



The Builders
A CHAPTER OF THE AGC.

PARTNERSHIP AGREEMENT

BETWEEN

**THE OCCUPATIONAL SAFETY AND HEALTH
ADMINISTRATION (OSHA)**

AND

**KANSAS CITY AREA OFFICE AND WICHITA AREA
OFFICE**

AND

MISOURI ON-SITE SAFETY AND HEALTH CONSULTATION PROGRAM

AND

**KANSAS DEPARTMENT OF LABOR-DIVISION OF INDUSTRIAL SAFETY AND
HEALTH**

AND

THE BUILDERS A CHAPTER OF THE ASSOCIATED GENERAL

CONTRACTORS (AGC)



I. IDENTIFICATION OF PARTNERS

The partners in this agreement will include the Occupational Safety and Health Administration's Kansas City and Wichita Area Offices (“OSHA,” “KCAO,” and “WAO,” respectively), and The Builders, a Chapter of the AGC (hereinafter “The Builders”) with the KCAO being the point of contact for the partnership. The Builders is a not-for-profit commercial contractor association and represents more than 618 union and non-union companies throughout Missouri and eastern Kansas. Participation in the partnership is strictly voluntary and is available to any member of The Builders who meets the qualification requirements of this program (specified in this agreement). All participants apply and are accepted on an annual basis; however, participants may leave the partnership at will. The list of the participant partners is in Appendix A.

A. Primary Partners:

- The Builders
- KCAO
- WAO
- Missouri On-Site Safety and Health Consultation Program
- Kansas Department of Labor-Division of Industrial Safety and Health

II. PURPOSE/SCOPE

The Builders and OSHA mutually recognize the significance of promoting a safe and healthful work environment in the construction industry, including general industry support facilities. To advance this mutual goal, The Builders has been established to formalize a new relationship between these entities committed to encouraging contractors to reduce injury and illness rates using methods referenced in this document. The Builders will ensure participants in the OSHA Strategic Partnership (“OSP” or the “Partnership”) meet the program qualification, then monitor and assist them in their efforts. The Partnership is to be conducted within the jurisdictional area of the Kansas City and Wichita Area Offices.

III. GOALS, STRATEGIES AND PERFORMANCE MEASURES

The overall goal of this Partnership is to reduce the number of accidents, injuries, and illnesses, with zero fatalities, among participating employers. All partners must adhere to compliance with OSHA standards. The Partnership focuses on safety and health topics as follows:

At construction worksites, the goal is to reduce the number of injuries, illnesses, and fatalities affecting participant employers, with an emphasis on reducing injuries and fatalities resulting from:

1. Falls
2. Struck-By
3. Caught-In/Between
4. Electrocutions

In addition to the construction hazards, the work performed by these employers can also include hazards associated with general industry-type operations, such as:

1. Amputations

2. Cuts, Lacerations or Punctures
3. Lockout/Tagout hazards
4. Machine Guarding

The Partnership also seeks to raise the level of awareness toward suicide prevention for all participating employers and their workers as well as for employers and workers outside the Partnership who participate in The Builders Suicide Prevention campaign events, and who utilize the resources on the [Builders Suicide Prevention Website](#).

Goals	Strategies	Measures /Products
Achieve a group aggregate rate of accidents, injuries, and illnesses below the most current year published BLS National Average for NAICS 236 (Construction of Buildings), and NAICS 238 (Specialty Trade Contractors).	Implement a comprehensive safety and health management system for the participating establishments.	<p>OSHA will evaluate the achievement of an aggregate rate of accidents, injuries and illnesses below the most current year published BLS National Average for the individual participating employers' primary NAICS. Each participant must have zero occupational fatalities before and during participation in this Partnership agreement.</p> <p>OSHA will look for rates below the most current published BLS National Average for NAICS: (236): TCIR:2.1 and DART 1.2, and NAICS 238: TCIR – 2.5 and DART – 1.6.</p>
Develop an effective employer/government relationship encouraging involvement of the owners, construction managers, subcontractors, and their workers in the improvement of safety and health management performance.	Require the employer/contractor and all subcontractors to develop and implement written safety and health management systems (SHMS), and work on continuous improvements.	The Safety, Health and Environmental Director of The Builders, in conjunction with The Builders Steering Committee, will be documenting the number of employer/contractors/ subcontractors that implemented and/or improved their written safety and health programs from year to year.

