

PARTNERSHIP
An OSHA Cooperative Program



Barr & Barr

PARTNERSHIP AGREEMENT

BETWEEN THE

**OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
SPRINGFIELD AREA OFFICE**

AND

BARR & BARR, INC.

I. PARTNERS

The partners to this agreement are:

- U.S. Department of Labor, Occupational Safety and Health Administration, Springfield Area Office (SAO) and
- Barr & Barr, Inc. (Barr & Barr)

II. PURPOSE AND SCOPE

Barr & Barr, Inc., and the United States Department of Labor, Occupational Safety and Health Administration (OSHA), Springfield Area Office (SAO) mutually recognize the importance of ensuring a safe and healthful work environment in the construction industry in the State of Massachusetts. To advance this mutual goal, the Partnership between Barr & Barr and the SAO has been established to formalize a cooperative effort between these entities, committed to excellence in safety and health, by encouraging subcontractors to improve their safety and health performance voluntarily and by providing methods to assist subcontractors in their safety and health efforts. In addition, the Partnership will recognize Barr & Barr for its excellent safety and health program and recognize its subcontractors who achieve exemplary safety and health programs.

This Partnership, which has been developed for Barr & Barr is for the Amherst College New Science Center (“the Project”). The Partnership will be limited to Barr & Barr. Barr & Barr will request subcontractors to participate in achieving the goals set forth in the Partnership at the time they start working on the site. The Partnership will provide benefits to Barr & Barr and the subcontractors, which include among others, special recognition from OSHA and priority in compliance assistance programs.

This project consists of the construction of a four-story, 250,000 square foot science center on the eastern edge of the Amherst College campus. Four existing dormitories that were located within the new building footprint have been demolished following hazardous materials abatement. The Project will consist of a cast-in-place concrete structure, glass curtain wall, metal panel, brick exterior, and a flat membrane roof with green roof areas. The building will house laboratories, classrooms and office space.

The \$195 million project is expected to be completed in August of 2018.

III. GOALS/STRATEGIES & PERFORMANCE MEASURES

GOALS	STRATEGIES	MEASURES
<p>1. Develop a contractor/government Partnership that will encourage involvement of the general and subcontractors in the improvement of safety and health performance.</p>	<p>a. Assist all the subcontractors develop and implement written safety and health programs.</p> <p>b. Require all subcontractors onsite to work toward implementing a “zero tolerance” safety practice in order to help achieve the desired reduction of worksite incidents.</p>	<p>i. Verify by reviewing the number of subcontractors that implemented written safety and health programs and recognize those with exemplary programs.</p> <p>ii. Conduct a periodic review of the subcontractors’ injury/illness statistics for the Project.</p>
<p>2. Implement innovative strategies to eliminate serious accidents, including the four primary construction hazards (falls, struck-by, caught between, and electrical).</p>	<p>a. Provide weekly toolbox safety meetings.</p> <p>b. Provide construction site supervisors and foremen (including supervisors and foremen of the subcontractors) and all Barr & Barr on site employees with the OSHA's 10-Hour Construction Safety Course to enable them to recognize work hazards and have the authority to take prompt action. In addition, Barr & Barr will provide the OSHA 30-hour for Barr & Barr’s site supervisors.</p> <p>c. Implement and enforce an ongoing safety site-audit program, which will include a daily site walk-through by a competent person.</p> <p>d. Perform Job Hazard Analyses (JHA) with the subcontractors of the high hazard tasks to be performed.</p> <p>e. Compile a summary of the</p>	<p>i. After conducting hazard awareness training and JHAs, compare the number of hazards identified during the daily, weekly and monthly audits.</p> <p>ii. Track the hazards found during the walk-through inspections.</p> <p>iii. Track all injuries and illnesses daily, to include first aid type.</p> <p>iv. Track the number and types of training conducted.</p> <p>v. Track the number of employees and subcontractors trained.</p> <p>vi. Track the number of subcontractor employees that received the Barr & Barr specific safety orientation.</p> <p>vii. Report all toolbox talks and safety discussions at weekly foremen’s meetings.</p>

	<p>number of inspections made by Barr & Barr Safety Director (or designee) and any third party. The report will be broken down into the four major categories of construction-focused hazards (falls, struck-by, caught between, and electrical), and will show the number of items within the four (4) categories that were corrected.</p>	
<p>3. Identify opportunities for enhancing safety and health practices related to the operation and maintenance of material handling equipment involved in the Project.</p>	<p>a. Facilitate ongoing training on the safe operations of material handling equipment to all employees involved in the operation.</p>	<p>i. Document the number of employees that have been trained and licensed on the material handling equipment.</p>
<p>4. Reduce workforce fatalities, serious injuries and illnesses, and provide a safe work environment for employees at the Project.</p>	<p>a. Establish a system to collect and analyze injury and illness trends (including near-miss incidents) by all subcontractors performing work at the Project. This data will be used as a tool for continual safety and health program improvement.</p>	<p>i. Maintain a project OSHA 300 injury and illness data. ii. Monitor incidents/accidents on a monthly basis using the Barr & Barr tracking log.</p>
<p>5. Ensure where feasible all serious hazards are eliminated or controlled through controls, safe processes and/or procedures, and personal protective equipment (PPE).</p>	<p>a. Confirm health-related issues arising during the course of the construction work are adequately addressed by Barr & Barr and its subcontractors. All health-related issues will be discussed monthly during the Partnership meetings. b. Implement a hearing conservation program, including noise monitoring, audiograms,</p>	<p>i. Track the number of employees trained on arc electrical safe work practices as they relate to this project. ii. Track the number of tool box talks regarding conditions on the worksite for the duration of the Project. iii. Confirm that all subcontractors conduct safety meetings to inform workers of all serious</p>

