



Southeast Poultry Research Laboratory – Phase II

**OSHA STRATEGIC PARTNERSHIP
Between**

**Occupational Safety and Health Administration
Atlanta-East Area Office**

and

**Georgia Tech Enterprise Innovation Institute – Safety, Health,
and Environmental Services Group**

and

Mortenson Construction

I. PURPOSE/SCOPE

This Partnership was developed jointly by the Occupational Safety and Health Administration (OSHA), the Georgia Tech Enterprise Innovation Institute – Safety, Health and Environmental Services Group (Georgia Tech), Mortenson Construction (Mortenson Team) and the Associated General Contractors of Georgia, Inc., (AGC Georgia). This Partnership will cover the construction of the Southeast Poultry Research Laboratory Project (Project), located in the Athens, Georgia. The common objectives and goals of the Partnership will include the following: reduce occupational related fatalities and serious injuries and illnesses; increase safety and health training; reduce the overexposure of workers to health hazards; and increase the number of employers with appropriate safety and health management systems. This Partnership is consistent with OSHA's long-range efforts to develop a contractor/ government partnership approach to safety management. It allows for better use of OSHA resources and innovation in safety management. It also encourages more participation in the safety process from the construction community.

Mortenson Construction is providing design-build construction services for the modernization of the U.S. National Poultry Research Center (USNPRC), Southeast Poultry Research Laboratory (SEPRL) campus in Athens, Georgia. The scope of this contract consists of demolishing approximately 69,000 Gross Square Feet (GSF) in 24 buildings, constructing approximately 243,000 GSF in three new buildings, and replacing all existing utility infrastructure. The first phase of this contract, which included the construction of two buildings with multi-story office, laboratory of animal biosafety levels (BSL) 2 & 3, and administrative space, has been completed. Phase 2 includes the demolition of three buildings, mass excavation, and construction of a three level, 88,000 SF BSL 2 building for animal containment, lab, and support spaces. This building will be comprised of steel framing, concrete columns, and CMU (concrete masonry units) shear walls. This phase of the project will also include landscaping the core courtyard space.

II. IDENTIFICATION OF PARTNERS

The Partnership will include:

- Occupational Safety and Health Administration;
- Georgia Tech Enterprise Innovation Institute – Safety, Health and Environmental Services Group; and
- Mortenson Construction

The Stakeholders will include:

- Terracon (asbestos abatement firm)

III. GOALS/STRATEGIES/PERFORMANCE MEASURES

The primary objective of this Partnership is to create a working relationship that focuses on 1) preventing work-related fatalities; 2) controlling, or eliminating serious workplace hazards; and 3) establishing a foundation for the development of an effective safety and health program. The goals employed to achieve these results will include the following:

GOALS	STRATEGIES	MEASURES
<p>Reduce the total number of injuries and illness cases by 10 percent, thereby providing a safe and healthy work environment for employees at the Project.</p>	<p>a) Review the OSHA 300 log data of the Partnership participants. Reviewing injury and illness trends and implementing effective corrective action(s).</p> <p>b) Calculate the employers' Total Recordable Incident Rate (TRIR) and Days away from work, restricted, or job transferred (DART) rates.</p> <p>c) Compare this data with the baseline rates for the Partnership.</p>	<p>a) This goal will be measured by the number of companies participating in the Partnership, which reduce their TRIR and DART rates below the baseline for the partnership.</p> <p>b) Baseline will be established by the 2019 BLS Rates for Non-Residential Construction NAICS 2362, which is 2.8 and 1.7.</p>
<p>Develop or enhance the employer's safety and health program based on the Safe + Sound model (Management Leadership, Worker Participation, Find and Fix Hazards).</p>	<p>1) Review the number of employers that receive comprehensive consultation visits.</p> <p>2) Review the number of employers establishing safety and health programs, based on the Safe + Sound model. These items may include but are not limited to the following: safety and health policies statement; job hazard analysis; accident investigation; and hierarchy of controls.</p> <p>3) Require all subs to have a 30-hour trained and competent person on site at a minimum</p> <p>4) Hold comprehensive Site-Specific Safety Plan (SSSP) reviews with subcontractors to promote management systems</p> <p>5) Hold detailed planning meetings for tasks including confined space entry, excavations greater than 5', crane work, and public interface work</p>	<p>1) Measure the number of participants that develop and implement effective safety and health management systems, as a result of participating in the Partnership, compared to the (baseline) initial year of the Partnership.</p> <p>2) Review the planning meetings held and their effectiveness, as well as the contractors/ subcontractors participation in full planning meetings.</p>

