



United States Department of Labor

Occupational Safety and Health Administration

Kansas City Area Office

AND

Missouri On-Site Safety and Health Consultation Program

AND

J.E. Dunn Construction Company

AND

Global Earthworks & Underground, LLC.

Project Mica

Partnership Agreement



I. Identification of Partners

A. The partners in this Agreement will include the following:

1. The Kansas City Area Office of the Occupational Safety and Health Administration (“OSHA”)
2. Missouri On-Site Safety and Health Consultation Program (“MO On-Site Consultation Program”)
3. J.E. Dunn Construction Company (“J.E. Dunn”)
4. Global Earthworks & Underground, LLC (“Global”)
5. Project Subcontractors: J.E. Dunn and Global have formed a joint venture to work on this project. All subcontractors that work on Project Mica will be considered partners for the purposes of this Agreement. All future contracts with subcontractors will incorporate this OSHA partnership into their respective written agreements. J.E. Dunn and Global, as a joint venture, will incorporate this OSHA partnership into each of its previously executed written agreements with subcontractors, including through amendments or change orders if necessary. This will include a provision acknowledging the subcontractors’ obligations under this Agreement.

B. Supporting Groups:

1. The partners understand that Mid-America Carpenters Regional Council, along with any other trades or unions involved in the project, will support the partnership described in this Agreement.

II. Purpose/Scope

- A. Project Mica is a confidential data center located at 12701 Arrowhead Trafficway, Kansas City, Missouri 64165. It is a multi-building campus that will utilize approximately 500 craft workers at the peak phase of construction for each building. While the completion dates of each phase are to be determined, this campus will likely reach six years of construction.
- B. OSHA, MO On-Site Consultation Program, J.E. Dunn, Global, and subcontractors recognize the importance of providing a safe and healthy worksite. The objective of this Agreement is to provide and maintain a safe and healthful work environment for all employees involved in Project Mica.
- C. With the implementation of this OSHA strategic partnership, J.E. Dunn, Global, and their subcontractors aim to reduce or eliminate the number of worker illnesses,

injuries, and fatalities by specifically focusing on reducing or eliminating employee exposure to falls, struck-by hazards involving equipment/machinery, caught-in/between hazards involving equipment or materials, and electrical hazards.

- D. This Agreement is consistent with OSHA's efforts to develop a contractor-government partnership approach to safety and health management. Additionally, this Agreement encourages greater participation in the early identification, evaluation, and control of safety and health hazards in the construction industry.
- E. Specifications and assignments within this Agreement do not lessen or modify the contractors' duties and obligations under the Occupational Safety and Health Act of 1970 or the standards and regulations promulgated thereunder; change any contractual obligations between J.E. Dunn, Global or any subcontractor(s); or affect any affirmative defenses, legal rights, or due process afforded contractors with respect to OSHA enforcement actions.

III. Goals, Strategies, and Performance Measures:

- A. OSHA has identified the four leading causes of fatalities in construction: falls; struck-by hazards involving equipment or machinery; caught-in/between hazards involving equipment or materials; and electrocutions. The overall goal of this Agreement is to minimize incidents, injuries, and illnesses, and to prevent fatalities during the construction of Project Mica by strengthening safety and health programs through strong leadership and accountability among all partners to this Agreement.

Goals	Strategies	Performance Measures
<p>Minimize the occurrence of accidents, injuries, and illnesses on the project; experience zero fatalities; project injury/illness data below the current Bureau of Labor Statistics (BLS) National Average for NAICS 23 (all of construction).</p> <p>Reduce the total number of injuries and illnesses cases by 10 percent, when compared to the BLS National Average rate for NAICS 23.</p>	<p>Implementation of a comprehensive safety and health management system focused on proactive risk prevention, employee involvement, hazard recognition, and training. In implementing this system, partners will:</p> <ol style="list-style-type: none"> 1. Review the OSHA 300 data of all project contractors and subcontractors to determine injury and illness trends and implement effective corrective action(s). 2. Calculate each project contractor and subcontractors' Total Case Incident Rate (TCIR), Days Away, Restricted, or Transferred (DART) rates, and Days Away from Work (DAFW) rates. 3. Compare this TCIR, DART, and DAFW data with the baseline rates and most current BLS data. Partners will meet quarterly to review injury and illness statistics. 	<p>The partnership will compare site TCIR, DART, and DAFW rates to the baseline, and most current published BLS data, for NAICS 23. The comparison will occur annually.</p> <p>Note: The 2024 BLS published TCIR, DART, and DAFW rates for NAICS 23 are 2.2, 1.3 and 0.9, respectively, and will be utilized as the baseline for the partnership.</p>
<p>Encourage management commitment and employee participation; build contractor-government partnerships to involve subcontractors in enhancing safety and health performance.</p>	<ol style="list-style-type: none"> 1. Request that each contractor and subcontractors develop and implement a written safety and health program and a site-specific program. 	<p>Verify and track the number of subcontractors involved in creating written safety and health programs and/or safety plans that are specific to the contractor's their work on the project.</p>

