



**PARTNERING AGREEMENT BETWEEN UNITED STATES DEPARTMENT
OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) BOISE
AREA OFFICE
AND
CM COMPANY, INC.**



I. IDENTIFICATION OF PARTNERS

To facilitate OSHA’s goal of reducing occupational-related fatalities and serious injuries within the construction industry, OSHA and CM Company have agreed to enter into a cooperative partnership agreement. This agreement will cover CM Company projects and will effectively implement all facets of jobsite safety and achieve self-compliance through cooperative efforts from labor, management, and OSHA.

The partners are the Occupational Safety and Health Administration (OSHA), Boise Area Office (BAO), and CM Company.

II. PURPOSE/SCOPE

The OSHA Boise Area Office and CM Company developed this partnering agreement jointly. The common objective of the agreement is to provide a safe and healthful work environment for employees involved in the construction industry and to help prevent serious accidents and fatalities within the industry through increased training, implementation of best work practices, enhanced safety and health programs, and compliance with applicable OSHA standards and regulations.

This partnership will contain mentoring and training for participating subcontractors and their employees. The common purpose will be to engage and challenge those subcontractors and their employees to improve their own safety and health program.

This partnership also seeks to increase communication and mutual respect between all stakeholders. CM Company is committed to developing a business/labor/government partnership approach to safety management, thereby affording OSHA to direct its resources toward the construction industry whose safety and health efforts require the most assistance.

CM Company’s Corporate Address: 431 W. McGregor Drive, Boise, ID 83705

Duration: This agreement is scheduled to begin 29May2024, and end (3-year term).

Scope: This agreement will include all CM Company workers employed and working in the state of Idaho.

III. GOALS / STRATEGIES

The overall goals of the partnership are to focus 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.

These goals shall be achieved through quarterly meetings at each site selected and implementation and verification of written comprehensive safety and health programs. Utilizing CM Company Safety methodology and processes to improve safety and health programs, training, and outreach to subcontractors. Partners are encouraged to implement a comprehensive Safety and Health Management System (SHMS) to achieve the goals established in this agreement.

The specific details on the goals, strategies, and measurements to be established for CM Company and OSHA are delineated in the table below.

| GOALS | STRATEGIES | MEASURES |
|--|---|--|
| <p>Goal #1 – Reduction in Injury and Illness Rates</p> <ul style="list-style-type: none"> • Reducing injuries and illnesses throughout the duration of the Partnership and evaluating the outcome annually. • Specific goal on injury reduction is to reduce injuries on the jobsite from 1.16 injuries per year to .5 injuries per year reducing injuries by 50% in this 3-year OSP Agreement. • Verify CM Company is maintaining or improving on current EMR of .63 and average injuries per year of 1.16. | <ul style="list-style-type: none"> • Express emphasis on the “Focus Four.” • Track and document injuries of CM Company employees, as well as subcontractors and suppliers on CM Company projects. • Safety Committee warnings to subcontractors or suppliers immediately with the possibility being removed from the project. • Utilizing Job Hazard Analysis or the Job Safety Analysis. • Effectively correcting hazards found during the project on a day-to-day basis. • Implement an aggressive Fall Protection Plan to include fall protection in all cases where work is being performed six feet or more above lower surfaces. • Utilize third-party entities as required to conduct a fully documented weekly site survey on all CM Company projects. • Continue with 3rd party project safety audits. | <ul style="list-style-type: none"> • CM will submit to OSHA the injury and illness data, Recordable Incident Rate, DART and Lost Time Case Rate, Experience Modification Rate (EMR) by craft for the participating contractors on an annual basis for OSHA to compare to the average for the construction industry nationally • Outcome measures will be gathered monthly, and the CM Company Safety Committee analyzes it. • Records will be maintained of training certifications. All contractors will be required to conduct daily and/or weekly safety toolbox talks, which will be reported as training hours. • All safety training hours and certifications, and monthly safety outcome measures gathered by the CM Company Safety Committee. <p>*** outcome measures gathered will be shared with the OSHA Partnership Coordinator quarterly.</p> |