GOALS	STRATEGIES	MEASURES
<p>Increase the number of employees, employers and supervisors who are provided effective safety and health training, such as the OSHA 10-hour course.</p>	<p>a) Evaluate of the employers that establish effective safety and health training programs.</p> <p>b) Evaluate of the employers that provide employees with OSHA 10-hour/ OSHA 30-hour training.</p>	<p>a) Measure the number of employers with effective safety and health training programs.</p> <p>b) Compare the number of managers, supervisors and employees provided with OSHA 10-hour/ OSHA 30-hour training with the baseline for the Partnership. The baseline will be established during the initial year of the Partnership.</p>
<p>Conduct effective self-inspections, sampling, monitoring, training, and consultative activities in areas where employees might be exposed to safety and health hazards such as the following: hazardous noise levels; lead; silica; asbestos; ergonomic stressors; and other health-related hazards.</p> <p>The overall outcome of this goal should be the reduced overexposure of workers to health hazards, as well as a reduced injury and illness rate.</p>	<p>a) Track health hazard related program improvements, as well as training focused on the prevention of health hazards.</p> <p>b) The Mortenson Team will track the number of self-inspections and site audits, as well as the number of health hazards identified during these activities.</p>	<p>A comparison will be made between the number of health hazards identified during self-inspections and audits, during the second and third year of the Partnership, and the number of hazards identified through self-inspections and audits conducted during the (baseline) initial year of the Partnership.</p>

¹Days Away from work, Restricted, or job Transferred (DART) rate: This includes cases involving days away from work, restricted work activity, and transfers to another job. It is calculated based on $(N / EH) \times (200,000)$ where N is the number of cases involving days away, and/or restricted work activity, and/or job transfer; EH is the total number of hours worked by all employees during the calendar year; and 200,000 is the base number of hours worked for 100 full-time equivalent employees. For example: Employees of an establishment including management, temporary, and leased workers worked 645,089 hours at this worksite. There were 22 injury and illness cases involving days away and/or restricted work activity and/or job transfer from the OSHA 300 Log (total of column H plus column I). The DART rate would be $(22 / 645,089) \times (200,000) = 6.8$

IV. MANAGEMENT AND OPERATION

A. The Mortenson Team will:

1. Establish a project Safety Committee Team, consisting of a representative of all trades active on site. This team will proactively

identify, communicate, and pre-plan hazardous activities as a team throughout all phases of construction, ensuring everyone returns home safely at the end of each day. This action will be accomplished by implementing the Mortenson Zero Injury Program through a comprehensive safety and health management system, which includes:

- a. Management commitment and employee involvement;
 - b. Hazard analysis;
 - c. Hazard control; and
 - d. Arrangement of training assistance for other stakeholders on-site
2. Mentor subcontractors in safety and health management systems. The term “subcontractors” shall include all multi-tiered subcontractors that arrive on the site.
 3. Where the potential for airborne silica exposure exists, appropriate engineering controls and respirators will be used in accordance with 29 CFR Part 1926.1153. Table 1 of 29 CFR Part 1926.1153 will be used for reference. When airborne exposure results from operation not covered by Table 1, project participants and subcontractors will adhere to applicable parts of 29 CFR Part 1926.1153. To the extent feasible, personal air monitoring will be conducted to assess employee exposure levels. Where the potential for other health issues exists (i.e., carbon monoxide, lead, natural gas, or any other chemical exposure that could be harmful to the crew members), the Mortenson Team will coordinate with the subcontractor responsible for creating the hazard and ensure that the subcontractors conduct air monitoring to assess employee exposure levels. The Mortenson Team will compile and track sampling results.
 4. Enforce safety rules and regulations. This enforcement authority will include holding contractors and employees accountable for following safety rules and regulations and, if necessary, removing contractors’ employees and supervisors from the job site, following proper disciplinary procedures.
 5. Ensure that a competent person performs a risk assessment for all hazards and complete an Activity Hazard Analysis (AHA) for all scopes of work on-site. The probability and severity of occurrence for each identified hazard will be evaluated to eliminate or reduce the risk through conventional protection, engineering, or administrative controls to as low a level as possible. Regarding full hazard risk assessments:
 - a. Critical risks will not be tolerated. No work will be performed until action is taken to reduce the level of risk to as low as reasonably feasible.

