



**PARTNERSHIP**  
An OSHA Cooperative Program



**PARTNERSHIP AGREEMENT**

**BETWEEN THE**

**OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION  
CONCORD AREA OFFICE**

**AND**

**SPS NEW ENGLAND, INC.**

**AND**

**LABOR UNIONS**

## I. Identification of Partners

SPS New England, Inc. ("SPS"), and the Concord, NH 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 NH1A (Ocean Boulevard) over Hampton River Bridge Replacement Project in Seabrook & Hampton, NH, 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 NH1A (Ocean Boulevard) Bridge Replacement Project. 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 – Concord New Hampshire Area Office
- SPS New England, Inc.

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 976
- North Atlantic States Regional Council of Carpenters, Local 349
- North Atlantic States Regional Council of Carpenters, Piledrivers Local 56
- International Union of Operating Engineers, Local 4
- Iron Workers Local Union No. 7

## II. Purpose/Scope

The purpose of this partnership is to provide a safe and healthful work environment for workers involved in the construction industry. SPS is committed to preventing injuries, serious accidents, and fatalities during the building, demolition, and construction of the NH1A (Ocean Boulevard) over Hampton River Bridge Replacement Project in Seabrook & Hampton, NH, through training, implementation of best work practices, enhanced safety and health programs, and compliance with applicable OSHA standards and regulations.

The NH1A (Ocean Boulevard) over Hampton River Bridge Replacement Project, includes construction of a new bridge to convey NH1A (Ocean Boulevard) traffic over the Hampton River. The new structure will be two lanes wide and will be positioned west of the existing bridge structure. The new bridge will be approximately 1,300 feet long, have 6 in river piers, and contain 7 spans. The bridge will span up to 48 feet above the Hampton River and will eliminate the need for a lift span. Following the construction of the new bridge and activation of traffic, the existing bridge will be demolished in its entirety including all 12 in river piers down to river bed. There are projected to be about 25 workers onsite each day during this project. The project is valued at approximately \$108,000,000 with an anticipated final completion date of June 28, 2028.

Goals	Strategies	Measures
<p>1) Maintain a project-wide injury and illness rate, below the 2022 BLS Total Recordable Case (TRC) rate of 2.7 and Days Away from Work, Restricted or Transfer (DART) rate of 1.6 for the construction industry (NAICS 237300).</p>	<p>Establish proactive measures for the common hazards found at construction sites.</p> <p>1a. Provide engineering controls, administrative controls, and personal protective equipment.</p> <p>1b. Provide a comprehensive Job Site Safety Orientation for all workers prior to allowing them to work on site.</p>	<p>1aa. SPS will collect and calculate the following site specific injury and illness data on a quarterly basis for comparison to the national average:</p> <ul style="list-style-type: none"> <li>- Total Recordable Case rate (TRC)</li> <li>- Days Away/Restricted or Transfer rate (DART) 1bb. SPS will compare the site's TRC and DART with the 2022 BLS data published TRC rate of 2.7 and DART rate of 1.6 for construction (NAICS 237300).</li> </ul>
<p>2) Promote cooperative relationship between labor and management and encourage employee participation to achieve a safe and healthful workplace.</p>	<p>2a. Conduct daily safety briefings through Job Hazard Analyses (JHAs).</p> <p>2b. Conduct weekly toolbox safety meetings, involving management, and craft.</p> <p>2c. Keep open-door safety policy and encourage hazard reporting.</p> <p>2d. Conduct hazard analysis for each scope of work during Pre-Task Safety Planning.</p> <p>2e. Ensure participation in the site safety committee.</p> <p>Conduct weekly work-coordination meetings, and communicate safety information and issues.</p>	<p>2aa. Document discussions on weekly safety toolbox huddle form or photo of work board and store in project file.</p> <p>2bb. Minutes of toolbox meeting will be used to track and document attendance.</p> <p>2cc. Employees are encouraged to bring up any safety concerns to any member of management.</p> <p>2dd. Work plans created which address health and safety concerns associated with work scopes.</p> <p>2ee. Union stewards made a part of the site safety committee.</p> <p>2ff. Weekly coordination meetings held with safety items on agenda.</p>

Goals	Strategies	Measures
<p>3) Identify and prevent the most common causes of workplace injuries and illnesses in the construction industry, including, but not limited to, falls, electrical safety, struck-by, caught in/between, silica, lead, carbon monoxide, heat stress, cranes, and noise.</p>	<p>a. Implement and enforce a six-foot fall protection requirement throughout the Project            3b. Work with all contractors to ensure safe work practices for high reaching aerial boom lift or swing scaffolding.            c. Implement the use of ground fault circuit interrupters (GFCI).            3d. Endorse 100% hand protection for all contractors on site.            e. Conduct site audits and weekly site walk-throughs            3f. Weather alerts and monitoring as appropriate            g. Implement silica exposure control program with integrated engineering controls for every task with potential exposure to silica dust using additional administrative/PPE controls as required.            h. Area carbon monoxide monitoring is conducted when a combustion co emitting source is used inside an enclosed are.</p>	<p>3aa. Review six foot fall protection requirements with all workers on site and document training on the site orientation forms            3bb. Document preplanning and aerial lift/swing scaffolding reviews with all affected contractors.            3cc. Document GFCI compliance requirement of all electrical services            3dd. Verify and document hand protective glove use.            3ee. Site safety personnel will conduct weekly, and monthly audits to ensure that the most common hazards are addressed.            3ff. Weather will be tracked for the number of alerts and the number of times the site modified work practices.            3gg. Conduct silica exposure monitoring for demolition and other tasks as determined.            3hh. Monitor carbon monoxide levels and take corrective actions when levels are elevated. At no time will levels above 35 ppm be allowed.</p>
<p>4. One hundred percent (100%) of contractors and subcontractors to have site-specific comprehensive written safety and health programs.</p>	<p>4a. Written site-specific safety and health programs are required for all contractors, subcontractors, and tier-subcontractors.</p>	<p>4aa. SPS will require and maintain copies of all contractors', subcontractors', and tier-subcontractors' safety and health programs.</p>

