

## I. General

The Charleston Area Office of the Occupational Safety and Health Administration (OSHA), and City Construction Co. (City Construction), have agreed to implement an OSHA Strategic Partnership (Partnership) during Construction of the New Nicholas County Pre-K-8 School at Glade Creek (hereafter referred to as "Project").

This Partnership aims to encourage joint cooperation between OSHA, City Construction, and trade contractors to foster a safe work environment for all Project employees. The Partnership calls for the Project to be managed consistent with OSHA's [Recommended Practices for Safety and Health Programs in Construction](#) or its equivalent. OSHA will provide timely responses to requests for information and for clarification of OSHA standards and will assist as resources and/or OSHA Policy allow. To show their commitment to the Partnership, participating trade contractors (hereafter referred to as "participating contractors") will voluntarily sign a pledge (Appendix B).

This Partnership will not relieve any trade contractors from or lessen their safety responsibilities, nor will it change any contractual obligations between City Construction, Project Owner/Developer, or participating contractors, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement action(s).

This Partnership will not in any way affect employees' ability to exercise rights under the Occupational Safety and Health Act (OSH Act) and OSHA regulations. The Partnership is consistent with OSHA's long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources, for innovation in safety management, and encourages more participation in the safety process by each stakeholder.

## II. Identification of Partners

The following organizations are considered Partners:

- Occupational Safety and Health Administration, Charleston Area Office
- City Construction Co.

The following organizations pledge to support the Partnership:

- Participating Trade Subcontractors

## III. Project Overview

Project Construction started in August 2024 with completion set for August 2027. It is expected that 28 trade contractors will employ approximately 80 craft persons at peak construction.

### Project Details:

Owner: Nicholas County Board of Education

Owner Address: 400 Old Main Dr, Summersville, WV 26651

### New Construction

Contract Amount: \$65.5 Million

Project Location: 1 Trade Zone Drive, Summersville, WV 26651

Project scope includes site and building construction for a concrete masonry steel structure that will serve Pre-K through 8<sup>th</sup> grade students for Nicholas County Schools. Site work includes, but is not limited to landscaping, asphalt parking areas and driveways, concrete sidewalks and curbing, storm water system, utility extensions and earthwork including excavation. The building is a 180,000 square foot, single-story facility with masonry load bearing walls on a spread footing foundation system. Roofing consists of membrane and metal roofing over steel and masonry walls with metal stud interiors. Exterior walls are brick veneer, Interior partitions consist of masonry and metal studs with polished concrete floors. Interior finishes include gypsum board, paint, polished concrete, resinous and ceramic tile in bathrooms, two gyms with wood floors, porcelain tile, lay-in acoustical ceilings and suspended ceilings with some exposed deck painted. The work includes all associated mechanical, electrical, and plumbing.

## IV. Partnership Goals, Strategies, Measures

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

Goal	Strategy	Measures/Products
1. Reduce the total number of injuries thereby providing a safer and healthier work environment for workers through the completion of the Project.	<p>Partners will meet quarterly to review injury and illness statistics and work together to resolve workplace safety and health issues and reduce injury and illnesses.</p> <p>a. This includes a review of 300 data from all project contractors and calculation of the DART rate for each quarter.</p> <p>b. As part of the quarterly review, plans of action will be developed and implemented to address any areas of concern identified by the review.</p>	<p>a. The Partnership baseline DART rate is established at 5.3</p> <p>b. Reduce the DART rate by 2 percent annually.</p>