Goals	Strategies	Performance Measures
Identify and abate hazards in a timely manner.	<ol style="list-style-type: none"> 1. Perform initial task hazard analyses and update these analyses as project advances. 2. Conduct job site analyses as needed. 3. Encourage workers to report on any unsafe conditions as soon as possible to management or workers' representatives. 	<p>Track the total number of hazards identified and the abatements/corrective actions taken.</p> <p>Track workers who are actively identifying hazards in the workplace.</p> <p>Track the number of jobsites tasks, hazards analyses, and the number of employees involved in the analyses.</p>
Provide for general safety and health training and as well as job task specific hazard training that emphasizes employee involvement and management commitment.	<ol style="list-style-type: none"> 1. Provide all employees with site-specific safety orientation prior to them starting work on site. 2. Provide all employees with the 10-hour OSHA Construction training course. 3. Provide all foremen/superintendents with the 30-hour OSHA Construction training course. 4. Develop and provide OSHA Focus Four Construction awareness training to all employees. 	<p>Track the total number of employees who have completed the site-specific safety orientation, including the total training hours.</p> <p>Track the total number of employees who have completed the 10-hour OSHA Construction training course.</p> <p>Track the total number of foremen and superintendents who have completed the 30-hours OSHA Construction training course.</p> <p>Track the total number of employees trained in Focus Four Construction awareness training, including the total training hours.</p>

IV. Safety and Health Management System Program Implementation and Strategies:

- A. A Site Specific Environmental, Health and Safety Plan has been developed by J.E. Dunn and Global to establish the required programs for the prevention of injuries and job-related illnesses among personnel who will perform activities within the specified scope of this project. The plan will be included in the front-end bid documents for review by subcontractors prior to bidding work on the project. Once work has been awarded, all subcontractors will be required to comply with the Site Specific Environmental, Health and Safety Plan and all federal, state, and local codes and regulations. Weekly jobsite safety audits/inspections conducted by J.E. Dunn and Global leadership, as well as by subcontractors, will be performed and documented.

- B. J.E. Dunn and Global will implement safety requirements specified within the Site Specific Environmental, Health and Safety Plan that exceed each of the joint venture partners' corporate standards, and OSHA 29 CFR 1926 safety standards. These requirements include, but are not limited to:
 - 1. Helmets: All employees are required to wear a safety helmet fitted with a 4-point chin strap and an impact liner that is either a Type I helmet tested to the EN12492 standard or a Type II helmet.
 - 2. Evaluation of personal protective equipment: All personal protective equipment must be evaluated, be provided to workers, and properly fitted.
 - 3. Fall Protection: 100% tie off is required in all aerial lifts (i.e., articulating platforms, scissor lifts, etc.). Only self-retracting lifelines and /or fall restraint systems shall be used.
 - 4. Ladders: Ladders should be considered as a secondary piece of equipment rather than a primary means when elevated work is necessary. A ladder permit must be completed and approved by a safety employee of J.E. Dunn and Global if using a ladder above 6 feet working height.
 - 5. Stop The Drop: A dropped tool protection program must be implemented, to include barricading the work area below, limiting tools and materials to the essentials, and tethering tools.
 - 6. Barricades: Barricading shall consist of either red or yellow rope or chain and can be used for a short-term identification of restricted areas. Barricaded areas must be easily identifiable and have proper signage posted.
 - 7. Lockout/Tagout: An extensive LOTO program detailing specific procedures, training, identification of personnel, and documentation has been developed and is outlined in the Site Specific Environmental, Safety, and Health Plan. The intent of the program is to establish the policy requirements for the control of energy sources when installing, adjusting, commissioning, and servicing machinery, equipment or services.

