



**Switch Keep 2.0 – North**

**STRATEGIC PARTNERSHIP  
BETWEEN**

**Occupational Safety and Health Administration  
Atlanta – West Area Office,**

**AND**

**DPR Construction**

## **I. PURPOSE/SCOPE**

This Partnership was developed jointly by Occupational Safety and Health Administration (OSHA) Atlanta-West Area Office, and DPR Construction (DPR Construction). The Georgia Tech Enterprise Innovation Institute – Safety, Health and Environmental Services Group (Georgia Tech), On-site Consultation Program will also serve as a stakeholder in this Partnership, for the benefit of small employers engaged as subcontractors on the jobsite. To facilitate the goal of reducing occupational related fatalities and serious injuries within the construction industry OSHA Atlanta West Area Office, DPR Construction, and Georgia Tech will implement an agreement under the OSHA Strategic Partnership Program (OSPP). The common objectives and goals of the Partnership will include the following:

- A. Reduce injuries and illnesses;
- B. Increase safety and health training;
- C. Reduction in the overexposure of workers to safety and health hazards; and
- D. Increasing the number of employers with safety and health programs.

This Partnership will cover the Switch Keep 2.0 – North (the “Project”). The Project consists of the construction of the west manufacturing building (three (3) stories and 599,105 sq ft), the central courtyard (four (4) stories 394,566 sq ft), east training facility and welcome center. Also included in this Partnership is the structural demolition of buildings 3770 and 3790, site grading, as well as the utility demo and relocation. Phase II of the Project will conclude with the erection of a six (6) story, 1,432 space parking deck.

By combining their efforts, skills, knowledge and resources OSHA Atlanta West Area Office, DPR Construction, and Georgia Tech expect to reduce exposure to hazards and thereby decrease the possibility of serious injuries and fatalities at the construction site. This Partnership is consistent with OSHA’s long-range efforts to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources, innovation in safety management and encourages more participation in the safety process from the construction community.

## **II. IDENTIFICATION OF PARTNERS**

Partners include:

- The Occupational Safety and Health Administration (OSHA), Atlanta West Area Office
- DPR Construction

Stakeholders include:

- Georgia Tech Enterprise Innovation Institute – Safety, Health and Environmental Services Group, On-site Consultation Program
- Subcontractors (The term “subcontractors” shall include all multi-tiered trade partners that arrive for work on the site.)

## **III. GOALS/STRATEGIES/PERFORMANCE MEASURES**

The primary objective of this Partnership is to create a working relationship that focuses on preventing work-related 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:

| GOALS                                                                                                                                                                  | STRATEGIES                                                                                                                                                                                                                                                                                                                                                                                  | MEASURES                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reduce the total number of injuries and illness cases by 10 percent, thereby providing a safe and healthy work environment for employees at the Project.               | <p>1) Review the OSHA 300 data of the partnership participants. Reviewing injury and illness trends and implementing effective corrective action(s).</p> <p>2) Calculate the employers' Total Case Incident Rate (TCIR) and Days Away From Work, Restricted, or Job Transferred (DART).<sup>1</sup> rates.</p> <p>3) Compare this data with the baseline rates for the Partnership.</p>     | <p>a) This goal will be measured by the number of companies participating in the Partnership, which reduce their TCIR and DART rates below the baseline for the Partnership.</p> <p>b) Baseline will be established by the 2024 BLS Rates for Non-Residential Construction NAICS 2362, which is 1.9 and 1.2</p>                         |
| Development or enhance the employer's safety and health program based on the Safe + Sound model (Management Leadership; Worker Participation; and Find & Fix Hazards). | <p>1) Review the number of employers that receive comprehensive consultation visits.</p> <p>2) Review the number of employers that establish safety and health programs, based on the Safe + Sound model. These items may include, but are not limited to, the following: safety and health policies statement; job hazard analysis; accident investigation; and hierarchy of controls.</p> | <p>a) Compare the number of programs implemented by employers in the following areas: Management Leadership; Worker Participation; and Find &amp; Fix, which are by employers, based on the Safe + Sound model, with the baseline for the Partnership. The baseline will be established during the initial year of the Partnership.</p> |