Goal	Strategy	Measures/Products
2. Control workplace hazards by assisting trade contractors with the implementation of an effective safety and health management systems.	<ul style="list-style-type: none"> <li>a. City Construction will conduct evaluations of each trade contractor's safety and health management system in accordance with Appendix C.</li> <li>b. Trade contractors found to have inadequate safety and health management systems not in accordance with Appendix C may be prohibited from the jobsite until evidence of acceptable corrective measures have been provided to City Construction.</li> </ul>	<ul style="list-style-type: none"> <li>a. The number of trade contractors that have completed City Construction's safety and health management system evaluation and have pledged both support and cooperation to the Partnership.</li> </ul>
3. Conduct effective self-inspections and assist trade contractors with accessing training resources and technical assistance in areas where workers might be exposed to hazards.	<ul style="list-style-type: none"> <li>a. City Construction will document self-inspections, third-party safety inspections, the combined number of hazards corrected, and note any additional or supplemental employee safety training conducted stemming from hazards identified on the jobsite.</li> <li>b. All workers and unescorted visitors will receive a project site safety orientation to ensure all workers and unescorted visitors are aware of potential hazards and the appropriate controls and protocols that have been implemented to protect them.</li> </ul>	<ul style="list-style-type: none"> <li>a. The number of self-inspections performed, the number of third-party assessments performed, and the combined number of hazards identified and corrected.</li> <li>b. The number of training sessions conducted, and the number of training hours provided for workers and supervision.</li> <li>c. The number of trade contractor workers and supervisors who have completed site orientation training.</li> </ul>
4. Ensure all workers are adequately trained or certified to perform their work safely and competently, and in compliance with established state and federal requirements.	<ul style="list-style-type: none"> <li>a. City Construction require trade contractors to provide evidence of training and/or certification that fulfills state and federal requirements relevant to the scope of work performed by the respective trade.</li> <li>b. Additional training and/or certification may be required for any trade not satisfactorily supplying documentation outlined in Appendix C.</li> <li>c. Require all workers and unescorted visitors to complete the jobsite's site safety orientation.</li> <li>d. Require trade contractors to provide documented toolbox safety meetings to their workers at least weekly and submit evidence to the City Construction's site leadership.</li> </ul>	<ul style="list-style-type: none"> <li>a. The number of trade contractors providing evidence or proof of training and/or certification in compliance with state and federal laws and regulations.</li> <li>b. The number of workers who have completed the Project's site safety orientation.</li> <li>c. The number of documented toolbox safety trainings performed by trade contractors.</li> </ul>

Goal	Strategy	Measures/Products
5. Develop a working relationship with OSHA to maintain a continuing dialogue that supports various safety and health campaigns/initiatives.	<ul style="list-style-type: none"> <li>a. City Construction and all on-site participating trade contractors will participate in the OSHA Philadelphia Region Focus Four Campaign.</li> <li>b. City Construction and all on-site participating contractors will hold an annual event to support the OSHA National Fall Prevention Safety Stand-Down until the Project is completed. City Construction and all participating trade contractors will display a stand-down poster and stickers (available on OSHA webpage) on site.</li> <li>c. City Construction and all on-site participating trade contractors will participate in the NIOSH/OSHA annual Heat Illness Prevention campaign until the Project is completed. City Construction and all participating trade contractors will use the OSHA/NIOSH Heat Safety Tool App and display new Heat Illness Prevention infographics in both English and Spanish (available on OSHA webpage) on site.</li> <li>d. City Construction and all on-site participating trade contractors will hold an annual event to support the NUCA Trench Safety Stand-Down until the Project is completed. City Construction and all participating trade contractors will display the stand-down poster and stickers (available on OSHA and NUCA webpages) on the site.</li> <li>e. City Construction and all on-site participating contractors will register and hold an annual event to support the OSHA Safe + Sound Week until the project is completed. City Construction and all participating trade contractors will display campaign information (available on OSHA webpage) on site.</li> <li>f. City Construction and all on-site participating contractors will hold an annual event to support the prevention of Suicide and Opioid deaths in Construction until the Project is completed. City Construction and all participating trade contractors will display information (available on OSHA and NIOSH webpages) on site.</li> </ul>	<p>The Partners will meet as needed to verify and/or review:</p> <ul style="list-style-type: none"> <li>a. The number of workers trained in each safety talk that is associated with the Philadelphia Region Focus Four Campaign.</li> <li>b. The use OSHA's "National Fall Safety Stand-Down" webpage to log their event, provide information about their stand down activity, complete the survey and print participation certificate.</li> <li>c. The implementation of a jobsite-specific heat illness prevention plan. The number of workers trained on the annual Heat Illness Prevention "Water, Rest, Shade" campaign.</li> <li>d. The use NUCA's "National Trench Safety Stand-Down" webpage to log the event(s), provide information about their stand down activity, complete the survey and print participation certificate.</li> <li>e. The use OSHA's Safe + Sound Week Campaign webpage to register the event(s), provide information about their activity, complete the survey and print participation certificate.</li> <li>f. The number of workers trained in each safety talk that is associated with the prevention of Suicide and Opioid deaths in Construction.</li> </ul>

