



STEEL DISTRICT PROJECT

STRATEGIC PARTNERSHIP BETWEEN

UNITED STATES DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
SIOUX FALLS AREA OFFICE



AND

LLOYD COMPANIES, Inc.



AND

SOUTH DAKOTA STATE UNIVERSITY OSHA CONSULTATION



I. IDENTIFICATION OF PARTNERS

The Sioux Falls Area Office of the Occupational Safety and Health Administration (OSHA), Lloyd Companies, and South Dakota OSHA Consultation Program, recognize the importance of providing a safe and healthful work environment for workers engaged in the construction industry. This OSHA Strategic Partnership Agreement (hereafter referred to as "OSP" or "the Partnership") at the Steel District Project, in Sioux Falls, SD will facilitate OSHA's goal to reduce work-related fatalities, injuries and illnesses within the construction industry.

All contractors and subcontractors working at this site will be required to participate in the Partnership.

II. PURPOSE/SCOPE

The purpose of this Partnership is to provide a safe and healthful work environment for workers involved in the construction industry. Lloyd Companies is committed to preventing serious accidents and fatalities during the construction of the Steel District Project in Sioux Falls SD, through increased training, implementation of best work practices, enhanced safety, the implementation of a Safety and Health Management System (SHMS), and compliance with applicable OSHA standards and regulations.

The Steel District Project will be constructed on approximately 8 acres of land with a concrete multi-family, commercial and garage eight-story structure, a nine-story office and commercial structure and a seven-story hotel and conference center. It is anticipated that at its peak, the project will employ 200 tradespersons on the site at one time. Construction activities are anticipated to be completed at year end 2024.

III. GOALS/STRATEGIES

The overall goal of the Partnership is to create a working relationship that focuses on preventing work-related fatalities, injuries, and illnesses by controlling and/or eliminating serious workplace hazards and establishing a foundation for the development of an effective SHMS. Specific responsibilities for contractor compliance and involvement in the Partnership for compliance, site audits, partnership improvement, and the evaluation of partnership modifications and achievements are delineated in Section IX of this agreement. Responsibilities are delineated for Lloyd Companies, OSHA, and South Dakota State University OSHA Consultation.

GOALS	STRATEGIES	MEASURES
<p>1) Maintain a project-wide injury and illness rate, which is 25% below the 2021 BLS Total Recordable Case (TRC) rate of 1.9 and Days Away from Work, Restricted or Transfer (DART) rate of 1.6 for the construction industry (NAICS 2362).</p>	<p>Establish proactive measures for the common hazards found at construction sites by (but not limited to):</p> <ul style="list-style-type: none"> a. Maintaining authority to enforce safety rules and regulations at the site. This authority will include provisions to hold contractors and employees accountable and, if necessary, remove contractor employees from the job site. b. Provide a comprehensive Job Site Safety Orientation for all workers prior to allowing them to work on site. c. Providing all necessary engineering controls, administrative controls, and personal protective equipment. d. Conduct daily site safety audits to identify and abate hazards. 	<ul style="list-style-type: none"> a. Lloyd Companies will collect and calculate the following injury and illness data and make it available for partnership review on a quarterly basis for comparison to the national average: <ul style="list-style-type: none"> -25% below the Total Recordable Case rate (<1.9) -25% below the Days Away, Restricted or Transfer rate (1.6) b. Lloyd Companies will compare the site's TRC and DART with the 2021 BLS data published December 2022.