| GOALS | STRATEGIES | MEASURES |
|--|--|--|
| <p>Goal #2 - Implementation of Injury & Illness Prevention Programs</p> | <ul style="list-style-type: none"> • encourage employee involvement • Encourage subcontractors to solicit their employees' participation in their own safety and health programs. • Allow employees to engage and provide input in safety policies and procedures. • Require subcontractors who have written safety and health programs to submit them to CM Company. Those that do not have their own written safety and health programs will adopt CM Company safety and health program. • Ensure all equipment capable of worker extremity amputations are adequately guarded per OSHA and equipment manufacturer requirements. • Utilize a third-party, independent, qualified/certified crane inspector to inspect all long-term cranes after they have been erected and certify them for safe operation. A recent inspection (less than one year) by a certified crane inspector will be required for all cranes. • Lifts over 75% are considered critical and require additional documentation, such as an Engineered Lift Plan. | <ul style="list-style-type: none"> • Track percent of CM Company on-site supervisory personnel (safety managers, project managers and superintendents) 30-Hour OSHA construction course • Track percent of first-tier subcontractor's competent person designees will complete the 30-Hour OSHA construction course. • Track number of serious hazards found and abated as a result of onsite audits and job site inspections, the applicable number of employers, supervisors and employees trained • Encourage and track the number subcontractor participation in daily or weekly audits or site surveys. • Track percent of field personnel to complete, at a minimum, the OSHA 10- hour. <p>*** outcome measures will be shared with the OSHA Partnership Coordinator quarterly.</p> |

| GOALS | STRATEGIES | MEASURES |
|---|---|--|
| Goal #3 – Site Specific Jobsite Safety | <ul style="list-style-type: none"> • All health-related issues will be discussed during the quarterly partnership safety meetings at the sites selected. • Ensure 100% of the trade contractor attend the Site-Specific Jobsite Safety Orientation prior to starting work on CM Company projects. • Provide a Spanish version as well. | <ul style="list-style-type: none"> • Track attendance records of employee participation within the CM Company Safety Committee. • Track attendance records of Jobsite Safety Orientation prior to starting work on CM Company projects. <p>*** outcome measures gathered will be shared with the OSHA Partnership Coordinator quarterly.</p> |
| Goal #4 – Collaborative Training and Communication Among Affected Stakeholders | <ul style="list-style-type: none"> • Developing a business/labor/government partnership approach to safety management through the OSP. • Providing for collaborative training opportunities between CM Company and the OSHA Regional and Area Offices. | <ul style="list-style-type: none"> • Dissemination of OSHA materials to stakeholders. Counted by occurrence. • Track OSHA participation in partnership requests or meetings. <p>***outcome measures will be shared with the OSHA Partnership Coordinator quarterly.</p> |

IV. SAFETY AND HEALTH MANAGEMENT SYSTEMS

Effective workplace SHMS are self-sustaining systems encompassing four main areas; management leadership and worker involvement; worksite analysis; hazard prevention and control; and safety and training.

Management Leadership: Participants agree to submit a letter stating executive commitment to develop and maintain a Safety and Health Program for this OSP. It should make clear such a program is a priority for the officer and that he (or she) will personally track programs and hold managers accountable for administration of the program. The letter should be addressed to the OSHA BAO Area Director. A similar letter should be addressed to managers and employees and posted for two months in the workplace. Such letters must also be translated (in writing) in the language of the workers

Worker Involvement: Participants in this cooperative agreement will receive a briefing by CM Company that will enable them to understand the tenets of this agreement. Participants should understand the principles and guidelines of this agreement and realize the purpose of the cooperative agreement is to enhance their awareness of safety and health and improve their safety and health program. CM Company recognizes worker involvement is an essential component of any effective SHMS.

Worksite Analysis

Member agrees to:

- Conduct periodic workplace inspections/audits for the purpose of identifying and correcting safety and health hazards. Fall, electrical, struck by and caught between hazards will be documented and corrected.
- Inspections/audits will be conducted as frequently as deemed necessary by the company, but in no case less than once every week.
- The company will utilize the services of their own safety representative or their designee to perform these inspections/audits in addition to their own inspection/audit.
- The company will utilize a safety committee that contains representatives of both management and employees.
- Perform routine job hazards analyses.
- Provide a reliable system for employees to notify management personnel about conditions that appear hazardous and to receive timely and appropriate responses and encourage employees to use the system without fear of reprisal. This system utilizes employee insight and experience in safety and health protection and allows employee concerns to be addressed.
- Investigate accidents and "near miss" incidents so that their causes and means of prevention can be identified.
- Maintain records of recordable injuries and illnesses as required by OSHA.
- Analyze injury and illness trends to identify work practice improvements or material modifications necessary to prevent accidents.
- The safety and health official will prepare an annual analysis of the company's safety and health program. This will include a summary of all major hazards found and corrected through inspection and safety committee efforts, those still uncorrected, injury/illness trends, and recommendations for safety and health improvements.

