

# **Mike Pascoe:**

You get the same constitutional protections. They say, no, you're not. And so he finds a lack of a labeled life vest and a spreader bar that wasn't labeled properly. But by the time he got across the other side for the real inspection, people falling off a bridge, everybody had fall protection. They had all their documentation. They had their training. But they got sighted. And so we get into the process. And my response is, look, this is a bad search. First thing I'm going to do is file a motion to suppress it. And you know, she looked at it, the lawyer who was representing OSHA and said, you're absolutely right, dismissed the case. But that's an example of, you know, they're doing everything right, but they were also prepared, right? They were ready for when OSHA came.

#### Mike Merrill:

Yeah.

# **Mike Pascoe:**

To knock.

#### Mike Pascoe:

Are former compliance safety and health officers. And they are giving you the information that they've been given as professionals working for OSHA. And some of that information is wrong. And so they're not being malicious, right? They're imparting their decade and a half worth of knowledge that makes them so well known and so valuable to talk to, but they're getting some of it wrong. And that's the key point. I mean,

when I give these presentations to industry groups and I say things like, you can say no.

make our situation a little bit better for ourselves, wouldn't you say?

## **Mike Merrill:**

Right. Yeah, stand up for yourself. Yeah.

#### **Mike Pascoe:**

I get, you know, right. And it's not that you're doing anything wrong, but you don't get to come fish around my work site looking for some label that might not be in place for that thing. That's what it was. It was an unclosed mousetrap and an unlabeled spreader bar, but they weren't using either of the pieces of equipment at the time, right? And so that's the frustrating piece on our side of it's what makes, it gives OSHA a bad name. I mean, they really are, I think, by and large trying to do the right thing. And when you talk to people who work for OSHA at these seminars, after they've had a cocktail or two, their heart is in the right place and they're looking to do the right thing. But they do sort of get out over their skis and don't really understand what's going on. And they get there and they think, oh, I wasted my time. I got to get a citation. Maybe you don't. Maybe you just give them an attaboy. Way to have a safe work site. Congratulations. Right?

# **Mike Merrill:**

Right. Yeah, you know, it's interesting too, again, as a former contractor, we all know what we need to do to get ready for an inspection. I mean, there's no mystery. It's very rare that an inspector is going to find something that I don't already know he's looking for. And if it's not done, I probably knew it wasn't done and intentionally chose to not do it. So I think if we, as contractors, approached this from the same perspective, we would. You know, a building inspection or a four way or an electrical or a trench inspection where you know what they're looking for. I think to your point, you know, there's a lot of these things that just common sense, regular preparation and, you know, normal discussion while also standing up for yourself and, and, you know, making sure that you don't empower an ocean inspector beyond what they really have the limitations to do. I think we can avoid and make.

## **Mike Pascoe:**

Yeah, I think that's.

The other side of this is, and this is an unfortunate part about what I do, I mean, I have seen fatalities in videos, seen people horribly burned and have lost.

# Mike Merrill:

Yeah, yeah.

## Mike Pascoe:

You know, it is not anything that you ever forget. And thankfully, most people in our industry go through their entire career and they never see anything like that, but they don't realize, right? They don't realize how dangerous it is. And if you did, right, you would take that extra step 100 % of the time, right? And you would realize why, you know, you do that. I mean, there are accidents.

# **Mike Merrill:**

Yeah.

#### Mike Pascoe:

Industry. It is a dangerous industry. But you know I'll tell you by and large the issues that you hear about are you know the horrible offenders. And so people get this idea in their head of well I'm not a horrible offender so it can't happen to me and that's not true right. It's just not not true.

# **Mike Merrill:**

Right.

# **Mike Merrill:**

So from a statistical perspective, and I know we talked quite a bit about heat, what are some of the main issues that companies are getting cited for, or what should they be most aware of just from an overall compliance standpoint? OK.