GOALS	STRATEGIES	MEASURES
		<p>incident reports to the partners. These reports include: first aid, injury, near miss and property damage reports.</p> <p>d. Incident reports will be logged on a monthly basis to track for trends and share information.</p>
<p>2) Increase the number of written safety and health management programs implemented by contractors/subcontractors. All (100%) contractors/subcontractors will have a developed written and implemented safety and health program upon completion of work at the site.</p>	<p>a. Mentor contractors/subcontractors who have not yet developed their own safety and health programs.</p> <p>b. Provide a model site specific safety and health program to assist contractors/subcontractors in the development of their program.</p> <p>c. Provide contractors/subcontractors resources available to enhance the programs under development.</p> <p>d. All contractors/subcontractors will participate in monthly site audits.</p> <p>e. Develop a SHMS template document to assist contractors/subcontractors in development of a program.</p>	<p>a. The number of contractors/subcontractors that develop a program as a result of their involvement in this project/partnership will be tracked.</p> <p>b. The percentage of contractors/subcontractors that have an overall SHMS program that meets the requirement of this partnership will be determined.</p> <p>c. Identify number and type of SHMS programs distributed to subcontractors.</p>
<p>3) Identify and prevent the most common causes of workplace injuries and illnesses in the construction industry, including, but not limited to, falls, trenching, electrical safety, struck-by, caught in/between, silica, heat stress, material handling, and noise hazards. This will include enhanced monitoring of exposure to health hazards such as heat, noise and air contaminants.</p>	<p>a. Conduct daily site safety audits to identify and abate hazards and ensure availability and use of proper clothing and PPE.</p> <p>b. Conduct weekly toolbox meetings with all workers at the site.</p> <p>c. Maintain an open-door safety policy for the site that encourages hazard reporting.</p> <p>d. Include sub-contractors and employees in pre-task safety planning.</p> <p>e. Share data and injury statistics with partnership members quarterly.</p>	<p>a. Track the number of reported hazards and near misses along with actions taken to eliminate hazards.</p> <p>b. Track the number of pre-task safety meetings held by contractors/subcontractors.</p> <p>c. Track the number of incident investigations conducted by contractors/subcontractors when hazards are reported.</p>

GOALS	STRATEGIES	MEASURES
	<ul style="list-style-type: none"> e. Ensure participation in weekly toolbox meetings by contractors/subcontractors. f. Partners will support OSHA's trench and fall protection by participating in OSHAs National Trench and Fall Stand Downs. g. Fall Stand Down posters will be displayed in locations where employees are working and inside contractor trailers. h. Implement and require 100% fall protection for all fall hazards over six (6) feet, including steel work and scaffolding at the jobsite. i. Awareness of working around suspended loads will be discussed prior to each occurrence. j. Lloyd Companies will ensure PPE including hard hats, long pants and eye protection are always utilized by all employees on the worksite. All employees working at the job shall always wear high-visibility reflective clothing. k. Airborne Silica will be controlled by wet cutting techniques and/or dust collection systems in addition to the mandatory use of respiratory protection required by Table 1. l. Conduct silica exposure monitoring as needed to ensure tasks performed in accordance with Table 1 are below the PEL. m. Lloyd Companies and SDSU will monitor carbon monoxide levels and take corrective actions when levels are elevated. n. Monitor noise exposure levels during high noise operations such as hammer drilling, concrete cutting and jack hammering operations. 	<ul style="list-style-type: none"> d. Track and report monthly total number of individuals monitored for industrial hygiene exposure assessments, types of assessments and maintain results of sampling. e. Minutes of toolbox meetings will be used to track and document attendance. f. 100% of sampling results, including noise, silica, and CO will be shared with all Partners.

GOALS	STRATEGIES	MEASURES
	<ul style="list-style-type: none"> o. When other potential health hazards exist, such as heat, noise, or air contaminants including silica, CO, or lead, Lloyd Companies will coordinate and ensure completion of monitoring where the standard requires, to determine employee exposure levels. Such exposure monitoring is expected to be beyond required levels and assist in providing an exposure database for future projects. 	
<p>4) Focus on 100% safety and health training and monitoring of temporary workers.</p>	<ul style="list-style-type: none"> a. Reach out to all temp agencies used and identify safety training deficiencies. b. Provide effective training to all temporary workers on day one at this jobsite prior to work commencing. 	<ul style="list-style-type: none"> a. Identify number of temporary workers who lack required safety training. b. Identify types of training required.
<p>5) 100% Participation in Safety Stand-Downs and similar events.</p>	<ul style="list-style-type: none"> a. OSHA and Lloyd Companies will provide contractors with information about upcoming stand-down events. b. Lloyd Companies will encourage subcontractors to participate in stand-down events. c. OSHA and SDSU will assist with Safe+Sound campaign events. 	<ul style="list-style-type: none"> a. Track participation in OSHA's Fall Stand-down Campaign and report the number and % of participants and contractors at the site. b. Track participation in the National Trench Safety Stand- Down and report the number and % of participants and contractors at the site. c. Track participation in OSHA's Safe+Sound Week and report the number and % of participants and contractors at the jobsite.