	<p>PPE, and engineering controls where feasible.</p> <p>c. Implement an effective environmental monitoring program to control airborne hazards, such as silica and hexavalent chromium, and include personal monitoring, employee training, implementation of engineering controls where feasible, and the use of respiratory and dermal protection when necessary.</p>	<p>hazards and the controls, procedures, safe processes and/or, PPE necessary to protect them against hazards.</p> <p>iv. Confirm that all subcontractors are in compliance with electrical safe work practices procedures when working on live electrical equipment including training of affected employees and the availability and use of PPE.</p>
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IV. SAFETY AND HEALTH MANAGEMENT SYSTEM

- a. Project-Specific Safety and Health Guidelines – Barr & Barr shall develop a project-specific safety and health plan to be used as a benchmark for contractor programs to meet or exceed. This plan shall incorporate the following minimum elements:
- 100% fall protection when fall exposure is at 6 feet or greater;
 - Mandatory use of Ground Fault Circuit Interrupters (GFCI) throughout the Project;
 - All cranes, hoists, and personnel lifts (scissor/aerial) will be inspected prior to use;
 - Use of appropriate PPE;
 - Site-specific safety and health training;
 - Weekly worksite audits of areas where employees are working;
 - Employee involvement – union stewards will be encouraged to assist Barr & Barr with workplace inspections and make recommendations to eliminate any identified hazards; communicate with the Project workforce and report to Barr & Barr any hazards identified by the tradesmen and women; abatement of identified hazards; assist with accident / incident / near-miss investigations; attend monthly Partnership meetings; participate in verification procedures and inspections; and participate in the annual evaluations of the Partnership; and
 - Management commitment – Barr & Barr has developed a comprehensive site specific Project Safety Plan for the Project. The plan details the roles and responsibilities for Barr & Barr personnel, specific health and safety requirements to prevent hazards, training requirements, jobsite inspection requirements and hazard abatement.
- b. Recordkeeping – Barr & Barr shall maintain a project OSHA 300 Log (or equivalent), per the requirements of 29 CFR 1904.

V. WORKER INVOLVEMENT

Barr & Barr will establish the following:

- c. Weekly Foremen's Meetings – Barr & Barr shall hold a weekly meeting with all subcontractors' foremen that shall include discussions of project safety and health issues, as well as a review of JHA for upcoming work activities. Meeting with representatives of all active subcontractors to discuss participant performance and progress toward partnership goals. OSHA representatives are welcome to attend these meetings.
- d. Qualified Safety and Health Representative – Barr & Barr shall assign a qualified safety and health representative to administer its safety and health program. This person will have, at a minimum, completed the OSHA 30-Hour Construction Outreach course. (This representative may or may not be deemed a competent person by Barr & Barr).
- e. Safety Stand Downs – Barr & Barr will conduct safety stand-downs for all workers on the Project on a quarterly basis. Topics will include fall protection, silica, and other safety and health issues relevant to the Project.
- f. Job Hazard Analyses – Barr & Barr shall conduct a comprehensive assessment of Project work and develop JHAs to eliminate or reduce hazards to which employees are potentially exposed.

VI. PERFORMANCE MEASURES

The performance measures listed in Section III will be implemented to meet the following objectives of this Partnership:

- a. Reducing the number of at-risk conditions and behaviors that have the potential to result in worker fatalities, injuries and illnesses.
- b. Reducing the number of injuries affecting participating contractors, emphasizing those resulting from the four primary construction hazards.
- c. Abating hazards (conditional and behavioral) identified from weekly safety and health inspections, and having no repeat occurrences of such issues upon re-inspection.
- d. Reducing the Total Case Incident Rate (TCIR) and Days Away, Restricted, and Transferred (DART) rate to 20% below the current national average for NAICS Code 2362, nonresidential building construction, based upon the Bureau of Labor Statistics (BLS) data available for the most current year. The 2015 BLS TCIR and DART rates for NAICS 2362 are 2.4 and 1.3, respectively.

VII. ANNUAL EVALUATION

The partners will prepare a joint annual evaluation of the Partnership. The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. The annual performance evaluation report format from Appendix C of the OSHA Strategic Partnership Program (OSPP) Directive CSP 03-02-003, effective November 6, 2013, will be used. Performance measures listed in the goals and objectives section of this agreement will be collected and analyzed to determine the Partnership's progress toward meeting its goals.