---

**V. Partnership Management and Operation**

City Construction and OSHA will form a committee to monitor the implementation of this Partnership. It will consist of a representative from each of the Partners. The Compliance Assistance Specialist (CAS) will serve as OSHA's primary contact. The committee will review trade contractor compliance and involvement in the Partnership, analyze job site audits, make Partnership improvements, and evaluate Partnership modifications, achievements, and successes.

*Partnership Roles and Responsibilities**OSHA agrees to:*

1. Evaluate the City Construction's Project Safety Plan (Attachment 1) prior to and during the OSHA enforcement verification inspections using Appendix C (or equivalent) and determine whether effective safety and health management systems are in place.
2. Designate an OSHA CAS to serve as a resource and liaison person for the Partnership.
3. Meet with City Construction quarterly and additionally as needed to review Project safety performance. Safety performance will be evaluated through review of trade contractors' OSHA 300 logs for the Project and related accident reports.
4. Provide timely responses to requests for information and clarification of OSHA standards, as resources and OSHA Policy permit.
5. Provide information on OSHA training resources available.

*City Construction agrees to:*

1. Provide a safety professional to serve as a safety resource and liaison person for the Partnership and to assist trade contractors with safety issues/concerns.
2. Provide notice to all trade contractors that the Project is subject to this Partnership and include the Partnership Fact Sheet (Appendix A) in the Project New Worker Safety Orientation.
3. Develop and implement the Project Safety Plan (Attachment 1).
4. Develop and implement the Project Safety Orientation Training.
5. Evaluate trade contractors' safety and health management systems utilizing City Construction's Safety Evaluation (Attachment 2).
6. Notify the OSHA Charleston Area Office of trade contractors that have completed City Construction's Safety Evaluation and have pledged both support and cooperation to the Partnership (Appendix B).
7. Offer trade contractors safety and health information (i.e., toolbox safety meetings) especially on the focused four construction hazards (Falls; Caught-In or Between; Struck-By; and, Electrocutions).
8. Maintain a Project safety performance report. Require all active trade contractors to submit an updated OSHA 300 Log for the Project.
9. Meet with OSHA quarterly to review the safety performance of City Construction and trade contractors and provide feedback on noted incident trends or patterns.
10. Coordinate safety related matters that pertain to site general conditions such as hazard communications, emergency response, installation and maintenance of building perimeter guardrail systems, and housekeeping.

**VI. On-Site Enforcement Verification Inspections**

In order to assist in measuring the success of this Partnership, OSHA will conduct an initial enforcement verification inspection after the signing of the Partnership, and annually thereafter. The enforcement verifications may be conducted as a focused inspection if the site meets the criteria outlined in OSHA's current enforcement guidelines. In addition to traditional enforcement issues, the inspection will assess City Construction's and participating trade contractor's progress in meeting the requirements of the Partnership.

**VII. OSHA Inspections**

This Partnership provides for the timely response to each allegation of a safety or health hazard brought to each trade contractor's attention by any person. Upon a finding that an allegation is valid, the responsible trade contractor shall promptly abate the hazard.

OSHA agrees that a copy of each non-formal complaint related to the Project and filed with OSHA will be forwarded by fax or mail to the Project office. In accordance with applicable law, the identity of a complainant requesting confidentiality will not be revealed. City Construction agrees to investigate these complaints regardless of the trade contractor involved and provide OSHA with a written response within five working days of receiving the non-formal complaint/referral.

OSHA personnel will continue to conduct investigations and inspections in any event or circumstance that may warrant the opening of an OSHA inspection, pursuant to the policy set forth in the Field Operations Manual (FOM). These may include but are not limited to formal complaints, referrals, fatalities, catastrophes, or other accidents or significant events. OSHA will also investigate trade contractors whose employees are exposed to or are creating plain view hazards at the Project. OSHA reserves the right to issue citations and penalties for violations including but not limited to regulatory violations for which mandatory penalties are established.

