



ROCK AND ROLL HALL OF FAME BUILDING EXPANSION PROJECT

**PARTNERING AGREEMENT
BETWEEN**

**UNITED STATES DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
CLEVELAND AREA OFFICE**



AND

AMHIGLEY
Beyond Bricks and Mortar

AND

LABOR UNIONS

AND

OHIO ON-SITE SAFETY AND HEALTH CONSULTATION PROGRAM

AND

OHIO BUREAU OF WORKERS' COMPENSATION

I. IDENTIFICATION OF PARTNERS

The Albert M. Higley Co. (AMHigley) and Ohio Bureau of Workers' Compensation, Ohio On-Site Safety and Health Consultation Program ("Ohio On-Site"), and the Cleveland Area Office of the Occupational Safety and Health Administration ("OSHA") recognize the importance of providing a safe and healthful work environment for workers engaged in the construction industry. This OSHA Strategic Partnership Agreement (hereafter referred to as "OSP" or "the partnership") at the Rock and Roll Hall of Fame in Cuyahoga County, Ohio, will facilitate the goals of OSHA to reduce occupational-related fatalities and serious injuries within the construction industry.

The groups listed below have developed this partnership agreement jointly with a common objective to provide a safe and healthful environment for all at the Rock and Roll Hall of Fame Expansion Project (hereafter referred to as "RRHOF" or "the partnership On-site") It is the intent of this agreement to focus their combined expertise and knowledge to promote safety and encourage all workers on site to do their part in achieving the same.

- U.S. Department of Labor/Occupational Safety and Health Administration – Cleveland Ohio Area Office
- Ohio On-Site Safety and Health Consultation Program
- Ohio Bureau of Worker's Compensation
- AMHigley

All contractors and subcontractors working at this site agree to participate in the partnership agreement.

The following Labor Unions are participants in this partnership agreement (hereinafter, collectively, "Labor Unions"):

- Laborers' International Union of North America, Local 860
- Indiana/Kentucky/Ohio Regional Council of Carpenters
- Cleveland Building & Construction Trade Council
- International Union of Operating Engineers, Local 18
- Iron Workers Local Union No. 17
- Cement Masons Local 404

II. PURPOSE/SCOPE

The purpose of this partnership is to provide a safe and healthful work environment for workers involved in the construction industry. AMHigley is committed to preventing injuries, serious accidents, and fatalities during the demolition, remodeling and construction of the RRHOF Cuyahoga County, Ohio, through training, implementation of best work practices, enhanced safety and health programs, and compliance with applicable OSHA standards and regulations.

The RRHOF project, includes construction of a new addition to the RRHOF building and selective renovation of the existing building. The construction includes but not limited to, the renovate portions of exiting museum, and construct 50,000 square feet building expansion. There are projected to be about 25 trade contractors onsite during this project. The project is valued at approximately \$100M with an anticipated final completion date of December 01, 2026.

III. GOALS/STRATEGIES

The overall goal of the partnership is to create a working relationship that focuses on preventing work-related fatalities, reducing serious workplace hazards, and establishing a foundation for the development of an effective safety and health program. Specific goals for contractor compliance and involvement in the partnership for compliance, site audits, partnership improvements, and evaluations of partnership modifications and achievements are delineated in Section X of this document. Goals are delineated for AMHigley, OSHA, Ohio On-Site Safety and Health Consultation Program, Ohio Bureau of Worker’s Compensation, and Labor Unions.

GOALS	STRATEGIES	MEASURES
<p>1. Reduce the total number of injury and illness cases, thereby providing a safer and healthier work environment for workers at the Project.</p>	<p>Establish proactive measures for the common hazards found at construction sites.</p> <ul style="list-style-type: none"> a. Provide engineering controls, administrative controls, and personal protective equipment. b. Provide a comprehensive Job Site Safety Orientation for all workers prior to allowing them to work on site. 	<ul style="list-style-type: none"> a. AMHigley will collect and calculate the following site-specific injury and illness data on quarterly basis for comparison to the national average: <ul style="list-style-type: none"> - Total Recordable Case rate (TRC) - Days Away/Restricted or Transfer rate (DART) b. AMHigley will compare the site’s TRC and DART with the 2021 BLS data published TRC rate of 1.9 and DART rate of 1.1 for construction (NAICS 236220).
<p>2) Conduct effective self-inspections and assist trade contractors with training resources and technical assistance in areas where workers might be exposed to hazards.</p>	<ul style="list-style-type: none"> a. AMHigley will document all self- inspections, the number of hazards corrected, and safety training conducted by trade contractors for workers on the Project. b. OSHA will provide technical assistance on various topics such as: 1904. Recordkeeping, 1926.59 Hazard c. Communication, 1926.1153 Respirable crystalline silica, 1926 Subpart P Excavation, Subpart L Scaffolds, and Subpart M Fall Protection d. AMHigley will conduct Safe Construction training for trade contractor supervision. 	<ul style="list-style-type: none"> a. The number of self-inspections performed, the number of hazards identified, and corrected. b. The number of trainings sessions conducted, and the number of training hours provided for workers and supervision. c. The number of trades contractor supervisors who have participated Safe Construction training.

