

JACK L. BRAZIL, MS, CSP

Curriculum Vitae

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Construction & Occupational Safety Expert Witness

OSHA (29 CFR 1910 & 1926) | ANSI/ASSP Consensus Standards | Construction Standard of Care | Serious Injury & Fatality (SIF)

Jack L. Brazil, MS, CSP is an independent construction and occupational safety expert witness with more than 30 years of experience evaluating OSHA compliance, construction standard of care, and ANSI/ASSP consensus standards in serious injury and fatality (SIF) litigation involving complex, multi–employer construction operations.

Mr. Brazil’s opinions are offered in accordance with Rule 702 of the Federal Rules of Evidence and are based on sufficient facts and data, reliable principles and methods, and the reliable application of those principles and methods to the facts of each matter.

Expert Qualifications Summary

- 30+ years of construction and occupational safety experience
- Executive leadership over multi–billion–dollar construction portfolios
- Extensive application of OSHA (1910/1926) and ANSI/ASSP standards
- Qualified expert in serious injury and fatality (SIF) causation and prevention

Scope of Opinions

Opinions are limited to occupational safety and health practices, regulatory requirements, and industry standards as they existed at the time of the incident. Opinions do not rely on hindsight, outcome–based reasoning, or post–incident standard elevation. Mr. Brazil does not offer legal conclusions or opinions on ultimate legal issues.

Areas of Expert Opinion

- Evaluation of construction safety standard of care based on reasonably foreseeable hazards and accepted industry practice at the time of the incident
- OSHA compliance, interpretation, and application (29 CFR 1910 & 1926)
- Serious injury and fatality (SIF) risk recognition and prevention
- Incident causation, preventability, and root cause analysis
- Multi–employer worksite responsibilities
- Safety Management systems (SMS) design, implementation, and effectiveness
- Hazard recognition, evaluation, and control
- Work zone safety and public protection
- Safety program adequacy and implementation

Industries Served

- Heavy civil construction
 - Vertical and commercial building construction
 - Infrastructure and transportation projects
 - Industrial and specialty construction
 - Public works and municipal construction
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Methodology

Mr. Brazil applies a structured, repeatable methodology consistent with accepted safety management and incident–investigation practices used throughout the construction industry:

- Identify applicable OSHA regulations and relevant ANSI/ASSP consensus standards in effect at the time of the incident
- Evaluate hazard recognition and foreseeable exposure based on task, environment, and work sequencing
- Assess feasible administrative and PPE controls consistent with industry practice
- Assess employer and worker actions against recognized construction safety expectations
- Evaluate causal and contributing factors using established incident–investigation principles

This methodology is applied consistently across all engagements, regardless of retaining party. This methodology reflects generally accepted safety management and incident–investigation practices within the construction industry.

Authorities & Data Considered

- OSHA regulations (29 CFR 1910, 29 CFR 1926)
- ANSI/ASSP consensus standards (including Z10, Z359, A10 series)
- Employer safety programs, training records, and job hazard analysis
- Incident documentation, photographs, videos, and physical evidence
- Deposition testimony, discovery materials, and site-specific records
- Professional experience directing and auditing safety programs on complex, multi–employer construction projects

Expert Witness Experience

Expert witness experience includes repeated retention, formal reports, depositions, and trial testimony in construction safety matters involving OSHA compliance and standard–of–care evaluation. Engagements include both plaintiff and defense retainers. Expert services are accepted selectively and are not a primary source of professional income.

Independent Expert Witness Retentions

November 2025 – *Jimenez v. Hidden Trails (pending)*

Retained by defense counsel. Matter involved a struck-by material incident associated with backhoe operations.

July 2023 – *Jasso v. Harvey Builders et al.* Retained by defense counsel. Matter involved work-zone traffic control and site safety conditions.

July 2020 – *Burris v. Tractor Supply*

Retained by plaintiff counsel. Matter involved lifting and material-handling conditions.

December 2019 – *Rodriguez v. Holiday Management et al.* Retained by defense counsel. Matter involved alleged slip, trip, and fall conditions.

July 2018 – *Cerda v. 42 Deep Ellum et al.*

Retained by defense counsel. Matter involved fall-from-height conditions at a construction site.

August 2015 – *DOL v. Benton-Georgia*

Retained by defense counsel. Matter involved excavation-related OSHA citations.

Designated Company Representative / Corporate Testimony (Selected)

- **April 2015** – *Barhanovich v. Archer Western* – Marine construction incident
- **April 2011** – *Morgan v. Great Western* – Struck-by material conditions
- **January 2009** – *Coleman v. Archer Western* – Excavation safety conditions
- **October 2007** – *Mitchell v. Wicker* – Work zone safety conditions
- **August 2004** – *Gallegos v. Archer Western* – Struck-by equipment conditions

Expert Disclosures

- Depositions provided: Multiple
- Trial testimony provided in state court proceedings in construction safety matters involving OSHA compliance and standard-of-care opinions (details available upon request)
- Retained by: Both plaintiff and defense counsel
- Methodology: Opinions are based on professional experience and application of OSHA regulations, ANSI/ASSP consensus standards, and accepted industry safety practices
- Prior expert exclusions: None

Professional Experience

DN Tanks | Vice President – Safety

September 2022 – Present

Direct the HSE program for one of the nation's largest prestressed concrete tank builders, providing executive oversight with active field engagement. Lead a safety team of 10 professionals supporting \$500M+ in annual construction revenue.

