



THOUGHT LEADERS

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Workplace safety has been a focal point through the Covid-19 pandemic. But now there's a sense of fatigue with protocols as the ordeal enters its eighth month.

Panelists talked about that and more in the Oct. 22 Thought Leaders discussion, hosted by Hodgson Russ LLP.

Participants from the firm were Jason Markel, partner, and Kinsey O'Brien, senior associate, who led the conversation about navigating safety measures.

"Covid definitely hit us all by surprise, and we all had to pivot to find what works best and what works safely for our employees," said panelist Angela Blue, community outreach specialist for the Western New York Area Labor Federation New York State AFL-CIO.

She was joined by Joseph Benedict, executive director of the Construction Exchange of Buffalo & Western New York; Laura Cianflone, vice president of human resource services at Catholic Health; Bas-sam Deeb, president of Trocaire College; Erik Hanna, director of health and safety services at Hazard Evaluations; and Luis Rodriguez, president of Rodriguez Construction Group.

"Something good that has come out of it is that it has caused more of us in the industry to work together more often," Benedict said.

His trade group helped construction companies be reactive to rules as they were released. In the early months, information was distributed quickly and occasionally in contradictory fashion.

"It was a challenge, early on, trying to find a path forward with it," he said.

Rodriguez said the Construction Exchange provided guidance as essential construction work trudged forward. As a whole, he said, construction has taken plenty of lumps through the pandemic that were exacerbated at different points.

"It's impacted us pretty significantly, but I think the industry has rallied to try to get projects completed," he said.

Markel said the pandemic's effects on safety vary by industry.

"The health-care industry took the brunt of it on the very front end," he said. "The challenges that faced that industry were like none before. It wasn't simply a matter of volumes of patients and volumes of uncertainties. It was the challenge of keeping your people safe."

Many issues that business deals with, he said, are the expenses that come with safety, as well as resistance from workers reluctant to put themselves at risk.

"Every employer faces challenges, but how you handle them can be very different," Markel said, adding that regulations were not specific to particular industries and that created more questions.

"It's generalized, so what you end up with are industries and individual employers that have been struggling over

COVID-19 AND WORK SAFETY



Clockwise top left: ▶ "We've definitely had to shift how we do business on a daily basis and how we relate to our workers." Angela Blue, community outreach specialist, WNY Area Labor Federation NYS AFL-CIO. ▶ "I'm working with (employers who) are trying to see if they are doing things compliantly, keeping people safe and following regulations that we still have a responsibility to comply with, even under these uncertain circumstances." Erik Hanna, director of health & safety services, Hazard Evaluations. ▶ "We were well positioned to react because safety has been part of the construction industry for decades. Our workers are used to PPE and our companies are used to identifying hazards and mitigating them." Joseph Benedict, executive director, Construction Exchange of Buffalo & WNY.

▶ HODGSON'S TAKE

"The biggest thing causing confusion and worry is with the spiking of cases in certain areas of the state and outside of it. How we deal with business-related travel and other things is still quite difficult."

KINSEY O'BRIEN,
senior associate, Hodgson Russ LLP



with JOSEPH BENEDICT, ANGELA BLUE, LAURA CIANFLONE, BASSAM DEEB, ERIK HANNA and LUIS RODRIGUEZ



In the pandemic, companies were forced to be nimble, and that remains the story today



Clockwise top left: ▶ “Education is ongoing to make sure people are aware and have a refresher when needed. And we’re learning. There are mistakes being made surely all over every industry, and we’re trying to make sure we’re on top of proper safety protocols.” Laura Cianflone, vice president of human resource services, Catholic Health. ▶ “We worked with our clinical partners in Catholic Health, Kaleida Health and long-term care facilities to figure out what requirements we need to have when students are on-site with us or on-site with partners.” Bassam Deeb, president, Trocaire College. ▶ “Right from the beginning, we were on top of safety. We were listening to guidelines. We had a Covid plan for protecting our employees, as well as the institutions where we were working.” Luis Rodriguez, president, Rodriguez Construction Group



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“There has been an enormous amount of change from March until today. Everything is evolving, and continually evolving.”

JASON MARKEL,
partner, Hodgson Russ LLP

the course of many months,” Markel said.

Cianflone said standard protocols in Catholic Health’s hospitals and other sites involved personal protective equipment, sanitation and hygiene. Work shifted to virtual, but that was a big change for staff.

“Working from home was not a standard practice for us at all at Catholic Health,” she said. “We have tried to maintain that.”

For those who have returned to offices, ongoing training educates staff about safety measures and avoiding fatigue as the pandemic continues.

Deeb said he forecasts a scenario in the months to come where people begin to lose patience with safety protocols.

“Our job is to try to balance between the positive and negative scenarios that could evolve,” he said.

At Hazard Evaluations, Hanna and staff provide safety guidance to about 50 companies.

“Some facilities have floor space and are able to use that to their advantage,” he said. Others, however, don’t have that luxury, such as a food plant with an assembly line.

“We really had to come up with a plan to train workers, protect workers and really figure out what’s required,” Hanna said.

O’Brien said adaptability has been critical for employers. In businesses where workers have returned, leaders must be prepared to quickly shift back to remote operations if cases spike.

“Every industry and business has different concerns and requirements,” she said. “It’s continuing to be an evolving struggle, but I do think the employer community is starting to settle in a little bit.”

Rodriguez said workers in different roles within his company are ready if flu season becomes doubly problematic.

“There are a lot of hard decisions that are coming up in just the next two months,” he said. “It’s tough in the environment that we’re in, but it just takes an awareness of what’s going on as things change.”

Deeb said some pandemic changes, at least at Trocaire, will carry over.

“We’re going to adopt those and add them to our repertoire,” he said. “There have been some good lessons in needing to do the things that we had to do to comply and respond.”

▶ CLOSER LOOK AT THOUGHT LEADERS

Thought Leaders is an ongoing series of discussions with Western New York business leaders and attorneys at Hodgson Russ LLP.

Ten times a year, leaders in diverse industries meet for a roundtable discussion moderated by Business First journalists.

The conversations are usually held in the law firm’s Pearl Street offices in Buffalo, but have shifted to a virtual format during the COVID-19 crisis.