GOALS	STRATEGIES	MEASURES
6) Increase identification of hazards and abatement using apps.	a. Incorporate various web-based Apps into daily and monthly site audits and weekly toolbox talks. Lloyd Companies will provide contractors with links and information regarding applicable apps including the NIOSH noise app, OSHA heat app, ladder app, and other relevant apps and assist with use and understanding.	a. Track the type and number of apps rolled out during the partnership. b. Track the number of hazards identified through the use of apps (e.g., ladder and heat apps). c. Conduct a jobsite stand down on heat hazards which incorporates the use of OSHA's heat app. d. Track the number of contractors who download each app.

IV. SAFETY AND HEALTH MANAGEMENT SYSTEMS

The SHMS is a critical part of this OSP Agreement in that it is an important aspect of collaboration between the project management team, supervisors, and the workers on site. This SHMS will include, but not be limited to, the following core elements:

Management Leadership Roles

Lloyd Companies will implement a SHMS patterned after OSHA's "Recommended Practices for Safety and Health Programs in Construction" that will encourage site employers to commit a high level of worker involvement to assist in monitoring and identifying jobsite hazards on a continual basis to prevent accidents. The SHMS will be implemented at the initiation of the Partnership and continue to be implemented during the entire duration of the Partnership.

<https://www.osha.gov/shpguidelines/docs/8524> [OSHA Construction Guidelines R4.pdf](#)

Worker Participation

Any worker at the site will be encouraged to report jobsite hazards and bring all potential hazards to the attention of Lloyd Companies and/or supervisors when discovered for immediate response and correction. This will be encouraged in the following ways:

- Lloyd Companies will hold a Job Site Safety Orientation with each worker prior to starting work on site.
- Lloyd Companies will provide a system to allow workers to report potential jobsite hazards to Lloyd Companies and/or supervisors upon discovery and stop work if necessary.
- Lloyd Companies will require all workers to attend weekly stand-down meetings. All identified hazards and resolutions will be tracked.
- Lloyd Companies will encourage and expect open communication of safety and health concerns between all jobsite employees of Lloyd Companies and sub-contractor employers on the jobsite at all times.

Hazard Identification and Assessment

This project will focus on safety at all times and Lloyd Companies will enforce jobsite safety compliance with OSHA standards by:

- Lloyd Companies Site Safety Manager will ensure daily safety audits are conducted. A schedule of daily site-safety audits will be developed by Lloyd Companies and the safety committee.
- Lloyd Companies will take immediate action to correct any unsafe conditions, track all unsafe observations, and provide final statistics to all parties in this agreement.
- Lloyd Companies will continually monitor all workers, visitors, and others entering the worksite to ensure safe conditions throughout the worksite.

Hazard Prevention and Control

Lloyd Companies considers Hazard Prevention and Control a process requiring continual efforts of monitoring and identifying jobsite hazards and taking corrective actions to maintain a safe and healthy jobsite at all times.

- Lloyd Companies and contractors and subcontractors will ensure that hazard correction procedures are in place and identified for their workers and others that could be exposed to hazards created.
- Lloyd Companies and contractors and subcontractors will ensure that everyone knows how to use and maintain personal protective equipment.
- Lloyd Companies and contractors and subcontractors will make sure that everyone understands and follows the established safe work procedures. This will be accomplished in several ways, including the use of a Procore software system which is accessible by computer, smartphone or tablet to record, log, and verify corrections of hazards observed at the jobsite. Hazards identified during inspections will be assigned to the responsible party and competent person for the contractor who must report back to Lloyd Companies with corrective action by a given due date.

Education and Training

Lloyd Companies understands that providing workers with an understanding of hazard recognition and control, and actively involving them in the process, can help to eliminate hazards before an incident occurs.

- Lloyd Companies and contractors/subcontractors will ensure work tasks are assigned to workers who are trained and authorized.
- Lloyd Companies and contractors/subcontractors will ensure workers are not performing work tasks that appear to be unsafe.
- Lloyd Companies and contractors/subcontractors will ensure that supervisors are trained to recognize hazards and understand their responsibilities.
- Site orientation training will be conducted prior to starting work at the site.
- Weekly toolbox meetings will be held with all workers at the site.