8. Health Hazards: A comprehensive monitoring program will be developed and implemented to identify, evaluate and control occupational exposures related to health hazards in the workplace, including, but not limited to, noise, silica, and any other air contaminants. Preventive control measures will be implemented when occupational exposures have the potential to reach the OSHA's permissible exposure levels.
 9. Plans: Trench plans, fall protection plans, emergency response plans, lift plans, and daily job hazard analyses must be developed, reviewed, and documented before commencing work related to the contractor's scope.
 10. Tower and Mobile Cranes: Any contractor using tower or mobile cranes must demonstrate proper working conditions through inspections conducted by qualified crane inspectors prior to use. Documentation of inspections will be maintained at the project site.
 11. Crane Operators: All crane operators must be certified and trained to operate the specific crane in use. Documentation demonstrating competency will be provided and maintained at the project site.
- C. Upon arrival at the project site, J.E. Dunn and Global will ensure that all personnel attend the site-specific safety orientation prior to being allowed to perform work on site. The site orientation will include the following:
1. Explanation of the principles of an injury free workplace
 2. Explanation of the general environmental, health and safety (EHS) requirements
 3. Explanation of the project site-specific requirements
 4. Explanation of speak-up/listen-up (SULU)
 5. Explanation of the scope, purpose, and expectations related to this Agreement
- D. J.E. Dunn and Global will vet each subcontractor through an established review process prior to subcontractor bidding work on site. In addition, each subcontractor must submit its own site-specific EHS plan, which will be reviewed and approved by J.E. Dunn and Global prior to the commencement of work.
- E. All personnel engaged in construction activities must present the following at orientation before they are permitted to perform work onsite:
1. Documentation of completion of OSHA 10-hour training course in construction for all workers
 2. Documentation of completion of OSHA 30-hour course in construction for all foreman level

3. Verification from One Source of passing the Level 2 and background check
- F. J.E. Dunn and Global will ensure that any individual under their control or their respective subcontractors' control who are performing tasks that can impact health, safety, or the environment are competent based on appropriate education, training, or experience. The competency requirement will be applied throughout the project and at relevant levels of the entities making up the partnership. Safety and health training will be conducted in a language that the workers understand. Training may include but is not limited to:
1. Site Safety Orientation
 2. 10-hour OSHA Construction
 3. LOTO/Arc Flash Training (as applicable)
 4. Competent Person(s) Training
 5. Adult First Aid, CPR, AED
 6. Heat Illness Prevention
 7. Other hazard-specific training will be conducted on an as needed basis by the subcontractors on the specific hazards associated with their tasks. This training will be tracked and documented within the training log/roster required by the subcontractor.
- G. The Kansas City Area Office may be contacted for clarification, guidance, and outreach materials on any safety and health related issues.
- H. The MO On-Site Safety and Health Consultation Program will provide consultation visits, health sampling, program review, training, and other applicable safety or health support as requested, in writing, by each employer. Small subcontractors may request a no-cost, confidential visit on-line at [Missouri On-Site Safety and Health Consultation Program](#)

V. Employee Involvement:

- A. CORE (Craft Ombuds Representing Employees) Safety Committee: J.E. Dunn and Global will ensure that ombuds are available to workers. An ombud is a field level employee designated by his/her peers to represent employees regarding concerns about safety and site conditions. They are safety ambassadors for the front-line workforce. On this site, ombuds will be impartial representatives who are available for workers to address specific complaints about anything important to them.

Ombuds keep the complaints anonymous and report directly to project leadership.

The end goal is to separate the issue from the individual, so J.E. Dunn and Global can address any corrective actions without fear of discipline or retaliation.

Responsibilities of an ombud may include:

1. Setting and leading by a good example
 2. Participating in or leading safety training
 3. Being a mentor to new hires
 4. Recognizing positive actions
 5. Coaching on any unsafe behaviors and guiding fellow employees towards a more positive safety culture.
 6. Protecting confidentiality of any craft information
- B. To gauge the effectiveness of this Agreement as well as the comprehensive safety and health management system, an Employee Perception Survey will be distributed to all employees involved in the project. This survey is detailed in Section VI of this agreement.

VI. Performance Measures, Documentation and Surveys:

- A. Records of training certifications/training rosters will be reviewed by J.E. Dunn and Global. J.E. Dunn and Global will also maintain records of site-specific training conducted for all on-site employees. These may include, but are not limited to, site-specific safety orientation(s), LOTO/Arc flash training, and competent person(s) training. Employee attendance at site safety stand up meetings and toolbox talks will also be tracked and documented.
- B. Employee recognition occurrence data and metrics will be documented and tracked by J.E. Dunn and Global.
- C. Construction Employee Perception Surveys will be distributed on a quarterly basis to all employees involved in the project. The surveys will feature questions focused on employee support, mental health, management engagement, and overall perception of safety culture. Data from these surveys will be documented and analyzed to identify leading indicators, opportunities for improvement, and what is going well on the project.
- D. J.E. Dunn and Global will document and maintain job-site safety audits and inspections.
- E. Safety and health programs will be maintained on file by J.E. Dunn and Global and each trade partner. Each quarter, J.E. Dunn and Global will formally report their findings on the general effectiveness of the safety and health program and progress towards achieving the goals set forth in this Agreement to the Kansas City Area OSHA Office for review.