- b. Bricklayers performing overhand bricklaying and related work above lower levels must be adequately protected when above 6 feet. No “safety monitor” system will be allowed.
 - c. Workers performing work on the face of formwork or reinforcing steel must be protected from falling by personal fall arrest systems, with the use of a positioning device, and/or lanyards when above 6 feet.
 - d. All steel erection areas will have controlled access zones around the work areas. No other work will be permitted in those areas or underneath steel erection activities without one finished concrete floor between.
 - e. Require each contractor to have at least one (1) competent person on-site at all times. Competent Persons will be identified by orange tape around the brim of their hardhat.
- 6. Ensure that ground fault circuit interrupters (GFCI) are used to protect all electrical circuits that are installed for work. All contractors will ensure that employees are protected using a GFCI at all times.
 - 7. All Mortenson Team staff members will serve as points of contact and monitoring safety and health at the site and its progress toward achievement of the Partnership goals.
 - 8. Confirm that Mortenson Team – Superintendents, Project Managers, and Engineers verify that daily Safety Audits are conducted since this is a multi-employer worksite and all workers are to work together on safety issues. Upon request, the Mortenson Team will review subcontractors’ daily logbooks, audits, note any hazards found, and then review them with all subcontractors and Safety Committee members at the weekly/monthly subcontractor/safety committee meetings. The Mortenson Team will use BIM 360 and Mortenson Event Management System to track all hazards, near misses, incidents and injuries.
 - 9. Conduct and document weekly job site safety meetings/toolbox talks.
 - 10. Subcontractors will report all safety incidents/concerns, accidents, first aids, injuries and near misses immediately to Mortenson Team, which will ensure that they are tracked through BIM 360 and the Event Management incident reporting program. Subcontractors will submit incident reports to Mortenson Safety within 24-hours of occurrence.
 - 11. Coordinate additional site safety audits with contractor’s Safety Director. If the Mortenson Team and contractor/subcontractor discover non-compliant activity or hazards, the Mortenson Team will require immediate correction. The Mortenson Team will document the corrective action taken and share this information with OSHA and Georgia Tech during the quarterly update meetings.

12. Continually audit the Partnership's effectiveness and recommend improvements.
13. Ensure that no employees can work directly below a suspended load except for: employees engaged in the initial connection of steel and employees necessary for hooking or unhooking the load. The following criteria must be met when employees are allowed to work under the load:
 - a) Materials being hoisted shall be rigged to prevent unintentional displacement;
 - b) Hooks with self-closing safety latches or their equivalent shall be used to prevent components from slipping off the hook;
 - c) A qualified rigger shall rig all loads;
 - d) Appropriate use of tag lines will be utilized to prevent work below suspended loads; and
 - e) A horn or whistle will be blown when a load is being hoisted and when the load is being landed to warn employees in the adjacent areas of the presence of an overhead load.
14. Require the use of appropriate personal protective equipment. The Mortenson Team will review the subcontractor's safety requirements to ensure they are following their own procedures. Ensure the subcontractors are following the Site-Specific Safety Procedures, as well as Mortenson's Zero Injury Program. This includes 100 percent PPE while on the project site (including but not limited to hardhats, class II vests, eye protection, gloves, and hard-soled, safety-toed boots).
15. Ensure that all safety signs and warnings are posted in English and Spanish.
16. Implement a 100 percent Fall Protection Plan for all work performed 6 feet or more above lower surfaces.
17. Implement an effective Heat Illness Prevention Program (Heat Program) to educate workers about the hazards of working outdoors in the heat and steps needed to prevent heat-related illnesses. This Heat Program should utilize tools such as OSHA's Heat Safety Tool Smartphone App and the National Weather Service Alerts and Advisories.
18. Identify and correct serious ergonomic hazards. The Mortenson Team will conduct a Bend and Stretch Program (Bend & Stretch) with the entire site before starting work.
19. Asbestos abatement is anticipated at the Project for the existing building on the campus. Mortenson has contracted with Terracon to provide third-party hazardous materials survey inspection and consultation. Terracon will work with Mortenson and the demolition subcontractor to develop the abatement plans, which will be submitted separately for approval prior to any abatement work beginning.