Program Evaluation and Improvement

Lloyd Companies understands that once a SHMS is established, it should be evaluated to verify that it is being implemented as intended. After that, employers should quarterly, step back and assess what is working and what is not, and whether the program is on track to achieve its goals.

- Lloyd Companies will work with contractors/subcontractors to ensure control measures are periodically evaluated for effectiveness.
- Lloyd Companies will ensure processes are established to monitor program performance, verify program implementation, and identify program shortcomings and opportunities for improvement.
- Lloyd Companies will ensure necessary actions are taken by contractors/subcontractors to improve their overall safety and health program and performance.

Communication and Coordination for Employers on Multi-employer Worksites

Lloyd Companies considers effective communication and coordination among contractors and their workers critical to a safe workplace.

- General contractors, contractors, subcontractors, and staffing agencies must commit to providing the same level of safety and health protection to all workers.
- General contractors, contractors, subcontractors, and staffing agencies must communicate the hazards present at the worksite and the hazards that contract workers may create on site.
- General contractors establish specifications and qualifications for contractors, subcontractors, and staffing agencies.
- Prior to beginning work, general contractors, contractors, subcontractors, and staffing agencies will coordinate on work planning and scheduling to identify and resolve any conflicts that could impact safety or health.

V. WORKER INVOLVEMENT

- Lloyd Companies and non-signatory contractors will ensure workers, and/or their representatives participate in monthly safety meetings as well as report any near miss or unsafe conditions to their employer.
- Lloyd Companies and non-signatory contractors will ensure workers and/or their representatives are involved with the site safety committee, daily and monthly site inspections and weekly toolbox talks.
- Lloyd Companies will provide support to all workers and/or their representatives by providing feedback on risks and assisting them in eliminating hazards. The weekly stand down meeting is the vehicle for open dialogue and feedback.
- Lloyd Companies will hold a Job Site Safety Orientation with each worker prior to starting work on site.
- Lloyd Companies will provide a system to allow workers to report potential jobsite hazards to Lloyd Companies and/or supervisors upon discovery and stop work if necessary.
- Lloyd Companies will require all workers to attend weekly stand-down meetings. All identified hazards and resolutions will be tracked by Lloyd Companies and made available to OSHA or any contractors or subcontractors upon request.

VI. PERFORMANCE MEASURES

Performance measures as outlined in Section III will be used to assess the effectiveness of the Partnership. Lloyd Companies will gather and track data for the performance measures and share the information with OSHA and SDSU, as specified in Appendix B of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003.

VII. EVALUATION

The program will be evaluated on an annual basis and at the conclusion of the partnership using the Strategic Partnership Annual Evaluation Format measurement system, as specified in Appendix C of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003.

It will be the responsibility of Lloyd Companies to gather required data to evaluate and track the overall results and successes of the partnership program. This data will be shared with OSHA and SDSU.

Lloyd Companies will write and submit the annual evaluation to the Partners for input and conclusions of the evaluation. The Sioux Falls Area Office of OSHA will submit the annual evaluation.

VIII. VERIFICATION PROCEDURES

OSHA will conduct one unannounced enforcement verification inspection each year for the term of the project. These inspections will be programmed planned and unannounced. Inspections conducted in response to reported accidents, complaints, Local Emphasis Programs, or referrals will qualify as the enforcement verification inspection if, in addition to addressing the accident/complaint/referral item(s), the compliance officer completes the focused inspection protocol for the worksite. These inspections include the potential for issuing citations and assessing penalties for violations.

Onsite non-enforcement verification reviews will be conducted as part of the quarterly partnership meeting. Union representatives will be part of the inspection group. If non-compliant activity or hazards are discovered, immediate correction is required. Lloyd Companies will document the corrective action taken and share this information during the quarterly update meetings. A referral for an enforcement inspection will be made if management refuses to correct a serious hazard identified during the non-enforcement verification visit.

Lloyd Companies and its contractors and subcontractors will remain subject to OSHA inspections and investigations in accordance with agency procedures.