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

| <b>GOALS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>STRATEGIES</b>                                                                                                                                                                                                                                                                              | <b>MEASURES</b>                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Increase the number of employees, employers and supervisors who are provided effective safety and health training, such as the OSHA 10-hour course.                                                                                                                                                                                                                                                                                                 | <p>1) Evaluate the employers that establish effective safety and health training programs.</p> <p>2) Evaluate the employers that provide employees with OSHA 10-hour/ OSHA 30-hour training.</p>                                                                                               | <p>a) Identify the number of employers with effective safety and health training programs.</p> <p>b) Compare the number of managers, supervisors and employees provided with OSHA 10-hour/ OSHA 30-hour training with the baseline for the Partnership. The baseline will be established during the initial year of the agreement.</p>                                               |
| Conduct effective self-inspections, sampling, monitoring, training and consultative activities in areas where employees might be exposed to safety and health hazards such as the following: hazardous noise levels; lead; silica; asbestos; ergonomic stressors; and other health-related hazards. The overall outcome of this goal should be the reduced overexposure of workers to health hazards, as well as a reduced injury and illness rate. | <p>1) Track health hazard related program improvements, as well as training focused on the prevention of health hazards.</p> <p>2) DPR Construction will track the number of self-inspections and site audits, as well as the number of health hazards identified during these activities.</p> | <p>a) A comparison will be made between the number of safety and health hazards identified during self-inspections and audits to hazards identified through self-inspections and audits conducted during the (baseline) initial year of the Partnership and the number of safety and health hazards identified during self-inspections and audits conducted in subsequent years.</p> |

#### **IV. OSPP MANAGEMENT AND OPERATION**

##### **A. The DPR Construction Project Team will:**

1. Establish a jobsite safety walk-around team and safety committee, consisting of a representative from each of the primary trades representatives on-site. DPR Construction will cultivate an Injury Free Environment on the Switch Project, based on a belief that all accidents are preventable, and that no injury is acceptable. Additionally, DPR Construction will implement a comprehensive safety and health management system, which includes:
  - a. Management commitment and employee involvement;
  - b. Hazard analysis;
  - c. Hazard control; and
  - d. Arrangement of training assistance for other stakeholders on-site.
2. Mentor trade partners (subcontractors) in safety and health management systems.

3. Where the potential for airborne silica exposure exists, require the use of wet cutting, or soft cutting techniques and/or dust collection system in compliance with Table 1 of 29 CFR Part 1926.1153, and when employee exposure levels require, mandatory use of approved respiratory protection. Where the potential for other health issues exists (i.e., carbon monoxide, lead, or large-scale use of chemicals in the building interior during floor finishing), DPR Construction will coordinate with the subcontractor responsible for creating the hazard and ensure that air monitoring is accomplished to assess employee exposure levels. If hazards are discovered, immediate correction is required, pursuant to Section IV.B.2.
4. Have the authority to enforce safety rules and regulations. This enforcement authority includes holding subcontractors and employees accountable for following safety rules and regulations and, if necessary, removing subcontractors' employees and supervisors from the job site, following proper disciplinary procedures.
5. Ensure that a competent person completes an Activity Hazard Analysis (AHA) for all fall, struck-by, caught-between, and electrocution hazards. The probability and severity of occurrence for each identified hazard will be evaluated to eliminate or reduce the risk through conventional protection, engineering, or administrative controls to as low a level as possible.
  - a. Critical risk will not be tolerated. A critical risk is defined by work that contains high probability in occurrence and high severity in consequence. No work will be performed until action is taken to reduce the level of risk to as low as reasonably feasible.
  - b. Bricklayers performing overhand bricklaying and related work above lower levels must be adequately protected. No "safety monitors" system will be allowed.
  - c. Workers on the face of formwork or reinforcing steel must be protected from falling by personal fall arrest systems, with the use of a positioning device and/or lanyards.
6. Ensure serious ergonomic hazards will be identified and corrected.
7. Ensure that ground fault circuit interrupters (GFCI) are used to protect all electrical circuits that are installed for work. All subcontractors will ensure that employees are protected using a GFCI at all times.
8. Ensure that DPR Safety Manager and Safety Director will serve as points of contact, monitor safety and health at the site and evaluate progress toward achievement of the Partnership goals.