Goals	Strategies	Measures /Products
<p>Implement strategies to eliminate serious accidents, including the four primary construction hazards of falls, struck-by, caught-in/between, and electrical, as well as the four general industry hazards of amputation, cuts/lacerations/punctures, lockout/tagout, and machine guarding.</p>	<p>Conduct 30-hour and 10-hour OSHA training courses with managers and workers.</p> <p>Provide all employees site-specific safety training/orientation, when needed.</p> <p>Implement and enforce an ongoing site safety audit program (to include at least daily site walk through).</p> <p>Actively promote the immediate abatement of observed hazards.</p>	<p>Document the number of managers and employees trained and the training hours received (including orientation and 10 & 30-hour courses).</p> <p>Document the number of jobsite safety and health inspections, including the total number of hazards identified and the corrective actions.</p> <p>Track innovative strategies to identify near misses and methods used to abate observed hazards.</p>
<p>Increase employee participation during audits and safety and health evaluations.</p>	<p>Encourage worker involvement in weekly site safety meetings, site safety walkarounds, near miss reporting, reporting observed hazards, and the performance of Job Hazard Analyses (JHAs).</p>	<p>Document the number of workers involved in weekly site safety meetings, site safety walkarounds, and job hazard analyses (JHAs) from year to year.</p>
<p>Increase the number of employers who developed, implemented, and/or improved effective safety and health management systems, including training programs for management, supervisors, and employees.</p>	<p>Reduce the number of suicides experienced in the construction industry by encouraging management, supervisor, and employee participation in Suicide Prevention Week activities, and the utilization of resources on The Builders Suicide Prevention Website.</p>	<p>Document the number of our partners participating in the Suicide Prevention week annually.</p>

Additional anticipated outcomes include:

- A. Develop criteria for a model contractor safety and health management system.
- B. Allow OSHA to focus resources on companies that require assistance from OSHA, rather than companies that have demonstrated the existence of effective safety and health programs.
- C. Create a mentoring program for The Builders members by members who are actively involved with the Partnership program.
- D. Share safety and health resources including new guidance, National Emphasis Program/Local Emphasis Program (NEP/LEP), Letters of Interpretation (LOI), and emerging issues with all members of The Builders.

The overall success of this program will be jointly evaluated by The Builders Steering Committee, KCAO, and WAO, based on the following eight measures:

- A. Annual group aggregate TCIR and DART rates will be compared to the most currently published Bureau of Labor (BLS) National Average rates for NAICSs 236 and 238, with zero fatalities. The 2023 BLS TCIR and DART rates for NAICS 236 are 2.1, and 1.2, respectively. The 2023 BLS TCIR and DART rates for NAICS 238 are 2.5 and 1.6, respectively. These rates serve as the baseline for the Partnership.
- B. Each individual participating in employers' annual TCIR and DART rates will be compared to the most currently published BLS National Average rates for their specific primary NAICS.
- C. Partnership participants will show a downward trend in injuries, and illnesses, including a reduction in near misses, from year to year.
- D. Records of training certifications and training rosters will be maintained by The Builders. The number of managers and employees trained, and hours of training provided, will be included in the annual evaluation. This may include, but is not limited to, OSHA 10 and 30-hour training courses as well as other hazard-specific training topics provided by The Builders and/or OSHA Kansas City Area Office or the Wichita Area Office personnel.
- E. Partnership participants will not have occupational fatalities in the last five years.
- F. Employers' safety and health programs and/or management systems, including changes, will be evaluated annually by The Builders Steering Committee, and during the initial application to the Partnership and upon renewal.
- G. Changes concerning the general effectiveness of the safety and health programs for participating employers' programs will be provided annually to the Compliance Assistance Specialists (CAS) in the KCAO and the WAO.

IV. ANNUAL EVALUATION

The Partnership will be evaluated annually utilizing Appendix C of the OSHA Strategic Partnership Program

(OSPP) Directive CSP 03-02-003. The data used to conduct the annual evaluation will be collected on a calendar year basis and the annual evaluation will be sent to OSHA National Office the first week of March each year. The annual evaluation will be provided to the OSHA Area Offices and to The Builders Safety and Health and Environmental Director, who will subsequently share the evaluation with The Builders Steering Committee members. The Builders Steering Committee shall review the annual evaluation and, if necessary, address opportunities for improvement.