GOALS	STRATEGIES	MEASURES
<p>3) Develop a working relationship with OSHA to maintain a continuing dialogue that supports various safety and health campaigns/initiatives.</p>	<p>a. AMHigley and all on-site participating trade contractors will participate in the OSHA Region III Focus Four Campaign.</p> <p>b. AMHigley and all on-site participating contractors will hold an annual event to support the OSHA National Fall Prevention Safety Stand-Down until the Project is completed. AMHigley and all participating trade contractors will display a stand-down poster and stickers. (Available on OSHA webpage) on site.</p> <p>c. AMHigley and all on-site participating trade contractors will participate in the NIOSH/OSHA annual Heat Illness Prevention campaign until the Project is completed. AMHigley and all participating trade contractors will use the OSHA/NIOSH Heat Safety Tool App and display new Heat Illness Prevention infographics in both English and Spanish (Available on OSHA webpage) on site.</p> <p>d. AMHigley and all on-site participating trade contractors will hold an annual event to support the NUCA Trench Safety Stand-Down until the Project is completed. AMHigley and all participating trade contractors will display the stand-down poster and stickers (available on OSHA and NUCA webpages) on the site.</p> <p>e. CLE area OSHA office shall conduct for all on-site participating contractors an annual event to support the OSHA Safe + Sound Week until the Project is completed. AMHigley and all participating trade contractors will display campaign information (available on OSHA webpage) on site.</p>	<p>The Partners will meet as needed to verify and/or review:</p> <p>a. The number of workers trained in each safety talk that is associated with the Region V Focus Four Campaign.</p> <p>b. The use OSHA's "National Fall Safety Stand-Down" webpage to log their event, provide information about their stand down activity, complete the survey and print participation certificate.</p> <p>c. Prepare and implement a site heat illness prevention plan. The number of workers trained on the annual Heat Illness Prevention "Water, Rest, Shade" campaign.</p> <p>d. The use NUCA's "National Trench Safety Stand-Down" webpage to log the event(s), provide information about their stand down activity, complete the survey and print participation certificate.</p> <p>e. The use OSHA's Safe + Sound Week Campaign webpage to register the event(s), provide information about their activity, complete the survey and print participation certificate.</p> <p>f. The number of workers trained in each safety talk that is associated with the prevention</p>

GOALS	STRATEGIES	MEASURES
	f. CLE area OSHA office shall conduct for all on-site participating contractors will hold an annual event to support the prevention of Suicide and Opioid deaths in construction until the Project is completed. AMHigley and all participating trade contractors will display information (available on OSHA and NIOSH webpages) on site.	
4) One hundred percent (100%) of contractors and subcontractors to have site-specific comprehensive written safety and health programs.	<p>a. Written site-specific safety and health programs are required for all contractors, subcontractors, and tier-subcontractors.</p> <p>b. Ohio On-Site will review and assist all contractors with to develop or improve safety programs.</p>	<p>a. AMHigley will require and maintain copies of all, subcontractors', safety and health programs.</p> <p>b. Ohio On-Site will review all contractor programs.</p>

IV. SAFETY AND HEALTH MANAGEMENT SYSTEMS

The Safety and Health Management System (SHMS) is a critical part of this partnership agreement in that it is an important aspect of collaboration between the project management team, supervisors, and the workers on site. This SHMS will include, but not be limited to, the following core elements:

Management Leadership Roles

AMHigley will implement a SHMS patterned after OSHA’s “Recommended Practices for Safety and Health Programs in Construction” that will encourage partnering employers to commit a high level of worker involvement to assist in monitoring and identifying jobsite hazards on a continual basis to prevent accidents. The SHMS will be implemented at the initiation of the partnership and continue through the duration of the partnership. [https://www.osha.gov/shpguidelines/docs/8524 OSHA Construction Guidelines R4.pdf](https://www.osha.gov/shpguidelines/docs/8524%20OSHA%20Construction%20Guidelines%20R4.pdf)

Worker Participation

The workers will be encouraged to report jobsite hazards and bring all potential hazards to the attention of AMHigley and/or supervisors if discovered for immediate response and correction. This will be encouraged in the following ways:

- AMHigley will hold a Job Site Safety Orientation with each worker prior to work on site. Each employee who has attended orientation will be documented confirming their participation in the orientation.
- AMHigley will provide a system to allow workers to report potential jobsite hazards to AMHigley and/or supervisors upon discovery. All workers on the jobsite have stop-work authority as it relates to safety. AMHigley will require all workers to attend weekly huddle meetings.
- AMHigley will hold weekly foreman-first meetings to communicate and share safety-related information across different crews and crafts.
- AMHigley will participate in weekly safety audits and provide all contractors subcontractors on site with a copy of the safety audit reports for use in discussion with workers during toolbox talks.

Hazard Identification and Assessment

This project will focus on safety at all times and AMHigley will enforce jobsite safety compliance to OSHA standards including, but not limited to, the following ways:

- AMHigley will conduct weekly site inspections and review all subcontractors, workers, and site conditions for safe practices.
- AMHigley will immediately take necessary measures to abate any unsafe conditions and keep record of these events in the weekly and monthly audits.
- AMHigley will monitor all workers, visitors, and others entering the worksite to ensure safe conditions throughout the worksite.

Hazard Prevention and Control

AMHigley considers Hazard Prevention and Control a process requiring efforts of monitoring and identifying jobsite hazards and taking corrective actions to maintain a safe and healthy jobsite at all times.

- AMHigley or responsible contractor will ensure that hazard correction procedures are in place.
- AMHigley or responsible contractor will ensure that everyone has been instructed in the use and maintenance of personal protective equipment.
- AMHigley or responsible contractor will make sure that everyone has been instructed in how to follow safe work procedures.

Education and Training

AMHigley understands that providing workers with an explanation of hazard recognition and control, and actively involving them in the process, can help to eliminate hazards before an incident occurs.

- AMHigley or the responsible contractor will ensure only properly authorized and instructed workers be allowed to work on tasks assigned.
- AMHigley or the responsible contractor will ensure workers do not do a job that appears unsafe.
- AMHigley or the responsible contractor will ensure that supervisors are trained to recognize hazards and understand their responsibilities.
- All workers at the foreman and above position will possess minimum required training such as OSHA 30 hour, First Aid, CPR.
- All workers at the foreman and above position will complete the site's safety orientation.

Program Evaluation and Improvement

AMHigley understands that once a safety and health program is established, it should be evaluated to verify that it is being implemented as intended. After that, employers should periodically, and at least annually, step back and assess what is working and what is not, and whether the program is on track to achieve its goals.

- Control measures are periodically evaluated for effectiveness.
- Processes are established to monitor program performance, verify program implementation, and identify program shortcomings and opportunities for improvement.
- Necessary actions are taken to improve the program and overall safety and health performance.
- Third-party audits with Ohio Bureau of Workers' Compensation loss prevention consultants or Ohio On-Site Safety and Health Consultation Program consultants to ensure program is operating as intended.

Communication and Coordination for Employers on Multi-employer Worksites

AMHigley considers effective communication and coordination among contractors and their workers critical to a safe workplace.

- General contractors, contractors, subcontractors, and staffing agencies commit to providing the same level of safety and health protection to all workers.
- General contractors, contractors, subcontractors, and staffing agencies communicate the hazards present at the worksite and the hazards that contract workers may create on site.

- General contractors establish specifications and qualifications for contractors, subcontractors, and staffing agencies.
- Prior to beginning work, general contractors, contractors, subcontractors, and staffing agencies coordinate on work planning and scheduling in an effort to identify and resolve any conflicts that could impact safety or health.

