

**AGREEMENT ESTABLISHING AN ALLIANCE
BETWEEN
THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
DALLAS AREA OFFICE
FORT WORTH AREA OFFICE
U.S. DEPARTMENT OF LABOR
AND
NATIONAL UTILITY CONTRACTOR ASSOCIATION of TEXAS, Inc.**

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) Region VI Office and National Utility Contractor Association (NUCA) of Texas, Inc. recognize the value of establishing a collaborative relationship to foster safer and more healthful American worksites. To that end, OSHA and NUCA of Texas, Inc. hereby form an Alliance. The Alliance provides NUCA of Texas, Inc.'s members with information, guidance, and access to training resources that will help them protect the health and safety of workers. Of particular concern is reducing and preventing exposure to 'Construction's Focus Four' as well as other areas specific to excavation safety. Both parties understand the rights of workers and the responsibilities of employers under the Occupational Safety and Health Act (OSH Act).

This agreement provides a framework and objectives for the Alliance's activities. Alliance participants will summarize specific activities and timeframes for completion in a written work plan.

Through the Alliance, the organizations will use relevant injury, illness and hazard exposure data when appropriate to help identify areas of emphasis for Alliance awareness, outreach, and communication activities. The Alliance will also explore and implement selected options to evaluate the effectiveness of the Alliance and measure the impact of its overall effort on improving workplace safety for employers and workers. In developing this Alliance, OSHA and NUCA of Texas, Inc. recognize that OSHA's State Plan and On-site Consultation Project partners are an integral part of the OSHA national effort, and that information about the products and activities of the Alliance may be shared with these partners for the advancement of common goals.

Raising Awareness of OSHA's Rulemaking and Enforcement Initiatives

The Participants intend to work together to achieve the following objectives related to raising awareness of OSHA's rulemaking and enforcement initiatives:

- To share information on OSHA's National/Regional/Local Emphasis Programs, Regulatory Agenda, and opportunities to participate in the rulemaking process.
- To share information on occupational safety and health laws and standards, including the rights and responsibilities of workers and employers.

- To convene and participate in quarterly roundtable updates and discussions. These will focus on issues of concern as they occur, and will both forge innovative workplace solutions and provide input on safety and health issues.
- To encourage worker participation in workplace safety and health by providing ongoing information through toolbox talks and specific events to address changes in standards.

Training and Education

The Participants intend to work together to achieve the following training and education objectives:

- To develop effective training and education programs for utility installation employees regarding utility installation and underground construction through ongoing NUCA ‘Confined Space’ and ‘Competent Person’ training, and a comprehensive annual event.
- To develop effective training and education programs for all employees and to promote understanding of workers’ rights, including the use of the OSHA complaint process, and the responsibilities of employers and to communicate such information to workers and employers.
- To deliver, or arrange for delivery, of bilingual safety courses.

Outreach and Communication

The Participants intend to work together to achieve the following outreach and communication objectives:

- To develop information on the recognition and prevention of workplace hazards, and to develop ways of communicating such information through NUCA of Texas monthly e-newsletter to employers and workers in the industry.
- To participate in OSHA’s or NUCA of Texas, Inc.’s collaborative initiatives and events.
- To share information, regarding NUCA of Texas, Inc.’s good practices or effective approaches, among OSHA personnel through quarterly roundtable discussions and other industry safety and health professionals through NUCA of Texas involvement with the University of Texas Arlington OSHA Outreach Center.
- To develop and disseminate case studies on trenching and utility construction fatalities and publicize the results.

OSHA’s Alliances provide parties an opportunity to participate in a voluntary cooperative relationship with OSHA for purposes such as raising awareness of OSHA’s rulemaking and enforcement initiatives, training and education, and outreach and communication. These Alliances have proved to be valuable tools for both OSHA and its Alliance participants. By entering into an

Alliance with a party, OSHA is not endorsing or promoting, nor does it intend to endorse or promote, any of that party's products or services.

An implementation team made up of representatives of each organization will meet to develop a work plan, determine working procedures, and identify the roles and responsibilities of the participants. In addition, they will meet at least two times per year to track and share information on activities and results in achieving the goals of the Alliance. OSHA team members will include representatives of the Dallas Area OSHA Office, Fort Worth Area OSHA Office, NUCA and any other appropriate offices. OSHA will encourage State Plan States' and OSHA On-site Consultation Projects' participation on the team.

This agreement will remain in effect for two years. Any signatory may terminate it for any reason at any time, provided they give 30 days written notice. This agreement may be modified at any time with the written concurrence of all signatories.

Signed this 18 day of September, 2015.

Stephen Boyd

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