### 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 SPS, OSHA, and Labor Unions. (See table next page)

### 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*

SPS 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_OSHA_Construction_Guidelines_R4.pdf)

#### *Worker Participation*

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

- SPS will hold a Job Site Safety Orientation with each worker prior to work on site. Each employee who has attended orientation will receive a serial-numbered sticker confirming their participation in the orientation.
- SPS will provide a system to allow workers to report potential jobsite hazards to SPS and/or supervisors upon discovery. All workers on the jobsite have stop-work authority as it relates to safety. SPS will require all workers to attend weekly huddle meetings.
- SPS will hold weekly meetings with foremen to communicate and share safety-related information across different crews and crafts.
- SPS will participate in monthly 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.
- SPS will invite craft workers to participate in the weekly jobsite inspection and review.
- All major on-site contractors and subcontractors will be invited and encouraged to participate in the site safety committee meeting.

#### *Hazard Identification and Assessment*

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

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

### *Hazard Prevention and Control*

SPS 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.

- SPS or responsible contractor will ensure that hazard correction procedures are in place.
- SPS or responsible contractor will ensure that everyone has been instructed in the use and maintenance of personal protective equipment.
- SPS or responsible contractor will make sure that everyone has been instructed in how to follow safe work procedures.
- SPS when contacted from OSHA for a Non-formal Complaint will address the condition immediately and a response will be submitted to the Concord Area Office within 1 business day.

### *Education and Training*

SPS 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.

- SPS or the responsible contractor will ensure only properly authorized and instructed workers be allowed to work on tasks assigned.
- SPS or the responsible contractor will ensure workers do not do a job that appears unsafe.
- SPS 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, and CPR.

### *Program Evaluation and Improvement*

SPS 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 Workwise consultants to ensure program is operating as intended.

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

SPS 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**

- SPS will ensure workers are involved with daily Job Hazard Analysis meetings.

- SPS will ensure workers participate in weekly safety toolbox talk meetings and require reporting of any near miss or unsafe conditions.
- SPS 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.

## VI. **Performance Measures**

Performance measures as outlined in section III will be used to assess the effectiveness of the partnership. SPS 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.

## 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 SPS 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 Concord, NH OSHA On-Site Safety and Health Consultation Program.

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

## VIII. **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.

## IX. **Partnership Management and Operation**

SPS and its contractors, in association with the U.S. Department of Labor/Occupational Safety and Health Administration – Concord, NH Area Office 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. SPS 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.

*SPS will:*

- Implement SPS's comprehensive safety and health programs, which include
  - management commitment and employee involvement,
  - hazard analysis,
  - hazard control, and
  - worker education and training.
- Assist subcontractors who have not yet developed their own safety and health programs and, if necessary, refer them to OSHA
- Implement and enforce a six-foot fall protection requirement throughout the Project.
- Participate in the National Safety Stand-Down to Prevent Falls in Construction.
- 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 monthly accident summaries, including first aid, injury, and near-miss reports, with management and the Safety Committee.
- Onsite non-enforcement 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. SPS 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 yearly site audit inspection, as resources allow.
- Designate a Concord, NH 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 SPS safety and health self-audits monthly as part of the yearly audit.
- 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.

**X. 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.

**XI. Partnership Term**

This agreement will terminate on June 28, 2028, 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 SPS 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.





**XII. 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 SPS New England, Inc./OSHA Partnering Agreement for the NH1A (Ocean Boulevard) over Hampton River Bridge Replacement Project in Seabrook & Hampton, NH.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2024.

	<p><b>OSHA, Concord NH Area Office</b></p> <p>Signature: _____ Printed Name: <b>Joseph LaRose Sr., Area Director</b></p>
	<p><b>SPS New England, Inc.</b></p> <p>Signature: _____ Printed Name: <b>Wayne Capolupo, CEO</b></p>

## Union Representation

 <p><b>LiUNA!</b> LABORERS' UNION LOCAL 976</p>	<p><b>Laborers' International Union of North America, Local 976</b></p> <p>Signature: _____ Printed Name: <b>David Spechuilli, Business Manager</b></p>
 <p>INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, ORNAMENTAL AND REINFORCING IRON WORKERS IABR LOCAL 7</p>	<p><b>International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 7</b></p> <p>Signature: _____ Printed Name: <b>Vincent Coyle, Jr. , Business Manager</b></p>
 <p>INTERNATIONAL UNION OF OPERATING ENGINEERS ORGANIZED DEC. 1, 1956 IOOE LOCAL 4 TRADE MARK REGISTERED</p>	<p><b>International Union of Operating Engineers, Local 4</b></p> <p>Signature: _____ Printed Name: <b>Michael J. Bowes, Business Manager</b></p>
 <p>NORTHEAST REGIONAL COUNCIL OF CARPENTERS</p>	<p><b>North Atlantic States Regional Council of Carpenters, Local 349</b></p> <p>Signature: _____ Printed Name: <b>Jeff Grinvalsky, Business Representative</b></p>
 <p>PILEDIVERS • DIVERS • LOCAL 56 BOSTON, MA</p>	<p><b>North Atlantic States Regional Council of Carpenters, Piledrivers Local 56</b></p> <p>Signature: _____ Printed Name: <b>John Dunderdale, Business Manager</b></p>