V. WORKER INVOLVEMENT

- AMHigley will ensure workers participate in weekly safety toolbox talk meetings and require reporting of any near miss or unsafe conditions.
- AMHigley will provide support to all workers and/or their representatives by providing feedback on risks and assisting them in eliminating hazards.
- The Labor Unions shall be permitted to designate a Safety Representative if they desire. The Safety Representative will be permitted to attend all safety related meetings and onsite walkthroughs with the employer and OSHA representatives. The Safety Representative can be someone other than the job steward.

VI. PERFORMANCE MEASURES

Performance measures as outlined in section III will be used to assess the effectiveness of the partnership. AMHigley will gather and track data for the performance measures and share the information with OSHA, as specified in Appendix B of the OSHA Directive CSP 03-02-003. [OSHA Strategic Partnership Program \(OSPP\) | Occupational Safety and Health Administration](#).

VII. EVALUATION

The program will be evaluated on an annual basis by using the OSHA Strategic Partnership Program Annual Partnership Activities Report and Evaluation format, as specified in Appendix C of OSHA Directive CSP 03-02-003.

It will be the responsibility of AMHigley to collect the required data to evaluate and track the overall results and successes of the partnership. This data will be shared with OSHA and the Ohio On-Site Safety and Health Consultation Program.

OSHA will conduct, write, and submit the annual evaluation report with input received from the partners.

VIII. VERIFICATION PROCEDURES

OSHA will conduct one unannounced enforcement verification inspection each year for the tenure of the project. These inspections will be conducted through normal enforcement inspection activity. Inspections conducted in response to reported accidents, complaints, local emphasis programs, or referrals may qualify as the enforcement verification inspection. In addition to addressing the accident/complaint/referral item(s), the compliance officer will complete the focused inspection protocol for the worksite. These inspections include the potential for issuing citations and assessing penalties for violations.

Furthermore, AMHigley and its subcontractors will remain subject to OSHA inspections and investigations in accordance with agency procedures.

Onsite non-enforcement verification consisting of a worksite review will be conducted as part of the quarterly partnership meeting.

IX. INCENTIVES

OSHA's Field Operations Manual details opportunities available during citation/case settlement for all employers who undergo onsite enforcement inspections. These opportunities are also available for partnering companies participating in the Partnership. OSHA will also offer, as sources permit, the following incentives: Being available for offsite activities such as participating in audits and evaluations, workshops, speaking events, and providing informational materials.

X. PARTNERSHIP MANAGEMENT AND OPERATION

AMHigley and its contractors, in association with the U.S. Department of Labor/Occupational Safety and Health Administration – Cleveland Area Office, Ohio On-Site Safety and Health Consultation, Ohio Bureau of Workers' Compensation and all listed Labor Unions, will form a partnership committee to monitor the implementation of this Agreement. It will consist of a representative from each of the designated partners. AMHigley will serve as the chairperson and as OSHA's primary contact. The committee will review contractor compliance and involvement in the partnership; analyze jobsite audits; initiate improvements; and evaluate modifications, achievements, and success of the partnership.

AMHigley will:

- Implement AM Higley's comprehensive safety and health programs, which include.
 - management commitment and employee involvement,
 - hazard analysis,
 - hazard control, and
 - worker education and training.
- Mentor subcontractors who have not yet developed their own safety and health programs and, if necessary, refer them to OSHA, Ohio Bureau of Workers' Compensation loss prevention staff and/or Ohio On-Site for assistance.
- Enforce a six-foot fall protection requirement throughout the Project.
- Participate in OSHA's various safety and health campaigns / initiatives program for construction annually to include but not limited to, Falls, Trenching, Heat Stress, and Focus Four Campaign.
- Share the responsibility for overseeing site safety, serving as a point of contact, and overseeing the partnership goals.
- Ensure weekly safety audit is conducted.
- Ensure that all subcontractors are invited and encouraged to participate in jobsite safety meetings/toolbox talks on a weekly basis and document all attendance and topics.
- Review quarterly accident summaries, including first aid, injury, and near-miss reports, with management and the Safety Committee.
- Conduct quarterly Partnership Status Update Meetings with all parties to review and share data related to all statistics gathered regarding incidents, injuries, inspections, corrective actions, and training.
- Onsite non-enforcement verification reviews will be conducted as part of the quarterly partnership meeting. A union representative can choose to be part of the inspection group. If non-compliant activity or hazards are discovered, immediate correction is required. AMHigley will document the corrective action taken and share this information during the quarterly update meetings. A referral for an

enforcement inspection will be made if management refuses to correct a serious hazard identified during the non-enforcement verification visit.