VII. Quarterly Meetings and Annual Evaluation:

- A. On a quarterly basis, the partnership will be evaluated using the performance measures in Section III, and leaders from J.E. Dunn, Global and OSHA will meet to discuss the results and make any modifications needed to continually improve the partnership. Additionally, J.E. Dunn and Global are responsible for gathering data to evaluate and track the overall partnership's overall results and success. The quarterly meetings will be held at the project site and serve as an on-site non-enforcement verification visit. The partnership will also be evaluated annually from the signing date and will use the 300 Logs from the previous year's OSHA 300 logs and Appendix C of the [OSHA Strategic Partnership Program \(OSPP\) Directive CSP 03-02-003](#).
- B. The OSHA Strategic Partnership (OSP) evaluation committee consists of representatives from J.E. Dunn, Global, the OSHA Area Director/Assistant Area Directors, the OSHA Compliance Assistance Specialist and the MO On-Site Project Manager. J.E. Dunn and Global are responsible for gathering and submitting all the necessary information to comply with the annual evaluation report of this Agreement. The Kansas City Area Office Compliance Assistance Specialist will evaluate and submit the OSP annual evaluation report to the Regional Office annually.

VIII. OSHA Verifications:

- A. OSHA will continue to investigate fatalities and catastrophes should they occur at the job site, as well as alleged "imminent" danger situations per CPL 02-00-164, Field Operations Manual (FOM).
- B. OSHA will continue to investigate complaints and referrals received in accordance with procedures contained in the FOM.
- C. OSHA may complete at least one focused "monitoring" (on-site enforcement) inspection each year during the term of the partnership. These inspections will follow the "Focused Inspection" protocol (*see* 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 hazards. Inspections conducted in response to complaints, Local and/or National Emphasis Programs ("LEP/NEP"), or referrals will qualify as the monitoring inspection if, in addition to addressing the complaint/LEP/NEP/referral item(s), the compliance officer completes the focused inspection protocol for the worksite.
- D. OSHA will conduct an initial on site visit for this project. Also, non-enforcement verification visits will be conducted by enforcement personnel. Non-enforcement verification visits will be conducted quarterly. The non-enforcement verifications must be performed in accordance with the OSP Program Directive.

- E. During non-enforcement visits, OSHA will observe site conditions, report identified hazards, and provide recommendations to each exposing subcontractor, J.E. Dunn, and Global. Each exposing subcontractor will abate the hazards and submit documentation of abatement to J.E. Dunn, and Global and OSHA.
- F. J.E. Dunn, Global, and their subcontractors will remain subject to OSHA inspections and investigations in accordance with agency policies. J.E. Dunn and Global will permit OSHA immediate access for any inspection conducted pursuant to Section VII, paragraphs A, B, and C, and will not require a warrant for such inspections.

IX. Benefits/Incentives:

- A. Citations issued to site contractors and subcontractors shall include maximum penalty reduction for good faith as prescribed by the FOM, dated April 14, 2020, or the most current revision.
- B. OSHA will give priority to “phone and fax” for safety and health complaints in lieu of onsite inspections. The scope of the phone and fax investigation process may not be expanded beyond what is allowed by reference in the FOM.
- C. Other-than-serious violations observed and immediately abated during an OSHA visit shall not be cited.
- D. J.E. Dunn, Global, and subcontractors may contact the Kansas City Area OSHA Office for clarification of safety and health related issues.
- E. This partnership creates a working relationship between OSHA, J.E. Dunn, Global, and subcontractors that enhances employee safety and health specific to this project, and nationally, through education and the sharing of best work practices.
- F. This partnership requires inspections of the worksite by J.E. Dunn and Global and subcontractors to identify and correct hazards on a weekly basis. It serves as a model to subcontractors and others by demonstrating how to implement a strong safety and health program on a multi-employer job site. It also encourages a higher level of participation in the safety process by involving everyone on the job site. The partnership participants will endeavor to use the knowledge gained from this partnership and apply it to reduce injuries and illnesses at future work sites.
- G. OSHA will provide J.E. Dunn and Global information on Local Emphasis Program (LEP)/National Emphasis Program (NEP) compliance assistance materials for partnership utilization.