False, absolutely. False are the number one killer in our industry. False from the same height, false from a different height are the number one cause of serious injury and death in the construction industry and have been for quite some time. If you're looking for what to avoid citations, the three national emphasis programs that are on right now are trenching heat and falls. But if the question is what causes the most injuries and fatalities in our industry, unquestionably it's false.

## **Mike Merrill:**

Okay, and obviously certain trades are much more subjected to those those dangers of course What oh go ahead?

#### Mike Pascoe:

Well, you'd think that, yeah, you'd think that, Mike. That's not necessarily true, right? A lot of the falls that we'll see will happen, you know. Somebody goes back for a set of tools to an area that was closed off and you get an uncovered hole, right? I mean certainly we could fall You're right roofers and people who are doing bridge work, right? You see a lot of that but you know our industry as a whole, you know people work at height and keep in mind I mean three feet right Scott Ketchum again director director for construction his first Inspection as a co -show was a fatality from a height of three feet guy fell back

#### Mike Merrill:

Wow.

#### Mike Pascoe:

Onto a P33 bar. And so, you know, yes, it is true that that is more prevalent for certain trades in our industry, but for the industry as a whole, it's number one far and away.

# **Mike Merrill:**

Yeah, that's a great point. I'm really glad you brought that up. So falls doesn't mean they're falling down from something necessarily. I mean, it could be, you know, from ground level into a hole or, like you said, three

feet up from a stepladder or, you know, off of a little bit of a foundation or something off, like you mentioned, on the rebar. Yeah, we are in a dangerous industry and our employees are at risk all day, every day out there in the trades. No question about it.

# **Mike Pascoe:**

Absolutely.

# **Mike Merrill:**

So from the conversation, we've learned a lot. I've learned a lot. I'm sure our listeners have had a lot of takeaways. Is there one thing that you would really just advise people in closing that you could encourage them and that you hope they take away from our conversation today?

# **Mike Pascoe:**

Yeah, plan and train. Plan and train. The anecdote I have for this, and it's one of my favorites, I had a client who was cited for failure to train. And it was mind blowing to me. And what had happened is the coach who had interviewed all of the employees, to a person said, you know, we don't have safety training. And what they meant was it is so integral and such always a part of everything they do that they do on a daily basis that they didn't in their mind identify it as something other than job training. To them, safety was such an integral part of their job training that they didn't call it out as separate. And so, you know, look, we got that fixed, we had all the records, but that's the goal, right? Train and plan, right? So everybody knows and...

That's just the number one solution to most of the citations and most of the injuries I see, aside from accidents, right, is somebody wasn't trained or they didn't plan.

# **Mike Merrill:**

Wonderful, that's great advice. Well, it's been a pleasure to have you on mic. I've loved getting to know you and learning more from your experience. I guess, oh, you bet. So you're speaking at the Foundation Converge Conference.

Yeah, thank you for the opportunity. I appreciate it.

# **Mike Merrill:**

That's April 22nd through 25th in Nashville at the Omni. What other places are you speaking coming up this year that others might be able to tune in or plug into? Okay.

#### **Mike Pascoe:**

So I don't think I have anything else coming up. I just spoke at the Conaway Conference for ODOT, which is our big transportation conference. We had an NBI, which is a legal training institute. But I don't think I have anything else, at least on the schedule, yet. So if I do by the time the conference rolls around, I'll certainly put it up on the...

# **Mike Merrill:**

That's awesome. Well, this has been great. And again, can you remind the listeners of the website or where they can find your information to get a little bit more in depth?

# **Mike Pascoe:**

Yeah, so the website is hahnaw.com. That's H -A -H -N -L -A -W dot com. And just click on our construction blog or look on my profile. All of the articles that I mentioned are linked there. And there's a link to our blog.

# **Mike Merrill:**

Thanks again, Mike. It's been a pleasure and looking forward to catching up again down the road and seeing you.

#### Mike Pascoe:

Thank you Mike, happy to do it.