**VIII. Incentives**

City Construction will receive the following benefits from OSHA:

1. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page designating City Construction as a Partner.
2. Informational materials such as safety and health publications and electronic educational resources.

**IX. Worker and Employer Rights – Employee Involvement**

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 rules and regulations adopted pursuant to the OSH Act. This Partnership recognizes employees bring valuable skills and perspective to the implementation of an effective site safety and health management system. Employees on site will be encouraged and given opportunities to be involved in the site safety and health program. Employee involvement will include, but is not limited to, participation in self-audits, site inspections, job hazard analysis, safety and health management system reviews, safety training and accident/near miss reporting. Employee involvement will be included in the safety and health management system evaluation (Appendix C).

**X. Safety and Health Management Systems**

OSHA and City Construction support the implementation of safety and health management systems, including the main elements of management commitment, employee involvement, hazard identification, hazard correction/control, and employee training. City Construction will commit to implementing a safety and health management system at this Partnership site as detailed in Appendix C.

**XI. Annual Evaluation**

Partners will jointly prepare an annual evaluation of the Partnership using Appendix D. The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. Annual evaluations will be submitted by the Partners to OSHA's Philadelphia Regional Office no later than 45 days after the signing anniversary date each year.

**XII. Termination**

This Partnership will terminate 3 years from the date of the signing or upon completion of the Project. If either Partner wishes to withdraw its participation prior to the established termination date, the agreement will terminate upon receiving a written notice of the intent to withdraw from either signatory.

**XIII. Paperwork Reduction Act**

OSHA Strategic Partnerships are part of OSHA's available voluntary cooperative programs. As per the Paperwork Reduction Act of 1995 (PRA OMB CONTROL NO. 1218-0244, expires August 31, 2025), the public reporting burden for this Partnership's collection of information is estimated at 11 hours per participant, per year. If you have any comments regarding this collection of information, including suggestions for reducing the burden or revising the burden estimate, please direct them to:

Occupational Safety and Health Administration  
Attention: Director, Office of Partnerships and Recognition  
Directorate of Cooperative and State Programs  
200 Constitution Avenue, NW – Room N3700  
Washington, DC 20210

---

**XIV. Signatures**

United States Department of Labor  
Occupational Safety & Health  
Administration

Based on a mutual interest to protect Construction Workers, the below parties agree to the terms of the Partnership for the construction of the new Nicholas County Pre-K-8 School at Glade Creek, West Virginia.

Signed   24   day of   April  , 2025

**Partners:**

---

**Jeremy Robinson**  
**Acting Area Director**  
**Charleston Area Office**  
**USDOL/OSHA**

---

**Beau Henderson**  
**President/CEO**  
**City Construction Co.**



---

### **PARTNERSHIP FACT SHEET – APPENDIX A**

The Charleston Area Office, Philadelphia Region, of the Occupational Safety and Health Administration (OSHA), and City Construction Company (City Construction), have agreed to implement an OSHA Strategic Partnership (Partnership) during Construction of the new Nicholas County Pre-K-8 School at Glade Creek (hereafter referred to as “Project”).

The primary objective of this Partnership is to encourage joint cooperation between OSHA, and trade contractors to foster a safe work environment for all Project employees as described in this Partnership.

The Partnership calls for the Project to be managed consistent with OSHA’s Recommended Practices for Safety and Health Programs in Construction or its equivalent.

OSHA will provide timely responses to requests for information, requests for clarification of OSHA standards, and other assistance as resources and/or OSHA Policy allow. To show their commitment to the Partnership, contractors can voluntarily sign a pledge (Appendix B).

This Partnership will not relieve any trade contractors from or lessen their safety responsibilities, nor will it change any contractual obligations between City Construction, Project Owner/Developer, or trade contractors, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement actions.

This Partnership will not in any way affect employees’ ability to exercise rights under the Occupational Safety and Health Act and OSHA regulations.

