

PARTNERSHIP
An OSHA Cooperative Program



OSHA Occupational
Safety and Health
Administration

 **DELLBROOK | JKS**

PARTNERSHIP AGREEMENT
BETWEEN THE
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
ANDOVER AREA OFFICE
AND
DELLBROOK|JKS

I. PARTNERS

The partners to this agreement are:

- U.S. Department of Labor, Occupational Safety and Health Administration, Andover, Area Office;
- Dellbrook|JKS

II. PURPOSE AND SCOPE

Dellbrook|JKS (“DBJKS”); the United States Department of Labor, Occupational Safety and Health Administration (OSHA), Andover Area Office (AAO); mutually recognize the importance of ensuring a safe and healthful work environment in the construction industry in the State of Massachusetts. To advance this mutual goal, the Partnership between Dellbrook|JKS and the AAO has been established to formalize a cooperative effort between these entities, committed to encouraging companies to improve their safety and health performance voluntarily, providing methods to assist them in their efforts and recognizing companies with exemplary safety and health programs.

Dellbrook|JKS will request and encourage subcontractors to participate in achieving the goals outlined within the Partnership from the time they start working onsite, through project completion.

The Project is scheduled to restart early August 2020, with an expected completion date of 5/18/2023.

The 55 Wheeler Street project is a new multi-family residential building located near the Fresh Pond Reservation in the Alewife neighborhood in Cambridge, Massachusetts.

The project will consist of 525 dwelling units in three buildings, and will include two on-grade courtyards, a third elevated courtyard, and associated vehicular and bicycle parking.

The Project is comprised on a common base building (podium) with two (2) seven-story towers above. The building footprint is approximately 133,450 GSF, the aggregate area is approximately 542,125 SF, and will be used for parking on the below grade level with residential units on the floors above.

The Project also includes an outdoor pool, amenity space on the ground level, fitness center, media lounge, community kitchen with a dining area, a trash/recycling room, and long-term indoor bike storage space.

III. GOALS/STRATEGIES & PERFORMANCE MEASURES

GOALS	STRATEGIES	MEASURES
1. Developing a partnership that will	a. Dellbrook JKS will require all the subcontractors to develop	i. Dellbrook JKS will verify by reviewing the number of

GOALS	STRATEGIES	MEASURES
<p>encourage involvement of the general and sub-contractors in the improvement of safety and health performance.</p>	<p>and implement written safety and health programs.</p> <p>b. Will require all sub-contractors onsite to work toward implementing a “zero tolerance” safety practice in order to help achieve the desired reduction of worksite incidents.</p> <p>c. Dellbrook JKS has a written site specific health and safety plan for work to be conducted onsite. To easily articulate the requirements of the health and safety plan and the role of the OSHA Partnership, a site specific orientation has been developed and implemented at the worksite concerning the high hazard tasks to be performed.</p> <p>d. Compile a summary of the number of inspections made by the Dellbrook JKS health and safety manager (or their designee) and any third party. The report will be broken down into the four major categories of construction-focused hazards (falls, electrical, struck by and crushed by hazards, noise and silica), and will show the number of items within the six (6) categories that were corrected.</p> <p>e. Requires all foremen along with subcontractors to conduct a daily job briefing and review with their crew prior to starting work.</p>	<p>subcontractors that implemented written safety and health programs and recognize those with exemplary programs.</p> <p>ii. Will conduct a periodic review of the subcontractor’s injury/illness statistics for the Project.</p> <p>iii. The orientation is led by Dellbrook JKS Superintendent and is given to all workers that arrive onsite (general contractor and subcontractor employees). Dellbrook JKS will adjust the orientation to include specific information resulting in lessons learned in changing site conditions.</p> <p>iv. The designated health and safety manager will periodically sit in on daily briefings and discuss with foremen strong points and areas that may be improved on.</p>

GOALS	STRATEGIES	MEASURES
<p>2. Identifying opportunities for enhancing safety and health practices related to the operation and maintenance of material handling equipment involved in the Project.</p>	<p>a. Facilitate ongoing training on the safe operations of material handling equipment to all employees involved in the operation.</p> <p>b. Toolbox discussions are held on a weekly basis. The discussion topic will change each week. During the discussion, site specific topics are mentioned on work either occurring currently or upcoming events the crews should be aware of.</p>	<p>i. Document the number of employees that have been trained and licensed on the material handling equipment.</p> <p>ii. All workers are asked to present their training documentation, qualifications, and/or certifications. The worker and his/her qualifications are inserted into a project binder by trade and company.</p>
<p>3. Reduce workforce fatalities, serious injuries and illnesses and provide a safe work environment for employees at the Project.</p>	<p>a. Dellbrook JKS will establish a system to collect and analyze injury and illness trends (including near-miss incidents) by all contractors performing work at the Project. This data will be used as a tool for continual safety and health program improvement.</p> <p>b. All worker hours will be tracked onsite by safety representatives for both Dellbrook JKS personnel and subcontractors to accurately maintain a current Total Case Incident Rate (TCIR) and Days Away Restricted Time (DART) rate.</p>	<p>i. OSHA’s 300 injury and illness data.</p> <p>ii. Dellbrook JKS incident/accident monthly tracking log.</p> <p>iii. After each significant incident that occurs, an incident review is scheduled to get all members of the crew to discuss what occurred. The purpose of the meeting is to find out the contributing factors/root causes, and discuss what corrective actions need to be established.</p> <p>iv. Dellbrook JKS & the CAS will compare the Project to the U.S. Bureau of Labor Statistics (BLS) national trends and use these rates as a tool for continual health and safety program development.</p>
<p>4. Ensure, where feasible all serious</p>	<p>a. Confirm health-related issues arising during the course of</p>	<p>i. The number of employees trained on fall protection</p>