Hazard Prevention and Control

Member agrees to:

- Establish, at the earliest time, safe work practices and procedures that are understood and followed by all affected parties. Understanding and compliance are a result of training, positive reinforcement, correction of unsafe performance, and if necessary, enforcement through a clearly communicated disciplinary system.
- Provide personal protective equipment.
- Plan and prepare for emergencies, and conduct training and emergency drills, as needed, to ensure that proper responses to emergencies will be "second nature" for all persons involved.
- Establish a medical program that includes first aid onsite as well as nearby EMS.

Education and Training

- The fall protection plan includes verifying that each contractor using personal fall protection equipment has received the required fall protection training and that the training is documented.
- Ensure compliance with NFPA 70E when working on live electrical equipment, including training and the availability and use of personal protective equipment

- Crane Operators are required have their Certification of Crane Operators (NCCCO or equivalent accredited crane operator training).
- Safety and health awareness training to subcontractors with Spanish speaking employees will be conducted in Spanish. The training classes may include the following:
 - OSHA 10-Hour
 - First Aid / CPR / AED
 - Evacuation Meeting Place
 - Fall Protection
 - Electrical Hazards
 - Trenching and Excavation
 - Struck by Hazards
- Other hazard-specific training will be conducted on an as-needed basis.
- Provide training for workers in the OSHA 10-Hour construction course. Subcontractors can utilize other instructors as long as they can show a valid certification card showing completion of the course. Subcontractors have primary responsibility for providing this training. OSHA will provide assistance as needed.

Cooperation with OSHA

Member agrees to:

- Allow OSHA to conduct off-site non-enforcement verification visits as agreed to at the projects identified, but not less than annually at each project, in accordance with this partnership agreement.

V. WORKER INVOLVEMENT

Member agrees to:

- Commit to incorporating a high level of worker involvement.
- Instruct each worker in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.
- Train workers on fall protection and prevention of electrocutions, caught- between and struck-by accidents.
- Train personnel to be certified in basic first aid and CPR.
- Train personnel in hazard communications.
- Make Safety Data Sheets (SDS) available to any requesting worker by utilizing a QR code that also has the safety program for each trade contractor on the project.
- Train workers in any other aspects that will enable them to do their jobs safely.
- Train workers in CM Company Safety Systems which provide workers with information on recognizing and avoiding construction safety and health hazards, as well as the authority to stop work.

VI. PERFORMANCE MEASURES

Performance measures as outlined in the goal/strategies/measurement table will be used to assess the effectiveness of the partnership. CM Company will gather and track data for the performance measures and share the information with OSHA, as specified in Appendix B of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003. The interval for delivery of measures to the OSHA OSP Coordinator will be quarterly.

VII. ANNUAL EVALUATION

Partnership Evaluation: The partnership will be evaluated by the Boise Area Office on an annual basis, in accordance with the Strategic Partnership Annual Evaluation Format measurement system as specified in Appendix C of CSP 03-02-003, OSHA Strategic Partnership Program for Worker Safety and Health Directive. The annual evaluation data will be provided to OSHA no later 30 days after the anniversary date of the partnership signing.