In preparation for the annual evaluation, the CASs from KCAO and WAO will request the following information from the participating employers at the end of the calendar year:

- A. OSHA Forms 300 and 300A and hours worked for each employer's work sites (including construction sites, general industry sites, and corporate/home offices) operating in Missouri and Kansas, including the employer's primary NAICS.
- B. Training activities, including the number of employees and managers trained, hours of training provided, and training subjects/topics.
- C. Number of self-inspections performed, including the number of hazards identified and abated/corrected.
- D. Other relevant safety and health activities, such as success stories, safety awards, challenges and opportunities for improvement in their safety and health management systems.

V. OSP AND BENEFITS/INCENTIVES

- A. Partners having an effective safety and health management system (SHMS) and in compliance with 29 CFR Part 1926 standards will receive maximum reductions allowed by OSHA CPL 02-00-1505 Field Operations Manual (FOM) dated April 22, 2011, for good faith, size, and history for penalties assessed for OSHA violations. Note: If the FOM is revised, the most current FOM will be utilized.
- B. Other-than-serious violations observed and immediately abated during an OSHA visit shall not be cited.
- C. Priority will be given to "phone and fax" safety and health complaints instead of onsite inspections.
- D. This Partnership requires frequent inspections of the worksite by The Builders, contractors, and subcontractors to identify and correct hazards. It serves as a model to contractors and others by demonstrating how to implement a strong safety and health program on a multi-employer jobsite. It also encourages a higher level of participation in the safety process by involving everyone on the job site. The knowledge gained from this Partnership will be applied to reduce fatalities, injuries, and illnesses at future work sites.
- E. Participating employers will receive special recognition from The Builders leadership designating the employer as a participant in The Builders Partnership Agreement. The employer may receive incentives from owners and respective insurance companies/contractors/unions and recognition from affiliates of the Partnership Program,

including the use of the Partnership logo and/or signage. See guidance for the use of the OSHA Strategic Partnership Program Logo at [Partnership Program Logo](#)

- F. OSHA will provide The Builders partners with the most current OSHA's information, such as National campaigns and initiatives.
- G. One of the core benefits of the Partnership Program will be to provide guidance on how to develop employers' safety and health programs that can serve as models for others to emulate. The program will include the development of criteria for a "model" company, and those companies that qualify will be asked to mentor smaller companies or employers with less effective safety and health programs. The Builders can also provide mentoring services that consists of the following:
 - 1. Provide safety and health programs created within the scope of ongoing contractor association/apprenticeship safety and health education.
 - 2. Provide updated instruction in conjunction with apprentice/journeyman training programs, and other training programs.
 - 3. Develop safety and health training and information to be shared with the participant partners and members during monthly, and quarterly meetings.

VI. VERIFICATIONS

- A. OSHA will continue to investigate fatalities and catastrophes should they occur at the jobsite, as well as alleged "imminent" danger situations per the FOM. Note: If the FOM is revised, the most current FOM will be utilized.
- B. OSHA will continue to investigate complaints and referrals received in accordance with OSHA Instruction CPL 02-00-140, Complaint Policies and Procedures and the FOM. Note: If the FOM is revised, the most current FOM will be utilized.
- C. Partner companies could be subject to OSHA inspections under NEPs and LEPs when the company's name ends up on the random inspection lists.
- D. An **on-site enforcement verification inspection** of the participating employers will be performed when a job site of the respective worksite receives an OSHA enforcement inspection for any reason, programmed or un-programmed. Note: OSHA will not implement any scheduling of a participating contractor partner for an on-site enforcement verification inspection over and above which would be experienced by a non-partnership site. The scope of the on-site enforcement verification inspection will be following the FOM and the focused inspection policy. These inspections will use the "Focused Inspection" initiative policy (Memorandum from James W. Stanley, "Guidance to Compliance Officers for Focused Inspections in the Construction Industry," dated August 22, 1994 (Revision 2 issued September 20, 1995, and incorporated herein), addressing hazards related to falls, struck-by, caught-in/between and electrical shock. Inspections conducted in response to complaints, Local and National Emphasis Programs (LEP/NEP), or referrals will qualify as the verification inspection if, in addition to addressing the complaint/LEP/NEP/referral item(s),

the compliance officer completes the focused inspection protocol for the worksite following OSHA Standards Interpretation and Compliance Letter, August 22, 1994, Guidance to Compliance Officers for Focused Inspections in the Construction Industry.