GOALS	STRATEGIES	MEASURES
<p>hazards are eliminated or controlled through controls, safe processes and/or procedures, and personal protective equipment (PPE).</p>	<p>the construction work are adequately addressed by Dellbrook JKS and its subcontractors. All health-related issues will be discussed monthly during the partnership meetings.</p> <p>b.</p>	<p>systems including PFAS, supported scaffolding, mobile scaffolding and ladders, as they relate to the Project.</p> <p>ii. The number of tool box talks regarding conditions on the worksite for the duration of the project will be tracked.</p> <p>iii. Ensure that all subcontractors conduct safety meetings to inform workers of all serious hazards and the controls, procedures, safe processes and/or PPE necessary to protect against them.</p> <p>iv. Ensure that all subcontractors are in compliance with fall protection requirements including supported scaffolding, mobile scaffolding, PFAS, and ladders.</p>
<p>5. Implement our COVID-19 Safety Plan to control the spread of the virus.</p>	<p>c. Dellbrook JKS will develop, implement and enforce the COVID-19 Safety Plan.</p> <p>d. The Plan will be developed in conjunction with the City of Cambridge requirements as well as OSHA guidance documents.</p>	<p>v. Implement worker pre-shift screening process to ensure all site workers and visitors are cleared prior to entry.</p> <p>vi. Require face coverings at all times when on site per City of Cambridge.</p> <p>vii. Coordinate with the subcontractor field management throughout the day to ensure workers onsite remain symptom free.</p> <p>viii. Perform at least weekly COVID-19 documented Safety Inspections.</p> <p>ix. If notified of a worker who develops symptoms or tests positive, immediately implement the Dellbrook JKS COVID-19 Response Procedure</p> <p>x. Train all new workers at Safety</p>

GOALS	STRATEGIES	MEASURES
		Orientation on the COVID-19 Project Safety requirements xi. Communicate daily to all project stakeholders regarding COVID-19 status update.
6. Periodic Joint Inspections	e. DBJKS and the CAS will perform joint periodic safety inspections of the project to work with and support the project.	xii. DBJKS and the CAS will coordinate joint inspections. xiii. Subcontractors will be encouraged to participate in these inspections to identify and correct any observations made. xiv. These inspections will also be used as learning opportunities for all those involved.

The goals, strategies, and performance measures above will be implemented to meet the following objectives of this Partnership:

- a. Reducing the number of at-risk conditions and behaviors that have the potential to result in worker fatalities, injury and illness.
- b. Reducing the number of injuries affecting participant subcontractor employees, emphasizing those resulting from the four primary construction hazards, abating hazards (conditional and behavioral) identified from weekly safety and health inspections, and having no repeat occurrences of such issues upon re-inspection.
- c. Reducing the TCIR and DART rate to 20% below the current national average for NAICS Code 236, Construction of Building industry, based upon the BLS data available for the most current year. The 2016 BLS TCIR and DART rates for NAICS 236 are 2.8 and 1.6, respectively.

IV. ANNUAL EVALUATION

The partners will prepare a joint annual evaluation of the Partnership. The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. The annual performance evaluation report format from Appendix C of the OSHA Strategic Partnership Program for Worker Safety and Health(OSPP), Directive CSP 03-02-003, will be used. Performance measures listed in the goals and objectives section of this agreement will be collected and analyzed to determine the Partnership’s progress toward meeting its goals.

V. OSP INCENTIVES

The following are benefits for Dellbrook|JKS and its subcontractors when and only when they are working at the Project:

- a. Outreach, information, training and technical assistance by the AAO.
- b. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page designating Dellbrook|JKS as a participant in the OSHA Strategic Partnership Program.

VI. VERIFICATION PROCEDURES

In accordance with OSHA's Clarification of Verification Exemption Policy for OSHA Strategic Partnership Program Construction Participants dated June 1, 2006, Dellbrook|JKS and all construction subcontractors will receive annual verification inspections. The onsite enforcement verification inspections are conducted to determine participants' compliance with terms of this agreement. The first inspection will be conducted no later than sixty (60) days after Partnership participants formally enter into this agreement. Citations and penalties may be issued, when appropriate, as a result of these inspections. During this period Dellbrook|JKS shall develop and implement the safety and health management systems required under this agreement.

