



## **Block Five Project**

**STRATEGIC PARTNERSHIP  
BETWEEN**

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



**AND**

**LLOYD COMPANIES, INC.**



**AND**

**ASSOCIATED GENERAL CONTRACTORS OF SOUTH DAKOTA**



**SOUTH DAKOTA**

## **I. IDENTIFICATION OF PARTNERS**

The Sioux Falls Area Office of the Occupational Safety and Health Administration (OSHA), Lloyd Companies, Inc. (Lloyd), and Associated General Contractors of South Dakota (AGC), 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 Block 5 Project, in Rapid City, SD will facilitate OSHA's goal to reduce work-related fatalities, injuries and illnesses within the construction industry.

All contractors and subcontractors working at this site will be required to participate in the partnership agreement.

## **II. PURPOSE/SCOPE**

The purpose of this partnership is to provide a safe and healthful work environment for workers involved in the construction industry. Lloyd is committed to preventing serious accidents and fatalities during the construction of Block 5 Project, Rapid City, SD, through increased training, implementation of best work practices, enhanced Safety and Health Management System (SHMS), and compliance with applicable OSHA standards and regulations.

Block 5 Project will be constructed on approximately 1.36 acres of land with a multi-use focus comprising of a precast concrete seven-story garage structure with conference center and a ten-story tower comprising of three levels of hotel guestrooms, 7,500 square feet of retail space, and six levels of multi-family units in downtown Rapid City. It is anticipated that at its peak, the project will employ 200 tradespersons on the site at one time. Construction activities are anticipated to be completed April 2025.

## **III. GOALS/STRATEGIES**

The overall goal of the partnership is to create a working relationship that focuses on preventing work-related fatalities, injuries, and illnesses by controlling and/or eliminating serious workplace hazards and establishing a foundation for the development of an effective SHMS. Specific responsibilities for contractor compliance and involvement in the partnership for compliance, site audits, partnership improvement, and the evaluation of partnership modifications and achievements are delineated in Section X of this agreement. Responsibilities are delineated for Lloyd, OSHA, and AGC.

GOALS	STRATEGIES	MEASURES
<p>1) Maintain a project-wide injury and illness rate, which is 25% below the 2022 BLS Total Recordable Case (TRC) rate for nonresidential construction of 1.7 and Days Away from Work, Restricted or Transfer (DART) rate of .9 for the nonresidential construction industry (NAICS 2362).</p>	<p>Establish proactive measures for the common hazards found at construction sites by (but not limited to):</p> <ul style="list-style-type: none"> <li>a. Maintaining authority to enforce safety rules and regulations at the site. This authority will include provisions to hold contractors and employees accountable and, if necessary, remove contractor employees from the job site.</li> <li>b. Provide a comprehensive Job Site Safety Orientation for all workers prior to allowing them to work on site.</li> <li>c. Providing all necessary engineering controls, administrative controls, and personal protective equipment.</li> <li>d. Conduct daily site safety audits to identify and abate hazards.</li> <li>e. Incident reports will be logged on a monthly basis to track for trends and share information between partners.</li> </ul>	<ul style="list-style-type: none"> <li>a. Lloyd will collect and calculate the following injury and illness data and make it available for review on a monthly basis for comparison to the national average: <ul style="list-style-type: none"> <li>- 25% below the Total recordable Case rate (1.7)</li> <li>- 25% below the Days Away, Restricted or Transfer rate (.9)</li> </ul> </li> <li>b. Lloyd will compare the site's TRC and DART with the 2022 BLS data published TRC rate of 1.7 and DART rate of .9 for construction (NAICS 2362).</li> <li>c. Lloyd will make available monthly incident reports to the partners. These reports include first aid, injury and near miss as well as property damage reports.</li> </ul>

<b>GOALS</b>	<b>STRATEGIES</b>	<b>MEASURES</b>
<p>2) Increase the number of written safety and health programs implemented by contractors and subcontractors. All (100%) of contractors will be required to provide a copy of their comprehensive safety and health management program to Lloyd and OSHA and be actively involved in improving site safety and health performance</p>	<ul style="list-style-type: none"> <li>a. Mentor contractors and subcontractors who have not yet developed quality safety and health programs.</li> <li>b. Provide a model site specific safety and health program to assist contractors and subcontractors in the development of their own safety and health programs.</li> <li>c. Provide resources to all contractors and subcontractors resources to enhance their programs under development.</li> <li>d. All contractors and subcontractors will participate in monthly site audits.</li> <li>e. Develop a basic SHMS template document to assist contractors and subcontractors in developing their SHMS programs.</li> </ul>	<ul style="list-style-type: none"> <li>a. The number of contractors and subcontractors that are assisted with development or enhancement of SHMS programs</li> <li>b. When Lloyd provides contractors and subcontractors with additional information to enhance their programs, it will be tracked and provided to partners</li> <li>c. Determine the number of contractors and subcontractors that have an overall SHMS program as a percent of whole at start and again at conclusion of project.</li> </ul>