- E. **On-site non-enforcement verification visits:** The Builders Steering Committee members will be performing these visits during the initial application or during the annual renewal. These on-site visits should confirm that the partner's worksite is operating a safety and health management system that adequately ensures the protection of employees. If conditions preclude onsite activity these verifications will be conducted virtually.
- F. **Off-site verifications:** The Builders Steering Committee will be performing the off-site verifications during the initial application, and in the annual renewal process. The purpose of these verifications is to ensure participating employers are continuing to meet the requirements of the Partnership agreement, any or all the following entities may also perform additional off-site verifications: The Builders Steering Committee, and OSHA's Kansas City and Wichita Area Offices may perform off-site verifications, if needed to ensure participating employers are meeting the requirements of the Partnership agreement.

VII. OSP MANAGEMENT/ OPERATION AND IMPLEMENTATION

A. Program Implementation

1. The Builders, KCAO, WAO, and The Builders Steering Committee members will be responsible to monitor the implementation of this Agreement. The Builders Steering Committee will serve as the chairperson and as OSHA's primary contact. The Committee will review contractor compliance and involvement in the Partnership, and analyze job site audits, achievements, and successes.
2. All employers interested in participating in the program must submit a completed application form to The Builders Steering Committee for review. The Builders will inform members and the respective CAS from KCAO and WAO of those who have completed the application process and are eligible for participation in the program. Also, The Builders will provide a copy of the application and supporting documents received from the employers to the Compliance Assistant Specialists from KCAO and WAO to evaluate each employer's application.
3. Contractors who qualify and accept the established requirements of the OSP must reapply by February 1 of each year and shall provide all required documentation to The Builders Steering Committee to verify that they still meet current established guidelines. In addition, The Builders will provide a copy of the renewal application and supporting documents to the CASs from KCAO and WAO.
4. The Missouri On-Site Safety and Health Consultation Program and the Kansas Department of Labor Division of Industrial Safety and Health will provide consultation visits, health sampling, program review, training, implementation of safety and health management systems, and any other safety or health support as requested, in writing, by each employer. A consultation visit would be a review of hazards and hazard abatement on a given jobsite, at the invitation of the employer.

B. Qualification Criteria

A company seeking participation in the Partnership Program shall:

1. Be engaged in the construction industry and be a member of The Builders.
2. Agree to provide written safety and health programs, training records, and injury/illness records to The Builders Steering Committee, and when an OSHA inspection is conducted.
3. Have no fatalities or catastrophes that have resulted in accident-related serious citations that have become a Final Order of the Occupational Safety and Health Administration Review Commission within the last five years.
4. Have no willful violations or repeat violations that have become a Final Order of the Occupational Safety and Health Administration Review Commission in the last five years.
5. Have three-year TCIR and three-year DART rates below at least one of the three most recent years of specific industry national averages for nonfatal injuries and illnesses at the most recent published by BLS. Note: In performing a rate comparison, both the DART and TCIR will be compared to the same year of BLS data.
6. Each participant partner must read this Partnership Agreement in full and signify agreement to all the requirements herein by signing a copy of the Builders Partnership Program Application Form.
7. Participants will have the following:
 - a. A written safety and health program.
 - b. A designated competent person at all worksites.
 - c. Weekly documented safety training at all worksites.
 - d. Employers' submitted injury/illness data and safety activities.

VIII. SAFETY AND HEALTH MANAGEMENT SYSTEM (Program Criteria)

Safety and Health Programs are a critical part of this OSP, in that it is a very important aspect of collaboration between the project management team, supervisors, and the workers onsite. The safety and health programs will enhance the Partnership through collaboration of all parties onsite, and increased communication among parties, to impact worker safety and health. Safety and Health Programs will include, but not be limited to, the following core elements: management leadership, worker participation, hazard and identification assessment, hazard prevention and control, education and training, program evaluation and improvement, and communication and coordination for employers on multiemployer worksites.