IX. INCENTIVES

OSHA's Field Operations Manual details opportunities available during citation/case settlement for all employers who undergo onsite enforcement inspections. These opportunities are also available for partnering companies participating in the partnership program. Additionally, OSHA will provide continual outreach and technical assistance to Lloyd Companies and its affiliates throughout the partnership period.

X. OSP MANAGEMENT AND OPERATION

Lloyd Companies and its contractors, in association with OSHA and South Dakota OSHA consultation, will form a partnership committee to monitor the implementation of this Agreement. It will consist of a representative from each of the designated Partners. Lloyd Companies will serve as the chairperson and as OSHA's primary contact. The committee will review contractor compliance and involvement in the partnership; analyze jobsite audits; make partnership improvements; and evaluate partnership modifications, achievements, and success of the partnership.

Lloyd Companies will:

- Implement Lloyd Companies comprehensive SHMS, which includes
 - a. management leadership roles,
 - b. worker participation,
 - c. hazard identification and assessment,
 - d. hazard preventing and control,
 - e. education and training
 - f. program evaluation and improvement, and
 - g. communication and coordination for employers on multi-employer worksites.
- Mentor contractors/subcontractors who have not yet developed their own SHMS and, if necessary, refer them to OSHA and/or South Dakota OSHA consultation for assistance.
- Ensure 100% fall protection for all fall hazards over six (6) feet, regardless of work being conducted, including steel erection and scaffold work.
- Participate in the National Fall Prevention Safety Stand-Down Campaign.
- Participate in the National Ladder Safety Month.
- Participate in Safe + Sound Week.
- Participate in the National Trench Safety Stand-Down.
- Share the responsibility for overseeing site safety, serving as a point of contact, and overseeing the partnership goals.
- Ensure daily, weekly, and monthly safety audits are conducted, with assistance from workers when possible.
- Ensure that all contractors/subcontractors participate in jobsite safety meetings/toolbox talks on a weekly basis and document all attendance and topics.
- Make available monthly accident reports to the Partners, including first aid, injury, property damage, and near-miss reports.
- Allow OSHA representation on the site for inspection activities (verifications and un-programmed activities such as fatalities and employee complaints).

- Audit the partnership and make recommendations for improvement.
- Share and make available to all workers and partners jobsite inspections and near-miss incidents.
- Require the use of appropriate personal protective equipment by all entering the worksite. Appropriate personal protective equipment will include leather work shoes/boots (dress shoes, tennis shoes, and any other types of shoes are not allowed on site), ANSI-approved hardhats, eye protection and high-visibility reflective vests or high-visibility clothing as a minimum, will be always worn on the worksite.

OSHA will:

- Participate in quarterly on-site non enforcement verification inspections as resources allow.
- Designate a Sioux Falls Area Office contact to be used as a resource for technical issues.
- Off-site verification review of Lloyd Companies safety and health self-audits as resources allow.
- Provide an OSHA representative at committee meeting and activities as resources permit.

South Dakota State University OSHA Consultation will:

- Provide a representative at committee meetings and activities as resources permit.
- Participate in a quarterly site visit as resources allow.
- Assist in planning and implementation of all SHMSs.
- Provide/assist in training as resources permit.
- Participate in one jobsite hazard evaluation of SHMS programs and site conditions.

XI. WORKER AND EMPLOYER RIGHTS

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

XII. OSP TERM

This OSP Agreement will terminate at the completion of construction activities. If any signatory of this agreement wishes to terminate its participation prior to the established termination date, written notice of the intent to terminate must be provided to all other signatories.

If OSHA chooses to terminate its participation in the Partnership, the entire agreement is terminated.

Changes to the OSP Agreement may be implemented in writing if all parties agree that it is in the best interest of all members involved.

XIII. SIGNATURES

**United States Department of Labor
Occupational Safety & Health Administration**

Based upon a mutual interest to protect construction workers, the parties below agree to the above terms of the OSHA / Lloyd Companies, Inc. / SDSU Construction Partnership

Signed this _____ day of _____, 2023

 <p>OSHA Occupational Safety and Health Administration</p>	OSHA, Sioux Falls Area Office Signature: _____ Printed Name: Sheila Stanley, Area Director
<p>Lloyd Companies</p> 	Lloyd Companies, Inc. Signature: _____ Printed Name: _____
	South Dakota State University OSHA Consultation Signature: _____ Printed Name: _____