GOALS	STRATEGIES	MEASURES
<p>3) Identify and prevent the most common causes of workplace injuries and fatalities in the construction industry, including, but not limited to, falls, trenching, electrical safety, struck-by, caught in/between, silica, heat stress, material handling, and noise hazards. This will include monitoring of exposure to health hazards such as heat, noise, and air contaminants.</p>	<ul style="list-style-type: none"> <li>a. Conduct daily site safety audits to identify and abate hazards and ensure availability and use of proper clothing and PPE.</li> <li>b. Conduct weekly toolbox meetings with all workers at the site. Ensure participation in weekly toolbox meetings by contractors/subcontractors</li> <li>c. Maintain an open-door safety policy for the site that encourages hazard reporting.</li> <li>d. Establish a safety committee for the site which will conduct hazard analysis during pre-task safety planning.</li> <li>e. Hard hats and pants will be worn at all times on the worksite. All employees working at the job shall wear high-visibility reflective clothing at all times.</li> <li>f. Implement a zero-tolerance policy for violation of site safety and health policies.</li> <li>g. When potential health hazards exist, such as heat, noise, or air contaminants including as silica, CO, lead or other chemicals, that are expected likely to be above permissible levels, Lloyd will coordinate and ensure completion of monitoring to determine employee exposure levels and will provide results to each partnership signatory.</li> </ul>	<p>The following measures will be shared with safety committee, site contractors and reported to signatory partners on a quarterly basis:</p> <ul style="list-style-type: none"> <li>a. The number of hazards identified by daily site audits and corrective actions taken to eliminate hazards.</li> <li>b. The number of pre-task safety meetings held by contractors/subcontractors.</li> <li>c. The number of incident investigations conducted by contractors/subcontractors when hazards are reported.</li> <li>d. Track and report the number the number of industrial hygiene exposure assessments, types of assessments and results of sampling. 100% of sampling results will be shared with Partners.</li> <li>e. Minutes of toolbox meetings will be used to track attendance.</li> </ul>

GOALS	STRATEGIES	MEASURES
4) 100% Participation in Safety Stand-Downs and similar events.	<p>a. OSHA, Lloyd and AGC will provide site contractors with information about upcoming stand-down campaigns.</p> <ul style="list-style-type: none"> <li>• Fall Prevention</li> <li>• Trench Safety</li> <li>• Safe+Sound</li> <li>• Suicide Prevention</li> <li>• Heat Illness</li> </ul> <p>b. Lloyd will encourage subcontractors to participate in stand-down events.</p> <p>c. Events will be conducted in English and Spanish when possible.</p> <p>c. OSHA, AGC and Lloyd will support site campaign events where possible.</p>	<p>a. Track participation in OSHA and/or Lloyd campaigns and report the number and % of participation to the Partners.</p>

**IV. SAFETY AND HEALTH MANAGEMENT SYSTEMS**

The Safety and Health Management System is a critical part of this OSP 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***

Lloyd Companies will implement a SHMS patterned after OSHA's "Recommended Practices for Safety and Health Programs in Construction" that will encourage site 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 to be implemented during the entire duration of the partnership. <https://www.osha.gov/shpguidelines/docs/8524> OSHA Construction Guidelines R4.pdf

***Worker Participation***

Any worker at the site will be encouraged to report jobsite hazards and bring all potential hazards to the attention of Lloyd Companies and/or supervisors if discovered for immediate response and correction. This will be encouraged in the following ways:

- Lloyd will hold a Job Site Safety Orientation with each worker prior to starting work on site.
- Lloyd will provide a system to allow workers to report potential jobsite hazards to Lloyd and/or supervisors upon discovery and stop work if necessary.
- Lloyd will require all workers to attend weekly stand-down meetings. All identified hazards and resolutions will be tracked.
- The Safety Committee will consist of at least three labor-level employees from trades currently working on the site.