The Builders will be responsible for collecting employers' written safety and health programs and training records. Information gathered will be forwarded to The Builders Steering Committee for review and verification. Employers wishing to participate will implement a Safety and Health Program patterned after OSHA's 'Recommended Practices for Safety and Health Programs in Construction' dated October 2016. This

may be found at:

[Recommended Practices for Safety & Health Programs in Construction](#)

OSHA's "Recommended Practices contain seven core elements---Management Leadership, worker participation, hazard identification and assessment, hazard prevention and control, education and training, program evaluation and improvement, and communication and coordination for employers on multiemployer worksites.

The recommended practices will encourage partnering employers to commit to a high level of worker involvement to assist in monitoring and identifying job site hazards on a continual basis to prevent accidents. Safety programs will be implemented at the initiation of the Partnership with the implementation continuing throughout the duration of the OSP.

The Builders will be responsible for collecting employers' written safety and health programs and training records. The information gathered will be forwarded to The Builders Steering Committee for review and verification annually. This information will also be made available when requested by OSHA during enforcement activities and other OSP related verifications.

An employer seeking participation in the Partnership Program must have a safety and health program that meets the following criteria:

1. Management Leadership: Top management will be committed to establishing, maintaining, and continually improving their program. Managers will also provide the necessary resources to ensure workplace safety and health.
2. Worker Participation: Employers actively involve workers in identifying solutions and addressing safety and health challenges. Workers' collective experiences and insights are valuable for maintaining a safe and healthy work environment.
3. Systematic Hazard Identification & Assessment: Develop a process for systematically identifying and controlling workplace hazards. This involves finding and fixing potential risks as soon as possible.
4. A comprehensive program review to evaluate their success in meeting the goals and objectives so that deficiencies can be identified and the program and/or the objectives can be revised when they do not meet the goal of effective safety and health protection.

A. Management Leadership

Management leadership can demonstrate its commitment in many ways, by:

1. Establishing safety and health at all levels as a core organizational value by implementing safety and health goals, objectives, best work practices, providing adequate resources, and supporting the program.
2. Developing and communicating clear safety and health policies and procedures to the workers.

3. Providing the resources needed to implement and operate the safety and health programs.
4. Factoring safety and health into operational planning and decisions.
5. Recognizing or rewarding safety and health contributions and achievements.
6. Leading by example, by practicing safe behaviors and making safety part of daily conversations.

The Builders will implement a Safety and Health Program patterned after OSHA's 'Recommended Practices for Safety and Health Programs in Construction' dated October 2016, this may be found at: [Recommended Practices for Safety & Health Programs in Construction](#) OSHA's "Recommended Practices" contain seven core elements---Management Leadership, worker participation, hazard identification and assessment, hazard prevention and control, education and training, program evaluation and improvement, and communication and coordination for employers on multiemployer worksites. The recommended practices will encourage partnering employers to commit to a high level of worker involvement to assist in monitoring and identifying job site hazards continually to prevent accidents.

B. Worker Participation

Workers will be highly encouraged to report the job site hazards they observe and bring all potential hazards to the attention of their supervisor for immediate correction, report information will be used to improve workplace safety, and no worker will experience retaliation for bringing such information to management's attention. This will be encouraged in the following ways:

1. All contractors will hold a Job Site Safety Orientation with each worker before their work on-site.
2. All contractors will provide a system to allow workers to report potential job site hazards to The Builders, all other contractors, and/or supervisors upon discovery to stop work if necessary.
3. All contractors will require all workers to attend daily or weekly toolbox talks.
4. All contractors will participate in monthly safety audits and provide all subcontractors on-site with a copy of the safety audit reports for use in discussion with workers during toolbox talks.
5. All contractors will share the results of accident investigations, site safety walkthroughs, and exposure monitoring to help workers understand workplace hazards.
6. All workers on-site are required to utilize the Stop-Work Authority if they observe any condition that could result in an incident.
7. The Builders and all other contractors involved will ensure workers and/or their representatives are involved with daily and monthly site inspections.

8. The Builders and all other contractors involved will ensure workers and/or their representatives participate in monthly safety meetings, as well as report any near misses or unsafe conditions.
9. The Builders and all other contractors involved will provide support to all workers and/or their representatives by providing feedback on risks and assisting them in eliminating hazards.
10. The Builders and all other contractors will ensure the development and implementation of a procedure for the safe reporting of all work-related injuries and illnesses and prohibit discrimination against an employee for reporting these events, as directed in 29 CFR 1904.35 and 1904.36.