VIII. OSHA VERIFICATION PROCEDURES

- OSHA will conduct at least one offsite non-enforcement verification annually to include review of annual partnership data/report, OSHA 300 data, and any goal measures.
- Non-enforcement verification visits will be conducted by OSHA bi-annually. OSHA will report the hazards identified and recommendations will be made to each exposing contractor and CM Company. Abatement will be made by each exposing contractor and documentation thereof sent to CM Company and OSHA. The non-enforcement verification visit will be conducted within six (6) months of the partner member signing. OSP verifications must be performed in accordance with the OSP Program Directive, CSP 03-02-003.
- On-site enforcement verifications may occur during OSHA inspections that are programmed scheduled construction inspections or unprogrammed referral or complaint inspections. CM Company and its subcontractors will remain subject to OSHA inspections and investigations in accordance with agency policies. OSHA will continue to investigate fatalities and catastrophes that occur at member companies as well as formal complaints and severe injury reports received.
- Limited Scope Inspections
 - OSHA will conduct inspections in accordance with the current Agency enforcement policies and procedures, as specified in the Field Operations Manual CPL 02-00-148.
 - OSHA will conduct fatality/accident investigations.
 - OSHA will conduct investigations of formal (signed) complaints and informal (unsigned) complaints that do not result in voluntary and adequate corrections by the employer.
- OSHA Commitment
 - OSHA will endeavor to support the company in reasonable requested training.
 - OSHA will furnish technical advice, publications, and training material to the employer upon request. Such requests will not cause an OSHA inspection.
 - OSHA will participate in the annual Partnership Committee meetings.

IX. INCENTIVES

- In the event of an enforcement inspection, maximum penalty reductions for all tiered contractors working on this jobsite as allowed in the OSHA CPL-02-00-164 Field Operations Manual (FOM) for good faith and history. OSPs may use any and all enforcement incentives allowed to any employer who receives an enforcement inspection. These incentives are detailed in the FOM.
- The Partnership will include priority consideration for compliance assistance and offsite technical assistance (phone calls/faxes) by OSHA as resources allow.
- Incentives offered by OSHA include:
 - Outreach, information, training, and technical assistance.
 - Free on-site services may be provided by OSHA-funded State Consultation projects to qualifying partners.
 - OSHA personnel may be available to OSP participants for a variety of on-site and off-site activities such as SHMS review and assistance to develop or improve them, OSP verifications and guidance in conducting audits and evaluations.
 - Seminars, workshops, and other speaking events.
 - Availability of informational materials.
 - Technical assistance for example, the OSHA Health Response Team and technical experts within the Agency, such as the Directorate of Construction.
 - Recognition on OSHA's OSP web page.

X. PARTNERSHIP MANAGEMENT AND OPERATION

Member agrees to:

- State a worksite policy on safe and healthful work and working conditions, so that all personnel with responsibility at the site (and personnel at other locations with responsibility for the site) fully understand the priority and importance of safety and health protection in the organization.th
- Establish and communicate a clear goal for the safety and health program and define objectives for meeting that goal so that all members of the organization understand the results desired and measures planned for achieving them.
- Provide visible top management involvement in implementing the program so that all employees understand that management's commitment is serious.
- Arrange for and encourage employee involvement in the structure and operation of the program and in decisions that affect their safety and health so that they will commit their insight and energy to achieving the safety and health program's goal and objectives.
- Assign and communicate responsibility for all aspects of the program so that managers, supervisors, and employees in all parts of the organization know what performance is expected of them.
- Provide authority and resources to responsible parties so that assigned responsibilities can be met.

- Review program operations at least quarterly to evaluate their success in meeting the goals and objectives so that deficiencies can be identified and the program and/or the objectives can be revised when they do not meet the goal of effective safety and health protection.
- The OSP representatives for CM Company will be the CM Company Safety Committee consisting of Ownership, Management and Field Personnel that will partner with the designated OSHA “Primary Contact”. The Safety Committee will meet every 2 months, and measurements will be updated bimonthly.
- OSHA will:
 - Participate in the partnership meetings and site reviews, as resources allow.
 - Designate a Boise 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 the annual evaluation data for partnership continuous improvement.

XI. WORKER AND EMPLOYER RIGHTS

This partnership does not preclude workers and/or employers from exercising any right provided under the OSH Act, nor does it abrogate any responsibility to comply with the Act.

XII. PARTNERSHIP TERM

- This agreement will terminate 3 years from the date of final signing and the process will start to renew this OSP between OSHA and CM Company, Inc.
- If either OSHA or CM Company wishes to withdraw their participation prior to the established termination date, the agreement will terminate upon receiving a written notice of the intent to withdraw from either signatory.

XIII. SIGNATORIES

Signed this day of 29 May 2024

For CM Company, Inc.

For OSHA Boise Area Office

Trey Crookston, President

David G. Kearns, Area Director

Anna Sparrell, Vice President

Brian D. Hetmer, Vice President of Operations

Vanessa Schauer, Safety Administrator