20. Prior to permitting employees to start demolition operations, an engineering survey shall be made by a competent person. All utilities will be evaluated, cut/capped, and controlled prior to the start of demolition. Additionally, a site-specific demolition plan shall be developed.

B. Subcontractors will:

1. Appoint a representative to the site Safety Committee responsible for resolving job safety matters and serve as a liaison to the Mortenson Team. Every trade contractor will have a person available to participate in the Safety Committee. Participation on this committee will consist of, but will not be limited to, participation in the Mortenson Team safety walkthroughs and monthly Safety Committee meetings.
2. Conduct jobsite safety inspections for those employees under their supervision and authority. These jobsite safety inspections will be in addition to the daily general inspections. If non-compliant activity or hazards are discovered, immediate corrective action is required. Abatement methods and verification documentation must be submitted to Mortenson Safety.
3. Participate in the weekly subcontractor meetings and safety audits. If non-compliant activity or hazards are discovered, immediate corrective action is required. Abatement methods and verification must be submitted to Mortenson Safety who will document the corrective action taken and share this information during the monthly update meetings. The Mortenson Team will utilize BIM 360's open issues report to track/timely closure of open items.
4. Share the results of jobsite inspections with all workers by discussing them at our morning Stretch & Bend and at pre-task planning meetings prior to starting work.

C. OSHA will:

1. Participate, to the extent resources permit, in the quarterly meeting with the Partnership participants, but will not participate in the walk around inspection, except that the verification visits may be scheduled as part of the weekly walk-around inspection.
2. Serve as a resource and liaison for Partnership participants and assist with safety and health training, as resources permit.
3. Give priority to the construction project when technical assistance is needed.
4. Audit the monthly reports/documents and make recommendations for improvements in meeting Partnership goals.

5. Conduct inspections in accordance with sections VIII and IX of this Partnership Agreement.
6. Conduct the annual Partnership evaluation report in accordance with section VII of this Partnership Agreement.

D. Georgia Tech's On-Site Consultation Program will:

1. Give priority consideration to requests for services to small contractors who are engaged in work at the Project.

V. SAFETY AND HEALTH MANAGEMENT SYSTEM

The Mortenson Team will use their systems to collect and analyze injury and illness trends (including near-miss incidents) by all contractors performing work at the site. This data will be used as a tool to ensure continual safety and health improvement at the site. The Mortenson Team will manage this portion of the Partnership by implementing a comprehensive jobsite safety and health management system, which includes the following:

1. The Mortenson Team may require a contractor to perform an additional risk assessment prior to exposing any employee to potential high-risk activities.
2. Work with OSHA, Georgia Tech, AGC and subcontractor safety resources to provide the resources to conduct initial monitoring for ALL toxins, carcinogens, or hazardous substances currently emphasized by OSHA and which present inhalation hazards, such as silica, lead, cadmium, and/or isocyanates. Employee exposures will be assumed, and respiratory protection worn until the results of the initial monitoring studies are received and demonstrate no exposure problems or prior surveys show no hazard exists. The Mortenson Team will substitute for less hazardous materials whenever feasible. The Mortenson Team will request periodic evaluation visits by Georgia Tech.
3. All contractors on-site will perform daily audits. In addition, twice each month, a comprehensive audit of the jobsite will be performed. A representative of the subcontractors will be a safety audit participant in the jobsite areas where their employees may be exposed to hazards. Any hazards found during the audits will be corrected promptly. Items identified during the audits will be annotated on a daily log. When hazards cannot be corrected immediately, they will be tracked until abatement is completed. Employees exposed to these hazardous conditions will be informed of the hazard and effective interim control measures will be implemented. A record will be kept of all hazards found during the comprehensive site safety audits and the number of hazards corrected as a result of the audits.
4. Implement an effective Fall Protection Plan to include fall protection in all cases where work is being performed 6 feet or more above lower surfaces.
5. Ensure employees receive training as follows:

- a. The Mortenson Team will work with all subcontractors' supervisory personnel to provide an OSHA 10-hour card, or its equivalent through available training options.
 - b. All employees will receive a site-specific construction safety orientation covering jobsite safety and health issues, procedures related to the work being performed, as well as the requirements outlined in the Partnership Agreement. In addition, employees shall receive training on the content of the risk assessment for operations they will encounter. This may require periodic retraining of employees on the content of the risk assessment as they become relevant due to entering new phases of construction. The Mortenson Team will provide this material to each subcontractor's designated safety representative for completion.
 - c. Safety orientation will be provided to all workers in a language they understand. Subcontractors are required to provide a bilingual instructor who will participate in this training and translate when needed.
 - d. Other hazard-specific training will be conducted on an as-needed basis.
 - e. Subcontractors can utilize other instructors as long as these instructors can provide a valid certification card showing completion of the OSHA 10-hour course. The Mortenson Team will have primary responsibility for coordinating this training; however, as resources allow Georgia Tech will also provide assistance. The Mortenson Team plans to hold OSHA 10-hour safety training sessions as needed to help train all personnel as the schedule allows.
6. Each subcontractor with written safety and health management systems must submit them to the Mortenson Team for evaluation. Additionally, the Mortenson Team requires each subcontractor to have a dedicated safety professional if they exceed 25 employees on-site.
 7. Ensure health-related issues, which arise during the course of the Project, are adequately addressed by the Mortenson Team and/or the affected subcontractors, with the assistance of OSHA, as its resources permit, AGC and Georgia Tech. All health-related issues will be discussed monthly during the Partnership meetings.
 - a. An effective hearing protection program, including noise monitoring and engineering controls, where possible, will be implemented by the Mortenson Team Safety Department.
 - b. An effective environmental monitoring program will be implemented to control airborne hazards, such as silica, and will include personal monitoring, employee training, implementation of engineering controls where possible, and the use of respiratory protection when necessary. Previous site-based data will be considered acceptable.
 8. Ensure compliance with the NFPA 70E when working on live electrical equipment, including training and the availability and use of personal protective

equipment. A permit system will be implemented whenever working in close proximity to or on live electrical systems to ensure the implementation of appropriate protective measures prior to exposure.

9. Ensure all equipment capable of causing amputations is adequately guarded.
10. Ensure effective programs are employed, consisting of policies and procedures that comply with OSHA's Process Safety Management (PSM) standards as equipment and processes are brought live and on-line at the project.
11. Ensure effective programs are employed, consisting of policies and procedures that comply with OSHA's lockout/tagout-related standards, as equipment and processes are brought live and on-line at the Project.

VI. WORKER INVOLVEMENT

The site will establish an employee Safety Committee Team consisting of one member from each subcontractor that will meet monthly to share the results of jobsite inspections, information concerning accidents and near misses, suggestions for improvement and recommendations for training the general workforce. Hazards and upcoming high-risk activities will be discussed during Bend & Stretch activities, as well as pre-task planning sessions.

VII. ANNUAL EVALUATION

The Partnership will be evaluated annually using the Strategic Partnership Annual Evaluation format as specified in Appendix C of OSHA Instruction CSP 03-02-003, OSHA Strategic Partnership Program for Worker Safety and Health.

The Mortenson Team will be responsible for gathering required participant data to evaluate and track the overall results and success of the Partnership. This data will be shared with OSHA. OSHA will be responsible for writing and submitting the annual evaluation.