9. Ensure that the DPR Project Leadership and safety team verify that daily safety audits are conducted. DPR shall coordinate and implement a safety audit calendar, scheduling DPR team members to rotate through completing daily safety inspections. DPR trade partner field leaders shall also be rotated through this audit calendar to capitalize on their trade specific knowledge and experience.
10. DPR Project Director, Project Executive, Senior Superintendent and Safety shall complete a minimum of one inspection per month on the project together. A rotation of trade partner's leadership shall be invited to participate in these project leadership safety audits.
11. All identified unsafe conditions and/or behavior will be corrected immediately and documented. DPR will review audit and observation findings with all subcontractors during weekly trade partner scheduling meetings. DPR will review observation trending information with OSHA and Georgia Tech during the quarterly update meetings.
12. Conduct and document jobsite safety meetings/toolbox talks on a weekly basis.
13. Continually evaluate the Partnership's effectiveness and make recommendations for improvement.
14. Ensure that no employees are allowed to work directly below a suspended load except for: employees engaged in the initial connection of steel; employees necessary for hooking or unhooking the load. The following criteria must be met when employees are allowed to work under the load: materials being hoisted shall be rigged to prevent unintentional displacement; hooks with self-closing safety latches or their equivalent shall be used to prevent components from slipping out of the hook; a qualified rigger shall rig all loads. Tag lines will be used appropriately to prevent work below suspended loads.
15. Require the use of appropriate personal protective equipment. Employees, including subcontractors' employees, shall wear hard-hats, high-visibility shirts/vests, safety glasses and hand protection.
16. Ensure that all signs and warnings will be posted in English and Spanish, as well as in any other language spoken by limited English proficient workers at the jobsites.
17. Implement a 100 percent Fall Protection Plan for all work performed 6 feet or more above lower surfaces.
18. Implement an effective Heat Illness Prevention Program (Heat Program) to educate workers, including subcontractors' employees, about the hazards of working outdoors in the heat and steps needed to prevent heat-related illnesses.

This should utilize tools such as OSHA's Heat Safety Tool Smartphone App and the National Weather Service Alert and Advisories.

**B. Trade Partners (Subcontractors) will:**

1. Appoint a representative to the site Safety Committee who will be responsible for resolving job safety matters and serving as a liaison. Every subcontractor will have a person available to participate in the Safety Committee. Participation on this committee will consist of, but will not be limited to, participation in the project safety inspections and monthly safety meetings.
2. Conduct jobsite safety inspections for those employees under their supervision and authority. These jobsite safety inspections will be in addition to the daily general inspections. If non-compliant activities or hazards are discovered, immediately corrective action is required. Documentation of abatement methods and verification must be submitted to DPR Construction.
3. Participate in the weekly Trade Partner Scheduling meetings and safety audits. Non-compliance must be corrected immediately. Abatement methods and verification must be submitted to the safety team for DPR Construction, who will document the correction taken and share this information during the monthly update meetings.
4. Share the results of jobsite inspections with all workers by posting them in the project office.
5. Submit incident reports to the safety team for DPR Construction, including first aid, injury, property damage and near-miss reports. Attend and participate in any root cause analysis meeting scheduled after a significant near miss, recordable injury or when deemed necessary by DPR site leadership.

**C. The OSHA Atlanta West Area Office will:**

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

5. Conduct inspections in accordance with Section IX, OSHA Verification, of this Partnership Agreement.
6. Conduct the annual Partnership evaluation report in accordance with Section VI, Annual Evaluation, of this Partnership Agreement.

**D. Georgia Tech will:**

1. Perform quarterly jobsite inspections.
2. Give priority consideration to requests for services from small contractors who are engaged in work at the project.
3. To the extent resources permit, assist DPR Construction in compiling and tracking sampling results for the jobsite.
4. To the extent resources permit, Georgia Tech will provide assistance and expertise to DPR Construction coordinating OSHA 10-hour training.