C. Hazard Identification and Assessment

The Builders will identify and assess hazards, employers, and workers by:

1. Collecting and reviewing information about the hazards present or likely to be present at the job site by using JHAs and identifying hazard trends.
2. Conducting frequent and regular inspections of the job site to identify new or recurring hazards. Informal daily inspections, along with documented weekly walkthrough inspections, will help with identifying hazards when needed.
3. Investigating all injuries, illnesses, incidents, and close calls/near misses to identify the underlying hazards, their causes, and safety and health program shortcomings. This will require an accident/incident investigation program along with a near-miss program, where any potential hazard or incident is evaluated and investigated to prevent accidents in the workplace.
4. Considering all hazards associated with emergency or non-routine situations. These hazards will be identified in JHAs and the Emergency Action Plan.
5. Considering all hazards associated with emergency or non-routine situations. These hazards will be identified in JHAs, and Emergency Action Plan.
6. For each hazard identified, participating companies will determine the severity and likelihood of incidents that could result and use this information to prioritize corrective actions. Some hazards, such as housekeeping and tripping hazards, can and should be fixed as they are found. Fixing a hazard on the spot emphasizes the importance of safety and health and takes advantage of safety leadership. Fixing other hazards identified using the processes described here will be addressed in the section, "Hazard Prevention and Control."

D. Hazard Prevention and Control

The Builders consider hazard prevention and control to be a process requiring continual efforts to monitor and identify job site hazards and take corrective actions to always maintain a safe and healthy jobsite.

Participating partners will be required the following:

1. Identify and evaluate options for controlling hazards, using a "hierarchy of controls," prioritizing Engineering, Administrative, and Personal Protective Equipment, in that order.
2. Develop and implement an industrial hygiene program to identify, evaluate, monitor, and control health hazards in construction, such as but not limited to silica, asbestos, and air contaminants.
3. Create and use a hazard control plan to guide the selection and implementation of controls. The highest priority for abatement will be given to serious hazards and those most likely to cause injury.
4. Develop plans with measures to protect workers during emergencies and non-routine activities. JHAs will be used to identify hazards associated with these types of activities.
5. Evaluate the effectiveness of existing controls to determine whether they continue to provide protection, or whether different controls may be more effective. Review new technologies for their potential to be more protective, more reliable, or less costly.

E. Education and Training

The Builders and all participating contractors will ensure employees receive the proper education and authorization before being permitted to perform any task.

1. The Builders and all participating contractors will not allow workers to be exposed to safety and/or health hazards created by themselves or others.
2. The Builders and all participating contractors will ensure that supervisors are trained to recognize both health and safety hazards associated with their scope of work and understand their responsibilities.

F. Program Evaluation and Improvement

The Builders will ensure that all contractors and subcontractors continually evaluate and improve their safety and health programs, including:

1. Control measures are periodically evaluated for effectiveness.
2. Processes are established to monitor program performance, certify program implementation, and identify program shortcomings and opportunities for improvement.
3. Necessary actions are taken to improve the program and overall safety and health performance.

G. Communication and Coordination for Employers on Multiemployer Worksites:

On multiemployer worksites, The Builders will ensure that all contractors and subcontractors communicate and coordinate with all employers on the worksite, including:

1. Procuring the commitment of all general contractors and staffing agencies to provide subcontractors with the same level of safety and health protection as all employees.
2. Ensuring general contractors, contractors, subcontractors, and staffing agencies will communicate the hazards present at the worksite created by other trades.
3. Ensuring general contractors will establish specifications and qualifications for contractors and staffing agencies.
4. Before beginning work, ensuring general contractors, contractors, union representatives, and staffing agencies coordinate work planning and scheduling to identify and resolve any conflicts that could impact safety and health.