- Agree to OSHA representation at the site during inspection activities (monitoring and un-programmed activities such as fatalities and employee complaints).
- Audit the Partnership and make recommendations for improvement.
- Share and make available to all workers at the site jobsite audits and near-misses incidents.
- Require the use of appropriate personal protective equipment by all entering the worksite. Appropriate personal protective equipment will include ANSI-approved hardhats, eye protection and high-visibility reflective vests or high-visibility clothing as a minimum, will be worn at all times on the worksite.

OSHA will:

- Participate in the monthly site audit inspection, as resources allow.
- Designate a Cleveland Area Office contact to be used as a resource for technical issues, and who will be available to assist with safety and health training/toolbox meetings.
- Review AMHigley safety and health self-audits monthly as part of the monthly audit.
- Lead and conduct training and a project-wide stand-down annually on Safe-and-sound week, and prevention of Suicide and Opioid deaths in construction

Ohio On-Site Safety and Health Consultation Program will:

- Appoint a representative to the Committee.
- Participate in quarterly safety audit(s) as resources permit.
- Provide/assist in training as resources permit.
- Provide industrial hygiene and safety consultation services upon request.

Ohio Bureau of Workers' Compensation

- Appoint a representative to the committee.
- Participate in quarterly safety audit(s) as resources permit.
- Provide/assist in training as resources permit.
- Provide industrial hygiene, safety, and ergonomics consultation services upon request as resources permit.

Labor Unions will:

- Represent all unions affiliated with the work trade scopes of this project.
- Assist in trade jurisdiction and work requirements and can offer additional OSHA-certified safety training to their respective union members.

XI. WORKER AND EMPLOYER RIGHTS

This partnership does not preclude workers and/or employers from exercising any rights provided under the OSHA Act (or, for federal workers, 29 CFR 1960), nor does it abrogate any responsibility to comply with rules and regulations adopted pursuant to the Act.

XII. PARTNERSHIP TERM

This agreement will terminate on November 1, 2026, or at the completion of construction activities if that occurs sooner. 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.

If OSHA or AMHigley chooses to terminate its participation in the partnership, the entire agreement is terminated.



Changes to the partnership agreement may be implemented in writing if all parties are in agreement that it is in the best interest of all members involved.

XIII. SIGNATORIES

**United States Department of Labor
Occupational Safety & Health Administration**

Based upon a mutual interest to protect construction workers, the parties below agree to the above terms on the AMHigley Construction/OSHA Partnering Agreement for the Rock and Roll Hall of Fame in Cuyahoga County, Ohio.

Signed this _____ day of _____, 2023

Participant	Signatory
	OSHA, Cleveland Area Office Signature: _____ Printed Name: Howard B. Eberts, Area Director
	The Albert M. Higley Co Signature: _____ Printed Name: Gareth D. Vaughan, President/CEO
Ohio On-Site Consultation	Ohio On-Site Safety and Health Consultation Program Signature: _____ Printed Name: Ranzy Brown, Consultation Program Manager
Ohio Bureau of Workers' Compensation	Ohio Bureau of Workers' Compensation Signature: _____ Printed Name: Bernie Silkowski, Director, Loss Prevention Operations

Union Representation

	<p>Laborers' International Union of North America, Local 860</p> <p>Signature: _____</p> <p>Printed Name: Anthony Liberatore, Business Manager</p>
<p>Cleveland Building & Construction Trades Council</p>	<p>Cleveland Building & Trades Council</p> <p>Signature: _____</p> <p>Printed Name: Dave Wondolowski</p>
	<p>International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 17</p> <p>Signature: _____</p> <p>Printed Name: Rich Jordan, Business Manager</p>
	<p>International Union of Operating Engineers, Local 18</p> <p>Signature: _____</p> <p>Printed Name: Richard E. Dalton, Business Manager</p>
	<p>Indiana/Kentucky/Ohio Regional Council of Carpenters</p> <p>Signature: _____</p> <p>Printed Name: Dan Siverston, Business Representative</p>
	<p>Cement Masons Local 404</p> <p>Signature: _____</p> <p>Printed Name: Chuck Wanat, Business Manager</p>