- Provide executive oversight of the HSE program, including regular field audits, incident investigations, OSHA interface, and site-specific hazard evaluations.
- Lead development and implementation of company-wide safety procedures.
- Evaluate hazard recognition, regulatory compliance, and effectiveness of safety controls in high-hazard construction operations.

JE Dunn | Vice President – National Safety Director

April 2021 – September 2022

Directed national safety program supporting more than \$5.5 billion in annual construction revenue.

- Led a staff of 97 safety professionals and managed a departmental budget exceeding \$8.5 million.
- Regularly conducted field audits and executive safety walks on active construction sites to assess hazard recognition, OSHA compliance, and implementation of company safety programs.
- Provided executive-level oversight of incident investigations and corrective action development.

Walsh Group | Vice President – HSE

October 2017 – April 2021

Provided executive leadership of health, safety, and environmental programs for projects totaling approximately \$9 billion.

- Led a team of 135 safety professionals with responsibility for an annual departmental budget of approximately \$12 million.
- Conducted regular field audits, site observations, and incident investigations on active construction projects involving high-hazard operations and complex multi-employer coordination.
- Directed long-term development and implementation of the HSE management system with emphasis on process improvement, workforce behaviors, and safety culture.
- Achieved sustained reductions in workers' compensation costs and improved claim performance over multiple years.

Walsh Group | Director – HSE

June 2007 – October 2017

Oversaw safety operations for construction projects totaling approximately \$5.8 billion.

- Participated in on-site incident investigations and post-incident reviews to evaluate causal factors, effectiveness of controls, and compliance with OSHA and industry standards.
- Co-developed and implemented a behavior-based safety program used company-wide.
- Represented company during OSHA inspections, informal conferences, mediations, and depositions.

Walsh Group | Regional Safety Manager – Texas Region

October 1999 – June 2007

Managed regional safety operations for projects totaling approximately \$1.58 billion across Texas, Oklahoma, and Arkansas.

- Conducted routine field safety audits and site observations on heavy civil, transportation, and vertical construction projects.
 - Evaluated high-hazard operations including excavation, fall protection, crane activities, and public protection.
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Certifications

- Certified Safety Professional (CSP), BCSP – 2010
- Construction Health & Safety Technician (CHST), BCSP – 1998
- Safety Trained Supervisor – Construction (STS-C), BCSP – 2018

Education

- **Master of Science (M.S.)**, Human Resource Development – University of Texas at Tyler, 2011
- **Bachelor of Science (B.S.)**, Industrial Safety – University of Texas at Tyler, 2005 (cum laude)
- **Associate of Applied Science (A.A.S.)**, Occupational Safety & Health Technology – Texas State Technical College, Waco, 1992

Professional Affiliations

- Corporate Leadership Team Member, DN Tanks, 2022–present
- Professional Member, American Society of Safety Professionals (ASSP), 2008–present
- Advisory Board Member, Honeywell PPE, 2022
- Advisory Board Committee Member; Texas State Technical College, Occupational Safety, and Safety Technology; 2019
- Advisory Board Committee Member, University of Texas at Tyler, Industrial Safety Undergraduate Program; 2006-2008

Training

Selected training listed below supports expert qualifications and reflects areas of professional focus. Full training history is available upon request.

- OSHA Compliance and Enforcement
- Incident Investigation & Root Cause Analysis
- Traffic Control Supervisor, (ATSSA)
- Mobile Elevating Work Platform (MEWP) – Train-the-Trainer (Genie)
- Telehandler – Train-the-Trainer (Genie)
- ANSI Z359 Fall Protection Program Development
- Excavation & Trenching – Competent Person

Continuing Education

- OSHA Construction and General Industry Standards (29 CFR 1926 / 1910)
- Fall Protection Program Development and ANSI Z359 Updates
- Slip, Trip, and Fall Hazard Identification and Mitigation (ANSI A1264)
- Incident Investigation and Root Cause Analysis
- Serious Injury and Fatality (SIF) Prevention Strategies
- Confined Space Entry (ANSI Z117.1)
- Excavation and Trenching Hazards
- Crane, Rigging, and Material Handling Safety

Detailed continuing education units are available upon request

OSHA Matters (Management & Defense Experience)

This experience reflects employer-side regulatory defense and compliance oversight and does not involve personal citation history or individual enforcement actions. Extensive experience addressing OSHA inspections, citations, and enforcement actions in an executive safety and defense capacity, including multi-employer construction projects across multiple jurisdictions.

- Direct involvement in OSHA inspections, informal conferences, mediations, and enforcement proceedings across multiple U.S. jurisdictions
- Representation and defense of employers in construction and industrial safety matters involving excavation, fall protection, crane operations, electrical safety, confined space, and process safety
- Extensive experience interpreting and applying OSHA standards (29 CFR 1910 and 1926) in real-world construction operations