**V. SAFETY AND HEALTH MANAGEMENT SYSTEM**

DPR Construction will use their safety and health management system to collect and analyze injury and illness trends (including near-miss incidents) for all subcontractors performing work at the jobsite. This data will be used as a tool to ensure the jobsite's continual safety and health improvement. DPR Construction will manage this portion of the Partnership agreement by implementing a comprehensive jobsite safety and health management system, which includes the following:

1. The DPR Construction Project Leadership and/or safety team will complete a risk assessment prior to initiating work each day. This assessment will consist of evaluating the tasks at hand, reviewing potential hazards along with hazard mitigation and be completed prior to starting work. An additional crew meeting will commence with any major scope change in work. This will be accomplished using the Pre-task Planning (PTP) form.
2. Ensure all subcontractors on-site perform daily audits. In addition, twice each month, a comprehensive audit of the jobsite will be performed. A representative of each subcontractor will be a safety audit participant in the jobsite areas where their employees may be exposed to hazards. Any hazards found during the audits will be corrected promptly. Items noted on the audit will be annotated on a daily log. When hazards cannot be corrected immediately, they will be tracked until abatement is completed. Employees exposed to these hazardous conditions will be informed of the hazard and effective interim control measures will be implemented. A record will be kept of all hazards found during the comprehensive audits and the number of hazards corrected as a result.



3. Implementing an effective Fall Protection Plan to include fall protection in all cases where work is being performed 6 feet or more above lower surfaces.
4. Ensure employees, including subcontractors' employees, receive the OSHA 10-hour safety and health-training course for the construction industry as follows:
  - a. Supervisory personnel should possess an OSHA 10-hour card or its equivalent. DPR will work with all subcontractors to initiate training to their safety designee with an OSHA 10-hour card, or its equivalent.
  - b. All employees, including subcontractors' employees, will receive a site-specific construction safety orientation covering jobsite safety and health issues, procedures related to the work being performed, as well as the requirements outlined in the Partnership Agreement. In addition, employees shall receive training on the content of the risk assessment for operations they will encounter. This may require periodic retraining of employees on the content of the risk assessments as they become relevant due to entering new phases of construction. This material will be provided by the DPR Construction to the subcontractor's designated safety representative for completion.
  - c. Safety and health training will be provided to all workers in a language they understand.
  - d. Hazard-specific training will be conducted on an as-needed basis.
  - e. DPR Construction plans to hold OSHA 10-hour training sessions periodically, as needed, to provide an opportunity to train all personnel. DPR Construction will have primary responsibility for coordinating training opportunities. Georgia Tech will provide assistance and expertise, if and when available.
1. Mandate that each trade partner (subcontractor) with written safety and health management systems shall submit them to the DPR Construction Safety team for evaluation. Companies without safety and health management systems will be provided an opportunity to develop a program with the assistance of the Georgia Tech or an accepted outside consultant.
2. Ensure DPR Construction and/or the affected trade partners (subcontractors) adequately address health-related issues that occur during the project, with the assistance of the OSHA Atlanta West Area Office, as its resources permit, and Georgia Tech. All health-related issues will be discussed monthly during the Partnership meetings.
  - a. An effective hearing conservation program, including noise monitoring and engineering controls, where possible, will be implemented by the DPR safety department utilizing the services of Georgia Tech.

- b. An effective environmental monitoring program will be implemented to control airborne hazards, such as silica, and will include personal monitoring, employee training, implementation of engineering controls where possible, and the use of respiratory protection when necessary. Previous site-based data will be considered acceptable.
- 7. Ensure compliance with the NFPA 70E when working on live electrical equipment, including training and the availability and use of personal protective equipment. A permit system will be implemented whenever work around live electrical systems will be done to ensure the implementation of appropriate protective measures prior to exposure. The permit form includes requirements for pre-task review and lockout/tagout procedures to be followed.
- 8. Ensure all equipment capable of amputations is adequately guarded.
- 9. DPR Construction will explore the possibilities of extending training opportunities to clinic personnel and area contractors based on relevance of the topics and availability of space.
- 10. Ensure effective programs are employed, consisting of policies and procedures that comply with OSHA's Process Safety Management (PSM) standards as equipment and processes are brought live and on-line.
- 11. Ensure effective programs are employed, consisting of policies and procedures that comply with OSHA's Lockout/Tagout standards, as equipment and processes are brought live and on-line.

## **VI. ANNUAL EVALUATION**

The Partnership will be evaluated on an annual basis with the Strategic Partnership Annual Evaluation Format as specified in Appendix C of OSHA Instruction CSP 03-02-003, OSHA Strategic Partnership Program for Worker Safety and Health.