VIII. INCENTIVES

Participant benefits from OSHA may include:

1. Maximum penalty reductions for good faith and history, to the extent allowed by the OSHA Field Operations Manual (FOM), OSHA Instruction CPL 02-00-164 (April 14, 2020).
2. In the event that a citation with penalties is issued, the Area Director has the authority to negotiate the amount of an additional penalty reduction as part of the informal conference settlement agreement.
3. Priority consultation service and assistance for small employers working on the construction site from the Georgia Tech Consultation program.

4. An OSHA focused inspection is available where the Partnership participant has an effective safety and health management system fully compliant with Parts 29 CFR Part 1926.20 and 29 CFR Part 1926.21. (For additional details, refer to the August 22, 1994, memo signed and issued by former Deputy Assistant Secretary for OSHA James Stanley, which was revised on September 20, 1995.)

IX. OSHA VERIFICATION

1. **Verification Enforcement Inspections:** OSHA will conduct the initial verification enforcement inspection no sooner than three months, but within four months after Partnership, participants formally enter into this Agreement. During this period, participants should develop and implement the safety and health management systems required under this Agreement. After this period, OSHA will conduct the verification enforcement inspections annually after that. Verification enforcement inspections will be conducted as a focused inspection, per the appropriate OSHA guidelines. Compliance Safety and Health Officers (CSHOs) familiar with the Project will do verification enforcement inspections. Employee rights under the Occupational Safety and Health Act (OSH Act) will be afforded. During the verification enforcement inspections, if OSHA personnel identify serious hazards that site management refuses to correct, the inspection scope may be expanded.
2. **Complaint/Referral Investigations:** This Partnership provides for the immediate response to each allegation of a safety or health hazard brought to its attention by any person. Upon a finding that an allegation is valid, the employer shall promptly abate the hazard.
3. OSHA agrees that a copy of each non-formal complaint/referral related to the work site and filed with OSHA will be forwarded by email, or by CSHO, to the Mortenson Team. In accordance with applicable law, the name of the complainant requesting confidentiality will not be revealed. The Mortenson Team agrees to investigate these complaints, regardless of the employer involved and provide OSHA with a written response within five working days of receiving the non-formal complaint/referral.
4. **Accident Investigations:** Employers engaged in this Partnership recognize that OSHA fully investigates accidents involving a fatalities or serious physical harm. If during the course of the investigation OSHA determines that the incident resulted from violations of the OSHA standards, the employer will not be afforded Partnership incentives.

X. WORKER AND EMPLOYER RIGHTS

This Partnership does not preclude employees and/or employers from exercising any right provided under the OSH Act, nor does it abrogate any responsibility to comply with rules and regulations adopted pursuant to the OSH Act.

Employees will be free from retaliation for exercising a variety of rights such as filing a workplace safety and health complaint with OSHA or their employers, participating in an

inspection, report unsafe conditions and report injuries or illnesses. Additionally, the following reporting tools will be provided for workers at the Project:

- Hazard Recognition/Near Miss and Safety Suggestion Box will be available throughout the worksite.
- Workers will also be permitted to raise concerns through the conventional reporting method (i.e., reporting concerns directly to supervisors).

Additional information regarding employee involvement is available in Section VI, Worker Involvement.

XI. TERM OF PARTNERSHIP

It is understood that this Agreement shall be in effect until completion of construction activities at the Project, but in no case longer than three years. Should any “signatory” stakeholder choose to withdraw prior to the Project’s completion, a written notice shall be given stating the reason(s) and providing 30 days notice to the other party(s).

If OSHA chooses to withdraw its participation in the Partnership, the entire Partnership is terminated. Any party may also propose modification or amendment of the Agreement. Changes may be implemented, if all parties agree that such changes are in the best interest of the Partnership.

**XII. THE SOUTHEAST POULTRY RESEARCH LAB PROJECT
- SIGNATURE PAGE**

Partnership Signing Date: _____

Joshua Turner
Atlanta-East Area Director
Occupational Safety & Health
Administration (OSHA)

Erik Youngquist
V.P. of Operations
Mortenson Construction

Kendra Lyons
Safety Director
Mortenson Construction

Dallas Poling
Sr. Superintendent
Mortenson Construction