This Partnership is consistent with OSHA’s long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources, for innovation in safety management, and encourages more participation in the safety process by each stakeholder.

---

## PLEDGE – APPENDIX B

The Charleston Area Office, Philadelphia Region, of the Occupational Safety and Health Administration (OSHA), and City Construction Co. (City Construction) have agreed to implement an OSHA Strategic Partnership (hereafter referred to as “Partnership”) during Construction of the new Nicholas County Pre-K-8 School at Glade Creek (hereafter referred to as “Project”).

The primary objective of this Partnership is to create a working relationship that focuses on preventing work-related injuries and fatalities, controlling or eliminating serious workplace hazards, and establishing a foundation for the development of an effective safety and health program.

The Partnership calls for the Project to be managed consistent with OSHA’s Recommended Practices for Safety and Health Programs in Construction or its equivalent.

Under the Partnership, OSHA will provide timely responses to requests for information, requests for clarification of OSHA standards, and other assistance as resources and/or OSHA Policy allow. To show their commitment to the Partnership, contractors can voluntarily sign this pledge.

This Partnership will not relieve any trade contractors from or lessen their safety responsibilities, nor will it change any contractual obligations between City Construction, Project Owner/Developer, or trade contractors, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement action.

This Partnership will not in any way affect employees’ ability to exercise rights under the Occupational Safety and Health Act and OSHA regulations.

This Partnership is consistent with OSHA’s long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources, for innovation in safety management, and encourages more participation in the safety process by each stakeholder.

**Based on mutual interest to protect Construction workers, the below party pledges both support and cooperation to the OSHA / City Construction Partnership by following the City Construction Project Safety Plan.**

\_\_\_\_\_  
Authorized Representative (print / type)

\_\_\_\_\_  
Signature  
Safety director

\_\_\_\_\_  
Title (print / type)

\_\_\_\_\_  
Company / Organization (print / type)

---

**SAFETY AND HEALTH MANAGEMENT SYSTEM EVALUATION – APPENDIX C**

---

1. City Construction and trade contractors have implemented a comprehensive written Project Safety Plan.
2. City Construction will require trade contractors to provide verification of the following:
  - a. Copy of trade contractors' safety and health plans,
  - b. Fall protection plans (where applicable),
  - c. Silica control plans (where applicable),
  - d. OSHA 10 or 30 hour (construction industry) training for all workers by their 21<sup>st</sup> day on the jobsite in accordance with WV §21-3-22 (b).
  - e. Competent persons training as generally required by OSHA
    1. Scaffolds
    2. Fall Protection
    3. Trenching and/or Excavation
  - f. Equipment operator / occupant training verification as required by OSHA
    1. Powered industrial truck (forklift / telehandler)
    2. Mobile elevating work platforms (boom / scissor lifts)
    3. Crane operator certification
  - g. Drug and Alcohol-Free Jobsite Compliance
    1. Evidence of reasonable suspicion training for supervisors (at least annually) and employees (at least bi-annually) in compliance with the requirements of WV §21-1D-5 (12) and WV §21-1D-5 (13).
3. City Construction will have a designated safety professional assigned to the site to conduct and oversee bi-weekly safety inspections of the jobsite, who through training and experience, can recognize hazards, and has authority to take prompt corrective action. The minimum training required for a site safety representative is a designation of Certified Safety Professional from the Board of Certified Safety Professionals.
4. City Construction and trade contractors have or will have trained field supervisory personnel and provide additional training for competent persons in such areas as scaffolding, excavation, fall protection, crane operations, etc. (Additional training will be dictated by the type and scope of the work the trade contractor routinely conducts).
5. City Construction will have a safety and health management system orientation for all new workers, including hazard recognition specific to the worksite.
6. City Construction and trade contractors will have employee involvement in the Partnership. Examples include, but are not limited to, participation in self-audits, site inspections, job hazard analysis, safety and health management system reviews, safety training, and accident/near-miss investigations.
7. City Construction and trade contractors will conduct and document weekly employee safety meetings.
8. City Construction will conduct and document self-audits.
9. City Construction and trade contractors will follow a six-foot fall protection policy.
10. City Construction and trade contractors have a written enforcement program.