DPR Construction will be responsible for gathering required participant data to evaluate and track the overall results and success of the Partnership. This data will be shared with the OSHA Atlanta West Area Office. The OSHA Atlanta West Area Office will be responsible for writing and submitting the annual evaluation.

## **VII. INCENTIVES**

Participant benefits from OSHA may include:

- 1. Maximum penalty reductions for good faith and history, to the extent allowed by the OSHA Field Operations Manual (FOM), OSHA Instruction CPL 02-00-164 (April 14, 2020).

2. In the event that a citation with penalties is issued, the OSHA Atlanta West Area Director has the authority to negotiate the amount of an additional penalty reduction as part of the informal conference settlement agreement.
3. Priority consultation service and assistance for small employers working on the construction site from the Georgia Tech Onsite Consultation Program.
4. An OSHA focused inspection is available where the Partnership participant has an effective safety and health management system fully compliant with 29 CFR 1926.20 and 29 CFR 1926.21. (For additional details refer to the Focused Inspection in Construction August 22, 1994, memo signed and issued by former Deputy Assistant Secretary for OSHA James Stanley, which was revised on September 20, 1995.)

## **VIII. WORKER INVOLVEMENT**

Establish an employee safety committee that will meet on a monthly basis to share the results of jobsite inspections, information concerning accidents and near-misses, suggestions for improvement and recommendations for training for the general workforce. Near misses and daily safety audits will continue to be discussed during Toolbox Talks.

## **IX. OSHA VERIFICATION**

1. Verification Enforcement Inspections: the OSHA Atlanta West Area Office will conduct the initial verification enforcement inspection no sooner than three months, but within four months after the participants formally enter into this Partnership. During this period, participants should develop and implement the safety and health management systems required under this Partnership. After this period, the OSHA Atlanta West Area Office will conduct the initial verification enforcement inspection and annually thereafter. The verification enforcement inspection will be conducted as a focused inspection, per the appropriate OSHA guidelines. Compliance Safety and Health Officers (CSHO) that are familiar with the Switch Keep 1 - North Partnership will perform the verification enforcement inspections. Employee rights under the OSHA Act will be provided. During the verification enforcement inspections, if OSHA personnel identify serious hazards that site management refuses to correct, the scope of the inspection may be expanded.
2. Complaint/Referral Investigations: This Partnership provides for the immediate response to each allegation of a safety or health hazard brought to its attention by any person. Upon finding that an allegation is valid, the employer shall promptly abate the hazard.
3. The OSHA Atlanta West Area Office agrees that a copy of each non-formal complaint/referral (including Employer Reported Referrals) related to the work site and filed with the OSHA Atlanta West Area Office will be forwarded by fax, email,

or personally delivered by a CSHO, to DPR Construction - project management office onsite. In accordance with applicable law, the name of the complainant requesting confidentiality will not be revealed. DPR Construction agrees to investigate these complaints, regardless of the employer involved and provide the OSHA Atlanta West Area Office with a written response within 5 working days of receiving the non-formal complaint/referral (including Employer Reported Referrals).

4. Accident Investigations: Employers engaged in this Partnership recognize that OSHA fully investigates accidents involving a fatality or serious physical harm. If during the course of the investigation the OSHA Atlanta West Area Office determines that the incident resulted from violations of OSHA standards, the employer will not be afforded Partnership incentives.

## **X. WORKER AND EMPLOYER RIGHTS**

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

DPR Construction will ensure that employees will be free from retaliation for exercising a variety of rights such as filing a workplace safety and health complaint with OSHA or their employers, participation in an inspection, reporting unsafe conditions, and reporting injuries and illnesses.

## **XI. OSP TERM**

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

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

## **XII. THE SWITCH KEEP 2 – OSHA STRATEGIC PARTNERSHIP (OSPP)**

### **SIGNATURE PAGE**

Partnership Signing Date: \_\_\_\_\_

\_\_\_\_\_  
Jeff Stawowy  
Area Director  
Occupational Safety & Health  
Administration (OSHA)

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General Superintendent  
DPR

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Project Safety Director  
DPR

\_\_\_\_\_  
Project Director  
DPR

\_\_\_\_\_  
Senior Superintendent  
DPR

\_\_\_\_\_  
Safety Manager  
DPR