VIII. VERIFICATION PROCEDURES

Barr & Barr and all construction subcontractors will receive onsite enforcement verification inspections as outlined below. The on-site enforcement verification inspections are conducted to determine participants' compliance with terms of this agreement. The first inspection will be conducted no later than sixty (60) days after partnership participants formally enter into this agreement. Annual on-site enforcement verification inspections will be conducted on the anniversary of the Partnership signing. Union stewards will be invited and encouraged to participate in all verification inspections. Citations and penalties may be issued, when appropriate, as a result of these inspections. During this period, participants should develop and implement the safety and health management systems required under this agreement

IX. OSP INCENTIVES

The following are incentives for Barr & Barr and its subcontractors when, and only when, they are working at the Project:

- a. Technical assistance and training by OSHA.
- b. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page designating Barr & Barr as a participant in OSHA Strategic Partnership Program.

X. OSP MANAGEMENT AND OPERATION

A Partnership Management Team (PMT) with members from Barr & Barr and OSHA will oversee and coordinate this partnership. The team will determine Partnership procedures, which will include the measures to be used and data to be collected. The team will hold conference calls and meet at least quarterly to evaluate the effectiveness of the Partnership Agreement. Barr & Barr and SAO are responsible for collecting baseline and annual performance data upon which the OSPP will be measured. Barr & Barr aggregate injury and illness incidence rates (total case rates) and fatality rates will be compared with the most current BLS published data to determine whether goals have been met.

Subcontractors:

- a. Weekly Task-Specific Instructions - All subcontractors shall provide workers with instructions on the integration of safety and health requirements with current work tasks for the week. All subcontractors shall allow an OSHA representative to attend any of these meetings, when requested by OSHA.
- b. Weekly Safety and Health Inspections – All subcontractors shall conduct weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the Project safety and health plan and OSHA standards. Deficiencies will be documented and corrected or reported to Barr & Barr for corrective action.
- c. Recordkeeping – All subcontractors shall record workplace injuries and illnesses as required by 29 CFR 1904 and shall report recordable incidents to Barr & Barr for recording on the Project OSHA 300 Log.

OSHA's Role:

- a. Provide initial review of Barr & Barr Project Safety and Health Plan. Make recommendations where deficiencies or opportunities for improvement exist.
- b. Provide initial and continued review and evaluate Barr & Barr compliance with the Partnership Agreement.
- c. Provide feedback on incident trends and patterns as needed.
- d. Assist Barr & Barr with ensuring that effective training is available and delivered as needed. Participate in training as resources permit.
- e. Provide clarification of OSHA standards for Barr & Barr and subcontractors. Provide input on compliance strategies.
- f. OSHA representatives will periodically attend site safety and health meetings.

XI. EMPLOYEE AND EMPLOYER RIGHTS AND RESPONSIBILITIES

This Partnership does not preclude employees and/or employers from exercising any right provided under the OSH Act (or, for federal employees, 29 CFR 1960), nor does it abrogate any responsibility to comply with the Act.

XII. TERMS OF OSP

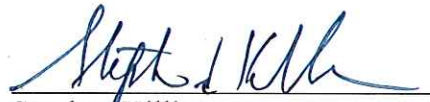
This agreement will terminate at the conclusion of the work being performed at the Project. However, if OSHA or Barr & Barr wishes to withdraw their participation prior to the established termination date, the Partnership will be considered null and void upon receipt of a written notice of the intent to withdraw.

XIII. SIGNATORIES

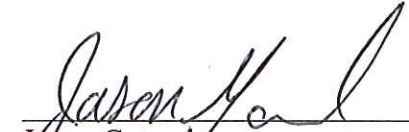
Signed this 20 day of January 2017



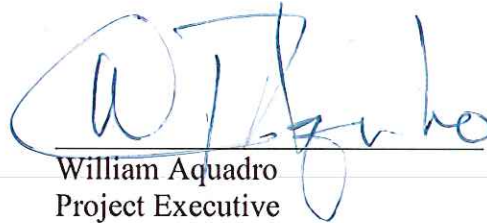
Mary Hoyer
Area Director
Springfield Area Office



Stephen Killian
Executive V.P. / Chief Operating Officer
Barr & Barr, Inc.



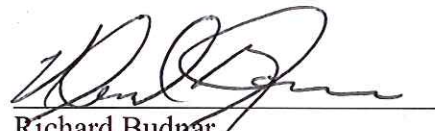
Jason Garand
Business Manager, Local 108
New England Regional
Council of Carpenters



William Aquadro
Project Executive
Barr & Barr, Inc.



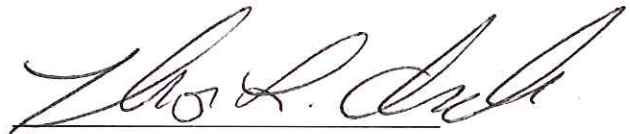
Matthew Jacobs
Project Manager
Barr & Barr, Inc.



Richard Budnar
Superintendent
Barr & Barr, Inc.



James Manoli, CSP
Safety Director
Barr & Barr, Inc.



Tom Andrews
Business Manager / Sec. - Treasurer
Laborers Union Local 596