X. OSP Management and Operation

- A. Participating Contractors:
 - 1. Participants in this Agreement will receive a briefing by J.E. Dunn and Global that will enable them to understand the tenets of the Agreement. Participants

should understand the principles and guidelines of this Agreement and realize the purpose is to enhance their awareness of safety and health and improve their safety and health program(s). To ensure successful management and operation of this OSP, all participating contractors will be responsible for the following:

- a) Submission of their written safety and health program and onsite-specific plan to J.E. Dunn and Global for approval.
- b) As specified in the project Site Specific Environmental, Health and Safety Plan, subcontractors with 30 or more craft workers on the project site at any time (including the craft workers of any of its subcontractors of any tier) must have a full-time safety manager provided by the trade partner. When the workforce is below 30 craft workers, then the subcontractor is required to provide a safety manager who spends a minimum of 2 days per week on the project and attends the weekly safety managers' meeting. When subcontractors exceed 60 employees, they must add a second full-time safety professional known as a Safety and Health Supervisor (SHS) and maintain a 60 to 1 ratio thereafter of safety professionals.
- c) Ensure that their employees comply with their company's safety program and all federal, state, and local codes and regulations, as well as the Site Specific Environmental, Health and Safety Plan, and this Agreement.
- d) Ensure compliance with the site-specific Safety and Health Orientation process for all personnel assigned to the project.
- e) Attend a safety kick off meeting.
- f) Conduct and participate in safety related training applicable/required for the work being performed by company supervisors, employees, trade partner personnel, and visitors.
- g) Maintain complete records of all associated safety training given to all project personnel and submit training matrix to J.E. Dunn and Global.
- h) Train employees (including subcontractors) to perform work in a safe manner and to recognize and correct potential and actual hazards, and unsafe acts. When a worker lacks proficiency in the subject matter, retraining will be done promptly.
- i) Attend Safety Leadership Team meetings and participate in field audits.
- j) Coordinate, document, and chair weekly job site safety toolbox and training.

B. Employees and Contractors are committed to the following:

1. Contractors must ensure that their workers are working in a manner which prevents incidents and accidents to themselves, fellow workers, the public, and property.
2. Contractors should ensure that their employees:
 - a) Notify supervisors of dangerous or potentially dangerous conditions, including unsafe tools and equipment.
 - b) Actively participate in job safety analysis and all safety prevention activities.
 - c) Never walk past or leave an unsafe condition. Take prompt actions to make the condition or area safe and inform a supervisor to have it corrected and properly communicated.
 - d) Are respectful of co-workers, management, and all personnel on site.
 - e) Never use a tool or piece of equipment that they have not been trained to use.
 - f) Plan and prepare themselves for the work environment.

C. OSHA Commitment

1. OSHA will participate in J.E. Dunn and Global safety and health annual conferences, and attend their national stand downs such as falls, heat illness prevention, trenching and excavations, suicide prevention, when possible.
2. OSHA will furnish technical advice, publications, and training material to employers upon request. Such a request, by itself, will not trigger an OSHA inspection.
3. Informal complaints (unsigned): OSHA will allow participants an opportunity to resolve such complaints; however, if corrections are inadequate as determined by OSHA, an inspection may be made to ensure compliance.
4. OSHA will participate in the quarterly partnership committee meetings discussed in Section VII.

XI. Workers and Employee Rights and Responsibilities

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 Act.

XII. OSP Term:

This Agreement shall be in effect for six years, or until the major construction activities on the project are completed, whichever is earlier. Should OSHA, MO On-Site Consultation Program, J.E. Dunn, or Global elect to withdraw from participation in the partnership, prior notification in writing of the intent to terminate shall be provided to the other participants. A thirty (30) day written notice is required prior to termination, during which the parties have an opportunity to resolve any issues to avoid termination. Termination by any party shall constitute a cancellation of the partnership. OSHA, MO On-Site Consultation Program, J.E. Dunn, and Global are the only entities that can terminate this partnership.

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 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

XIII. Signatures:

Based upon a mutual interest in protecting construction workers, the parties below agree to the above terms on the OSHA/Missouri On-Site Safety and Health Consultation Program/J.E. Dunn Construction Company/ Global Earthworks & Underground LLC Partnership Agreement for Project Mica in Kansas City, Missouri.

The date of this partnership agreement is June 12, 2026.

Principal Participants:

Karena Lorek
Area Director, Kansas City Area Office
Occupational Safety
and Health Administration

Curtis Golba, Vice President
J.E. Dunn Construction Company

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

Chris Smith, Vice President
Global Earthworks & Underground, LLC

Supporting Group:

Alberto Jotautas, Safety Director
Mid-America Carpenters Regional
Council