Responsibilities of Participating Entities

- A. The Builders Steering Committee (with The Builders of the AGC as the Chair) will:
 1. Ensure that all contractors and subcontractors onsite will be informed of the OSP requirements regardless of their membership with The Builders.
 2. Mentor contractors and subcontractors who have not yet developed their own safety and health program and, if necessary, refer them to other entities for assistance such as Missouri On-Site safety and health Consultation or the Kansas Department of Labor Division of Industrial Safety and Health.
 3. Share the responsibility for overseeing site safety, serving as a point of contact, and overseeing the Partnership goals.
 4. Coordinate, conduct, and document comprehensive site audits every month. If non-compliant activity or hazards are discovered, immediate correction is required. The Builders and all other contractors involved will document the corrective action taken and share this information during the quarterly OSP review meeting.
 5. Audit the Partnership and make recommendations for improvement.
 6. Ensure that contractors and subcontractors develop and implement a procedure for the reporting of all work-related injuries and illnesses, which prohibits discrimination against an employee from reporting these events, as directed in 29 CFR 1904.35 and 1904.36.
- B. **The Participants will:**
 1. Act as the Project Site Safety Leadership Team and share the responsibility for overseeing site safety, serve as a point of contact, and oversee the Partnership goals.
 2. Conduct and document daily safety audits.
 3. Ensure that all subcontractors participate in job-site safety meetings/toolbox talks daily and document all attendance and topics.

4. Allow OSHA access to the site during inspection activities, including programmed and unprogrammed activities such as fatalities, referrals, and employee complaints.
5. Share and make available to all workers the results of job-site inspections and investigations of near misses and incidents.
6. Require the use of appropriate personal protective equipment by everyone entering the work site. Appropriate personal protective equipment will be always worn on the worksite and will include at a minimum: leather work shoes/boots (dress shoes, tennis shoes, and any other types of shoes are not allowed on site), ANSI-approved safety-toe shoes when hazard analysis shows necessary, ANSI-approved hardhats, eye protection, and high-visibility reflective vests or clothing.

C. OSHA will:

1. Participate in the quarterly committee meetings. These meetings will meet the requirement for quarterly OSP meetings.
2. Designate a KCAO and WAO point of contact to be used as a resource for technical issues and assist with safety and health training/ toolbox meetings.
3. Review project records, including but not limited to injury/illness logs, safety, and health programs, and safety and health self-audits.

D. The Missouri On-Site Safety and Health Consultation Program and the Kansas Department of Labor-Division of Industrial Safety and Health will:

1. Offer jobsite visits every quarter, to the extent they are requested by the employer.
2. Provide/Assist in training as resources permit.

E. Trade Unions will:

1. Represent all Unions affiliated with the work trade scopes of this project.
2. Assist in trade jurisdiction and work requirements and offer additional OSHA-certified safety training to their respective union members.
3. Assist in the planning and implementation of an effective safety and health management system in the workplace.
4. Be part of the Executive Steering Committee.

IX. WORKER AND EMPLOYER RIGHTS

This Partnership does not preclude employees and/or employers from exercising any rights provided under the OSH Act, nor does it abrogate any responsibility to comply with rules and regulations adopted under the Act. All contractors onsite will remain subject to OSHA inspections and investigations following agency procedures.

X. EVALUATION

Every quarter, The Builders Steering Committee, comprised of representatives from The Builders and a representative(s) from OSHA, shall meet to discuss the program, share project data, discuss best practices and challenges, and make any modifications as required to continually improve the Partnership. Quarterly meetings will serve as an on-site, non-enforcement verification visit. Other Site Contractors performing work will be invited to attend to offer further feedback. The Partnership shall be evaluated annually utilizing Appendix C of the OSHA Strategic Partnership Program (OSPP) Directive CSP 03-02-003 or the most current version. Participating contractors will submit the data used to conduct the annual evaluation to The Builders Safety, Health, and Environmental Services Director on an anniversary date basis. Data will cover the period between the signing date and the annual one-year anniversary date, except for OSHA 300 data that will continue to be collected on a calendar year basis and will be compared to previous calendar year data.

The annual evaluation will be prepared by The Builders, OSHA Kansas City and Wichita Area Offices and sent to OSHA National Office within two months of the anniversary date of the OSP. A copy of the annual evaluation will also be provided to The Builders Safety, Health, and Environmental Services Director, who will share the evaluation with the Partnership Steering Committee. The Partnership Steering Committee shall review the annual evaluation, determine overall progress of the Partnership, adjust if necessary, and address opportunities for continual improvement. It will be the responsibility of The Builders to collect the required data to evaluate and track the overall results and successes of the Partnership Program. This data will be shared with KCAO and WAO, and other partners as necessary. KCAO and WAO and The Builders will jointly conduct, write, and submit the annual evaluation with input received from the partners.

