

PARTNERSHIP
An OSHA Cooperative Program



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS
OSHA CONSULTATION PROGRAM



WALSH BROTHERS
Since 1901

PARTNERSHIP AGREEMENT

BETWEEN THE

**OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
Springfield Area Office**

And

**Massachusetts Department of Labor Standards
OSHA Consultation Program**

And

Commodore\Walsh Holyoke Joint Venture

I. PARTNERS

The partners to this agreement are:

- U.S. Department of Labor, Occupational Safety and Health Administration, Springfield Area Office;
- Massachusetts Department of Labor Standards OSHA Consultation Program;
- Commodore\Walsh Holyoke Joint Venture;

II. PURPOSE AND SCOPE

Commodore\Walsh Holyoke Joint Venture; the United States Department of Labor, Occupational Safety and Health Administration (OSHA), Springfield Area Office and Massachusetts Department of Labor Standards, 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 Commodore\Walsh Holyoke Joint Venture, Springfield Area Office and Massachusetts Department of Labor Standards OSHA Consultation Program 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.

The project broke ground on June 21, 2023, and will conclude June 2028. The facility will be a new 234 bed, 350,000 square foot nursing home and health care center for qualified area veterans. The project will be constructing the new facility on the grounds currently occupied by the older soldier's home and will eventually replace it in its entirety. The new building, which will house Health and Human Services Soldiers Home for Long Term Care functions is an 8-story structure of Construction Classification I-2, for Use Group: Nursing Home. Functional building areas include residential single rooms with private bathrooms, communal kitchens, dining and living areas, staff and support spaces, multipurpose rooms, one community center, a chapel, a center for physical and occupational therapy, an on-site pharmacy, office space, a food preparation facility, and other essential building support functions.

III. GOALS/STRATEGIES	STRATEGIES	MEASURES
<p>1. Developing a contractor/government partnership that will encourage involvement of the general and sub-contractors in the improvement of safety and health performance.</p>	<p>a. Commodore\Walsh Holyoke Joint Venture will require all the subcontractors to develop and implement written safety and health programs.</p> <p>b. Commodore\Walsh Holyoke Joint Venture 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. Commodore\Walsh Holyoke Joint Venture will have a written site-specific health and safety plan for work to be conducted onsite. To 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 where high hazard tasks are performed.</p> <p>d. Commodore\Walsh Holyoke Joint Venture will compile a summary of the number of inspections made by Commodore\Walsh Holyoke Joint Venture Health and Safety Manager (or their designee) and any third party. The report will be broken down into the six 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. Commodore\Walsh Holyoke Joint Venture will require all foremen along with subcontractors to conduct a daily job briefing and review with their crew prior to starting work.</p> <p>f. Commodore\Walsh Holyoke Joint Venture will utilize Massachusetts Department of Labor Standards consultants to perform an initial hazard survey as well as conducting periodic safety and health surveys.</p> <p>g. Commodore\Walsh Holyoke Joint Venture will utilize Massachusetts OSHA consultants to perform training for Commodore\Walsh Holyoke Joint Venture and subcontractors on topics as the project progresses.</p>	<p>i. Company will verify by reviewing the number of subcontractors that implemented written safety and health programs and recognize those with exemplary programs.</p> <p>ii. Company will conduct a periodic review of each subcontractor’s injury/illness statistics for the Project.</p> <p>iii. Company will facilitate the site safety orientation led by Commodore\Walsh Holyoke Joint Venture onsite Health and Safety Manager and is given to all workers that arrive onsite (general contractor and subcontractor employees). Commodore\Walsh Holyoke Joint Venture will adjust the orientation to include specific information resulting in lessons learned in changing site conditions.</p> <p>iv. The Commodore\Walsh Holyoke Joint Venture Health and Safety Manager will periodically sit in on daily briefings and discuss with foremen pertinent and important safety and health talking points/topics and areas that may be improved on.</p>

III. GOALS/STRATEGIES	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. Commodore\Walsh Holyoke Joint Venture will facilitate ongoing training on the safe operations of material handling equipment to all employees involved in the operation.</p> <p>b. Commodore\Walsh Holyoke Joint Venture will ensure 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. Commodore\Walsh Holyoke Joint Venture will document the number of employees that have been trained and licensed on the material handling equipment.</p> <p>ii. Commodore\Walsh Holyoke Joint Venture will request from all workers their training documentation, qualifications, and/or certifications. The worker and his/her qualifications will be inserted into a tracking spreadsheet 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. Commodore\Walsh Holyoke Joint Venture 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. Commodore\Walsh Holyoke Joint Venture safety representatives will track all man hours onsite for both Commodore\Walsh Holyoke Joint Venture personnel and subcontractors to accurately maintain a current Total Case Incident Rate (TCIR) and Days Away Restricted Time (DART) rate.</p>	<p>i. Commodore\Walsh Holyoke Joint Venture will maintain the necessary OSHA 300 injury and illness data for the Project.</p> <p>ii. Commodore\Walsh Holyoke Joint Venture will maintain a monthly incident/accident tracking log.</p> <p>iii. Commodore\Walsh Holyoke Joint Venture after each significant incident, will schedule an incident review 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. Commodore\Walsh Holyoke Joint Venture 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>