VII. OSP MANAGEMENT AND OPERATION

A Partnership Management Team (PMT) with members from Dellbrook|JKS and OSHA will oversee and coordinate this Partnership. The team will determine Partnership procedures, which will include measures to be used and data to be collected, hold conference calls and meet monthly to evaluate the effectiveness of the Partnership. Dellbrook|JKS and AAO are responsible for collecting baseline and annual performance data upon which the OSPP will be measured. Dellbrook|JKS aggregate injury and illness incidence rates (total case rates) and fatality rates will be compared with the most current BLS published data to determine whether goals have been met.

Dellbrook|JKS will establish the following:

Project-Specific OSHA Safety and Health Program Management Guidelines – Dellbrook|JKS shall develop a project-specific safety and health plan to be used as a benchmark for contractor programs to meet or exceed. This plan shall incorporate the following minimum elements:

Management Leadership

Dellbrook|JKS shall assign a qualified safety and health representative to administer its safety and health program. This person will have, at a minimum, completed the OSHA 30-Hour Construction course.

Worker Participation

Weekly foremen's meetings – Dellbrook|JKS shall hold a weekly meeting with all subcontractor foremen that shall include discussions of Project safety and health issues, and review job hazard analyses for upcoming activities. Additionally, representatives of all active subcontractors will meet to discuss participant performance and progress toward Partnership goals. The Compliance Assistance Specialist is welcome to attend these meetings.

Hazard Identification and Assessment

Weekly worksite audits of areas where employees are working will be conducted.

Job Hazard Analysis – Dellbrook|JKS shall conduct a comprehensive assessment of Project work and require its subcontractors to develop job hazard analyses (JHAs) to eliminate or reduce hazards to which their employees are potentially exposed.

Hazard Prevention and Control

Training on respective fall protection equipment

Mandatory use of Ground Fault Circuit Interrupters (GFCI) throughout the Project.

All cranes, hoists, and personnel lifts (scissor/aerial) will be inspected prior to use.

All cranes will have a current annual inspection conducted by a third party acceptable to Dellbrook|JKS.

Use of appropriate PPE, including the use of ANSI- approved safety glasses at all times, when using power tools.

Education and Training

Conduct site-specific safety and health training.

Program Evaluation

Recordkeeping – Dellbrook|JKS shall maintain a Project OSHA 300 Log (or equivalent), per the requirements of 29 CFR 1904.

Coordination and communication on Multiemployer Worksites/Subcontractors:

- a. Weekly Task-Specific Instructions – All subcontractors shall provide workers with instructions on the integration of safety and health requirements with current work tasks for the week. All subcontractors shall allow the Andover Office Compliance Assistance Specialist to attend any of these meetings, when requested by OSHA.
- b. Weekly Safety and Health Inspections – All subcontractors shall conduct weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the project safety and health plan and OSHA standards. Deficiencies will be documented, and corrected or reported to Dellbrook|JKS for corrective action.

- c. Recordkeeping – All subcontractors shall record workplace injuries and illnesses as required by 29 CFR 1904 and shall report recordable incidents to Dellbrook|JKS for recording on the Project OSHA 300 Log.
- d. JHA – All subcontractors shall conduct a JHA for each high hazard task to be performed, and review the appropriate JHA with affected employees at regular intervals.

OSHA's Role:

- a. Provide initial and continued review and evaluation of Dellbrook|JKS compliance with the Partnership Agreement.
- b. Provide initial review of Dellbrook|JKS Project Safety and Health Plan.
- c. Make recommendations where deficiencies or opportunities for improvement exist.
- d. Provide feedback on incident trends and patterns as needed.
- e. Assist Dellbrook|JKS with ensuring that effective training is available and delivered, as needed.
- f. Participate in training as resources permit.
- g. Periodically attend site safety and health meetings.
- h. Provide initial site surveys and perform environmental monitoring when appropriate.
- i. Provide clarification of OSHA standards for Dellbrook|JKS and subcontractors.
- j. Provide input on compliance strategies.

Subcontractor Buildings Trades:

- a. Weekly Safety and Health Inspections – Representative of the trades on the worksite shall participate in weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the Project safety and health plan and OSHA standards. Deficiencies will be documented and corrected or reported to Dellbrook|JKS for corrective action.
- b. Job Hazard Analysis – Representatives of the trades on the worksite shall participate in the development of JHAs for each high hazard task to be performed, and review the appropriate JHA with affected employees at regular intervals.

VIII. EMPLOYEE AND EMPLOYER RIGHTS AND RESPONSIBILITIES

This Partnership does not preclude employees and/or employers from exercising any right provided under the OSH Act (or, for federal employees, 29 CFR 1960), nor does it

abrogate any responsibility to comply with the Act.

IX. TERMS OF OSP

This agreement will terminate at the conclusion of the work being performed at the Project. However, if OSHA or Dellbrook|JKS wishes to withdraw their participation prior to the established expiration dates, the Partnership will be considered null and void upon receipt of a written notice of the intent to withdraw.

X. SIGNATORIES

Signed this _____ day of _____ 2020

Anthony Covello
Area Director
Andover Area Office

Mike Fish
President and CEO
Dellbrook|JKS

Joseph Green
Compliance Assistance Specialist
Andover Area Office

Robert Carson, CSP
Director Safety & Health
Dellbrook|JKS