XI. INCENTIVES

- A. Employers with comprehensive SHMS will receive the benefits allowed to all employers by OSHA CPL 02-00-159, Field Operations Manual (FOM) dated October 1, 2015. Note: If the FOM is revised, the most current FOM will be utilized.
- B. Special recognition from The Builders designating the employer as an active participant in the OSP. The employer may receive incentives from owners and respective insurance companies/contractors/unions and recognition from affiliates of the Partnership program, including the use of the Partnership logo and/or signage.
- C. One of the goals and benefits of the Partnership program will be to develop employers' safety and health systems that can serve as models for others to emulate. The Builders Steering Committee will develop criteria for a robust safety and health management system so that larger more experienced companies can mentor small companies or employers with less effective safety and health systems. The Builders can provide mentoring services that consists of:
 - i. Structured programs created within the scope of ongoing contractor association/apprenticeship safety and health education.
 - ii. Programs developed for presentation at The Builders quarterly meetings.
 - iii. Instruction offered in conjunction with apprentice/journeyman training programs, and

other training programs.

- D. Citations issued to the active partners shall include maximum penalty reduction for good faith, as prescribed by the FOM.
- E. The Kansas City Duty Officer will evaluate every safety and health complaint before it is processed as “phone and fax.” The scope of the phone and fax investigation process may not be expanded beyond what is allowed in the FOM.
- F. Other-than-serious violations observed and immediately abated during an OSHA visit shall not be cited.

XII. OSP TERM

- A. This Agreement will remain in effect for a period of three years. 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.
- B. If OSHA chooses to terminate its participation in the Partnership, the entire Agreement is terminated.
- C. Changes to the OSP may be implemented in writing if all parties agree that it is in the best interest of all members involved. Should either of the principal participants (OSHA or The Builders) elect to withdraw from participation in the Partnership, prior notification in writing will be given to the other party. A thirty (30) day written notice is required prior to termination, during which time the parties have an opportunity to resolve any issues and therefore avoid termination. Termination by either Party shall constitute a cancellation of the Partnership. In the event of a termination, each party agrees that it should not, directly or indirectly, contact the media regarding the termination, and it shall not discuss with the media any issues or matters regarding the termination.
- D. 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 8/31/2025), the public reporting burden for this Partnership's collection of information is estimated at 24 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

**OSHA Strategic Partnership Agreement
Signature Page**

The OSHA Strategic Partnership Agreement has been revised and entered this _____ day of _____, 2025, by The Builders, a Chapter of the AGC, and the Kansas City and Wichita Area OSHA Offices, Missouri On-Site Safety and Health Consultation Program, and the Kansas Department of Labor Division of Industrial Safety and Health, and it will be in effect for a period of three years. Either of the principal participants (OSHA or The Builders) can cancel this agreement by written notice in accordance with Section XII of this program.

Approved by:

Karena Lorek
Area Director
Kansas City Area Office

Lance Claiborne
President
The Builders, a Chapter of the AGC

Todd Underwood
Area Director
Wichita Area Office

Brian Smith
Safety, Health & Environmental
Services Department
The Builders, a Chapter of the AGC

Daniel Stark, CIH, CSP
Assistant Director/Program Manager
Missouri On-Site Safety and Health
Consultation Program

Allen Vinyard
Director/Consultation Program Manager
Kansas Department of Labor
Division of Industrial Safety and Health

Appendix A - List of the Partners

Company Name	NAICS Code	Construction
1. A.L. Huber	236220	Nonresidential Building Construction
2. Delta Innovative Services	238160	Nonresidential Roofing Contractor
3. Faith Technologies	238210	Electrical Contractors and Other Wiring Installation Contractors
4. Haren Laughlin	236226	Nonresidential Building Construction
5. J.E. Dunn	236220	Nonresidential Building Construction
6. Mark One Electric	238210	Electrical Contractors and Other Wiring Installation Contractors
7. McCownGordon	236220	Nonresidential Building Construction
8. P1 Group	238920	Site Preparation Contractors
9. RAU Construction	236220	Nonresidential Building Construction
10. Universal Construction	236220	Nonresidential Building Construction