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<p>4. Ensure, where feasible, all serious hazards are eliminated or controlled through controls, safe processes and/or procedures, and personal protective equipment (PPE).</p>	<p>a. Commodore\Walsh Holyoke Joint Venture will confirm health-related issues arising during the course of the construction work are adequately addressed by Commodore\Walsh Holyoke Joint Venture and its subcontractors. All health-related issues will be discussed monthly during the Partnership meetings.</p> <p>b. Commodore\Walsh Holyoke Joint Venture, with Massachusetts OSHA, will provide hearing conservation, silica, and any other health related hazard training to all employees and its subcontractors.</p> <p>c. Commodore\Walsh Holyoke Joint Venture, with Massachusetts OSHA, will implement an effective industrial hygiene monitoring program to control hazards such as but not limited to silica, noise and other airborne contaminants which may be present during various parts of the Project. This will include personal monitoring, employee training, implementation of engineering controls where feasible, and the use of respiratory and dermal protection when necessary. Commodore\Walsh Holyoke Joint Venture will provide training to all site contractors in the requirements of the new silica standard (29 CFR 1926.1153 including Table 1).</p>	<p>i. Commodore\Walsh Holyoke Joint Venture will track the number of employees trained on Fall Protection and the use of Fall Protection systems as they relate to the Project.</p> <p>ii. Commodore\Walsh Holyoke Joint Venture will track the number of toolbox talks regarding conditions on the worksite for the duration of the Project will be tracked.</p> <p>iii. Commodore\Walsh Holyoke Joint Venture will 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. Commodore\Walsh Holyoke Joint Venture will ensure that all subcontractors are in compliance with all fall protection requirements when working on elevated work levels six (6') feet or more above lower level including training of all affected employees on the safe and correct use of fall protection systems.</p>

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 six 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 North American Industry Classification System (NAICS) Code 236, Construction of

Buildings, based upon the Bureau of Labor Statistics (BLS) data available for the most current year. The 2014 Bureau of Labor Statistics (BLS) TCIR and DART rates for NAICS Code 236 are 3.3 and 1.9, 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. OSPP INCENTIVES

The following are benefits for Commodore\Walsh Holyoke Joint Venture and its subcontractors when and only when they are working at the Project:

- a. Outreach, information, training and technical assistance by the Springfield Area Office and Massachusetts Consultation Program.
- b. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page designating Commodore\Walsh Holyoke Joint Venture Company 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, Commodore\Walsh Holyoke Joint Venture 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 Commodore\Walsh Holyoke Joint Venture shall develop and implement the safety and health management systems required under this agreement.

VII. OSPP MANAGEMENT AND OPERATION

A Partnership Management Team (PMT) with members from Commodore\Walsh Holyoke Joint Venture and the Springfield Area Office 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. Commodore\Walsh Holyoke Joint Venture and Springfield Area Office are responsible for collecting baseline and annual performance data upon which the OSPP will be measured. Commodore\Walsh Holyoke Joint Venture 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.

Commodore\Walsh Holyoke Joint Venture will establish the following:

Project-Specific OSHA Safety and Health Program Management Guidelines – Commodore\Walsh Holyoke Joint Venture shall develop a project-specific safety and health plan to be used as a benchmark for subcontractor programs to meet or exceed. This plan shall incorporate the following minimum elements:

Management Leadership

Commodore\Walsh Holyoke Joint Venture 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 Outreach course.

Worker Participation

Weekly foremen’s meetings – Commodore\Walsh Holyoke Joint Venture 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 Springfield Area Office and labor representatives are welcome to attend these meetings.

Hazard Identification and Assessment

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

Job Hazard Analysis Commodore\Walsh Holyoke Joint Venture shall conduct a comprehensive assessment of project work and require its subcontractors to develop JHAs to eliminate or reduce hazards to which their employees are potentially exposed.

Hazard Prevention and Control

100% fall protection when fall exposure at 6 feet or greater.

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 Commodore\Walsh Holyoke Joint Venture.

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

Education and Training

Conduct site-specific safety and health training.

Program Evaluation

Recordkeeping – Commodore\Walsh Holyoke Joint Venture 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 an OSHA representative 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 Commodore\Walsh Holyoke Joint Venture for corrective action.
- c. Recordkeeping – All subcontractors shall report and record workplace injuries and illnesses as required by 29 CFR 1904 and shall report recordable incidents to Commodore\Walsh Holyoke Joint Venture for recording on the Project OSHA 300 Log.
- d. Job Hazard Analysis – 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.

Springfield Area Office and Massachusetts Department of Labor Standards Role:

- a. Provide initial and continued review and evaluation of Commodore\Walsh Holyoke Joint Venture Company's compliance with the Partnership Agreement.
- b. Provide initial review of Commodore\Walsh Holyoke Joint Venture's 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 Commodore\Walsh Holyoke Joint Venture 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 Commodore\Walsh Holyoke Joint Venture 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 Commodore\Walsh Holyoke Joint Venture 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 OSPP

This agreement will terminate at the conclusion of the work being performed at the Project. However, if the Commodore\Walsh Holyoke Joint Venture, or Springfield Area Office 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 ____ 2024

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Occupational Safety and
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Joe Albanese
Principal
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