### ***Hazard Identification and Assessment***

This project will focus on safety at all times and Lloyd, will enforce jobsite safety compliance with jobsite safety standards, many above and beyond OSHA minimum standards, by:

- Lloyd Site Safety Manager will ensure daily safety audits are conducted. A schedule of daily site-safety audits will be developed by Lloyd and the safety committee.
- Lloyd will take immediate action to correct any unsafe conditions, track all unsafe observations, and provide final statistics to all parties in this agreement
- Lloyd will continually monitor all workers, visitors, and others entering the worksite to ensure safe conditions throughout the worksite.

### ***Hazard Prevention and Control***

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

- Lloyd and contractors and subcontractors will ensure that hazard correction procedures are in place and identified for their workers and others that could be exposed to hazards created.
- Lloyd and contractors and subcontractors will ensure that everyone knows how to use and maintain personal protective equipment.
- Lloyd and contractors and subcontractors will make sure that everyone understands and follows the established safe work procedures. This will be accomplished in several ways, including the use of a Procore software system which is accessible by computer, smartphone or tablet to record, log, and verify corrections of hazards observed at the jobsite. Hazards identified during inspections will be assigned to the responsible party and competent person for the contractor who must report back to Lloyd with corrective action by a given due date.

### ***Education and Training***

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

- Lloyd and contractors/subcontractors will ensure work tasks are assigned to workers who are trained and authorized.

- Lloyd and contractors/subcontractors will ensure workers are not performing work tasks that appear to be unsafe.
- Lloyd and contractors/subcontractors will ensure that supervisors are trained to recognize hazards and understand their responsibilities.
- Site orientation training will be conducted prior to starting work at the site.
- Weekly toolbox meetings will be held with all workers at the site.

### ***Program Evaluation and Improvement***

Lloyd understands that once a SHMS is established, it should be evaluated to verify that it is being implemented as intended. After that, employers should quarterly, step back and assess what is working and what is not, and whether the program is on track to achieve its goals.

- Lloyd will work with contractors/subcontractors to ensure control measures are periodically evaluated for effectiveness.
- Lloyd will ensure processes are established to monitor program performance, verify program implementation, and identify program shortcomings and opportunities for improvement.
- Lloyd will ensure necessary actions are taken by contractors/subcontractors to improve their overall safety and health program and performance.

### ***Communication and Coordination for Employers on Multi-employer Worksites***

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

- General contractors, contractors, subcontractors, and staffing agencies must commit to providing the same level of safety and health protection to all workers.
- General contractors, contractors, subcontractors, and staffing agencies must 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 will coordinate on work planning and scheduling to identify and resolve any conflicts that could impact safety or health.

## **V. WORKER INVOLVEMENT**

- Lloyd and non-signatory contractors will ensure workers, and/or their representatives participate in monthly safety meetings as well as report any near miss or unsafe conditions to their employer.
- Lloyd and non-signatory contractors will ensure workers and/or their representatives are involved with the site safety committee, daily and monthly site inspections and weekly toolbox talks.



- Lloyd will provide support to all workers and/or their representatives by providing feedback on risks and assisting them in eliminating hazards. The weekly stand down meeting is the vehicle for open dialogue and feedback.
- Lloyd will hold a Job Site Safety Orientation with each worker prior to starting work on site.
- Lloyd will provide a system to allow workers to report potential jobsite hazards to Lloyd and/or supervisors upon discovery and stop work if necessary.
- Lloyd will require all workers to attend weekly stand-down meetings. All identified hazards and resolutions will be tracked by Lloyd and made available to OSHA or any contractors or subcontractors upon request.
- The Safety Committee will consist of at least three labor-level employees from trades currently working on the site.

## **VI. PERFORMANCE MEASURES**

Performance measures as outlined in Section III will be used to assess the effectiveness of the partnership. Lloyd will gather and track data for the performance measures and share the information with OSHA and other Partners, as specified in Appendix B of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003.

## **VII. EVALUATION**

The program will be evaluated on an annual basis and at the conclusion of the partnership through the use of the Strategic Partnership Annual Evaluation Format measurement system, as specified in Appendix C of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003.

It will be the responsibility of Lloyd to gather required data to evaluate and track the overall results and successes of the partnership program. This data will be shared with OSHA and other partners in this agreement.

Lloyd will write and submit the annual evaluation to the Partners for input and concluding the evaluation. The Sioux Falls Area Office of OSHA will submit the annual evaluation.

## **VIII. VERIFICATION PROCEDURES**

Both offsite and onsite verification methods will be used by OSHA to monitor the partnership. Offsite verification methods will include reviewing reports and data identified in Section III. Lloyd will provide OSHA with quarterly reports for each measure identified in Section III prior to the scheduled quarterly onsite non-enforcement visit.

Onsite non-enforcement verification reviews will include partner presentations and site walkthroughs and will be conducted as part of the quarterly partnership meeting. Union representatives and workers will participate in the verification process. If non-compliant activity or hazards are discovered, immediate correction is required. Lloyd will document the corrective action taken and share with all contractors. A referral for an enforcement inspection will be made

if management refuses to correct a serious hazard identified during the non-enforcement verification visit. Onsite non-enforcement verifications will include the entire jobsite and all contractors/subcontractors actively working onsite.

Lloyd and its contractors and subcontractors will remain subject to OSHA inspections and investigations in accordance with agency procedures.

## **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 program.

## **X. OSP MANAGEMENT AND OPERATION**

Lloyd and its contractors, in association with OSHA and other partners in this agreement, will form a partnership committee to monitor the implementation of this Agreement. It will consist of representative from each of the designated Partners. Lloyd 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; make partnership improvements; and evaluate partnership modifications, achievements, and success of the partnership.

*Lloyd will:*

- Implement Lloyd's comprehensive safety and health management system, which includes
  - Management leadership roles
  - worker participation,
  - hazard identification and assessment,
  - hazard preventing and control,
  - education and training
  - program evaluation and improvement, and
  - communication and coordination for employers on multi-employer worksites.
- Mentor contractors/subcontractors who have not yet developed their own safety and health management system and, if necessary, refer them to OSHA and/or AGC for assistance.
- Enforce 100% fall protection for all fall hazards over six feet.
- Participate in the National Fall Prevention Safety Stand-Down Campaign.
- Participate in the National Ladder Safety Month.
- Participate in Safe+ Sound Week.
- Participate in the National Trench Safety Stand-Down.
- Participate in the OSHA Heat Initiative.
- Share the responsibility for overseeing site safety, serving as a point of contact, and overseeing the partnership goals.
- Ensure daily, weekly, and monthly safety audits are conducted.

- Ensure that all contractors/subcontractors participate in jobsite safety meetings/toolbox talks on a weekly basis and document all attendance and topics.
- Make available monthly accident reports to the Partners, including first aid, injury, property damage, and near-miss reports.
- Audit the partnership and make recommendations for improvement.
- Share and make available to all workers jobsite inspections and near-miss incidents.
- Require the use of appropriate personal protective equipment by all entering the worksite. Appropriate personal protective equipment will include leather work shoes/boots (dress shoes, tennis shoes, and any other types of shoes are not allowed on site), 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 quarterly partnership meeting and site verification audit as resources allow.
- Designate a Sioux Falls Area Office contact to be used as a resource for technical issues.
- Conduct quarterly offsite verification. Review the site safety and health self-audits, accident reports, and industrial hygiene monitoring on a quarterly basis.
- Periodically provide an OSHA representative at monthly site safety committee meeting and activities as resources permit.

*AGC will:*

- Provide a AGC representative at the monthly safety committee meetings and site audit activities as resources permit.
- Participate in the quarterly partnership meetings as resources allow.
- Assist in planning and implementation of all safety and health management systems.
- Provide/assist in training as resources permit.

## **XI. WORKER AND EMPLOYER RIGHTS**

This partnership does not preclude workers and/or employers from exercising any rights provided under the OSH 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. OSP TERM**

This OSP Agreement will terminate at the completion of construction activities. 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 chooses to terminate its participation in the partnership, the entire agreement is terminated.


Changes to the OSP 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 of the OSHA / Lloyd Construction Partnership**

**Signed this 24<sup>th</sup> day of April, 2024**

 <p><b>OSHA</b> Occupational Safety and Health Administration</p>	<p><b>OSHA, Sioux Falls Area Office</b></p> <p>Signature: _____ Printed Name: Sheila Stanley, Area Director</p>
	<p><b>Lloyd Companies, Inc.</b></p> <p>Signature: _____ Printed Name: _____</p>
 <p><b>SOUTH DAKOTA</b></p>	<p><b>AGC of South Dakota</b></p> <p>Signature: _____ Printed Name: _____</p>