

## **OSHA Construction Partnerships: A Case Study on the Value and Benefits**

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### **Introduction**

OSHA's mission is to send America's employees home whole and healthy every day. Traditionally, the agency's strategy has been to promulgate and enforce workplace safety and health standards. The OSHA Strategic Partnership Program (OSPP) moves away from traditional enforcement methods and embraces collaborative agreements. Through OSPP, OSHA and its partners agree to work cooperatively to address critical safety and health issues. This very different approach is proving to be an effective tool for reducing fatalities, injuries, and illnesses in the workplace.

### **What is an OSHA Partnership?**

The OSHA Strategic Partnership Program for Worker Safety and Health (OSPP), adopted on November 13, 1998, is an expansion and formalization of OSHA's substantial experience with voluntary programs.

- In a Partnership, OSHA enters into an extended, voluntary, cooperative relationship with groups of employers, employees, and employee representatives (sometimes including other stakeholders, and sometimes involving only one employer) in order to encourage, assist, and recognize their efforts to eliminate serious hazards and achieve a high level of worker safety and health.

- Partnering with OSHA is appropriate for the many employers who want to do the right thing but need help in strengthening worker safety and health at their worksites. Within the OSPP, management, labor, and OSHA are proving that old adversaries can become new allies committed to cooperative solutions to the problems of worker safety and health.
- OSHA and its partners can identify a common goal, develop plans for achieving that goal, and cooperate in implementation.
- OSHA's interest in cooperative Partnerships in no way reduces its ongoing commitment to enforcing the requirements of the Occupational Safety and Health Act. The OSPP moves away from traditional enforcement methods that target individual worksites and punish employers who violate agency standards. Instead, in a growing number of local and national Partnerships, OSHA is working cooperatively with groups of employers and workers to identify the most serious workplace hazards, develop workplace-appropriate safety and health management systems, share resources, and find effective ways to reduce worker injuries, illnesses, and deaths.
- Most of the worksites that have chosen to partner with OSHA are small businesses, with an average employment of fewer than 50 employees.
- Many Partnerships focus on areas of concern addressed in OSHA's Strategic Plan. These Partnerships are seeking solutions to the following Areas of Emphasis (AOE) and AOE Targeted Areas and High Incident/Severity Areas:
  - Areas of Emphasis (AOE)
    - Construction
    - General Industry
    - Manufacturing Amputations
    - Other
  - AOE Targeted Areas and High Incident/Severity Areas
    - Amputations
    - Landscaping/horticulture
    - Oil and gas field services
    - Preserve fruits and vegetables
    - Concrete, gypsum and plaster products
    - Blast furnaces and basic steel products
    - Ship and boat building and repair
    - Public warehousing and storage
    - Egro/musculoskeletal
    - Blood lead levels
    - Silica-related diseases
    - Logging
    - Residential Building Construction
    - Commercial & Institutional Building Construction
    - Heavy, Street & Bridge Construction
- In addition to the AOE industries mentioned above, OSHA has Partnerships in the following areas:
  - Automotive Manufacturing
  - Food Handling
  - Foundries
  - Garment Manufacturing

- Health Care/Nursing Homes
- Other Federal Agencies
- Power Authorities
- Site Specific Construction Projects
- Telecommunications

## **Elements of Partnerships**

Partnerships must include each participating employer's commitment to implement in a timely manner an effective workplace safety and health management system or to address a specific hazard. The hallmarks of an effective management system are management leadership and employee involvement, hazard analysis, hazard prevention and control, safety and health training, evaluation, and compliance with applicable OSH Act requirements. Partnerships also must contain all the Core Elements discussed in the policy (Summary of Core Elements, CSP 03-02-001 (TED 8-0.2): Appendix B):

### Core Elements

- Identification of Partners
- Purpose/Scope
- Goals/Strategies
- Performance Measures
- Annual Evaluation
- Incentives
- OSHA Verification
- OSP Management and Operation
- Employee and Employer Rights
- Term of OSP
- Signatures

## **Partnership Review And Approval**

- Area Office Partnerships are reviewed and approved by the Regional Administrator with consultation from the Regional Solicitor.
- Regional Office Partnerships are reviewed by the appropriate National Office Directorates and by the Director of Cooperative and State Programs. Approval comes from the Deputy Assistant Secretary with consultation from the National Office Solicitor.
- Partnerships developed at the National Office are reviewed by the Director of Cooperative and State Programs and other affected Offices and Directorates. Approval by the Assistant Secretary with consultation from the National Office Solicitor.

## How to Propose a Partnership

### Step 1: Become familiar with OSHA's Strategic Partnership Program

- Review the contents of the program by visiting the [OSHA Strategic Partnership Program homepage](#).
- Review the OSPP Directive ([CSP 03-02-001 \[TED 8-0.2\] - OSHA Strategic Partnerships for Worker Safety and Health](#)) and if necessary, download applicable appendices. Contact your [Region or state coordinator](#).

### Step 2: Identify clear goal(s), strategy(ies), and meaningful impact measure(s).

- What do the partners want to accomplish, how will it be done, how will it be measured and who will do it. It's as easy as that.
- Review the following chart:

Goal	Strategy	Measures
1) Identify and communicate an effective process to develop and implement successful ergonomic programs and guidelines	A) Develop a written process to address ergonomic hazards in the workplace.	a) Number of sites where ergonomic process has been effectively implemented b) Number of training courses/people trained in process c) Awareness survey of employees
2) Identify at least three Partner ergonomic best practices and related training materials in the pharmaceutical, medical, devices, and consumer goods divisions.	B) Review Partner data to identify at least three best practices in the pharmaceutical, medical devices and consumer goods divisions; develop/share related training techniques and materials.	a) Number of sites where ergonomic process has been effectively implemented b) Number of training courses/people trained in process c) Awareness survey of employees
3) Reduce the incidence and severity of musculoskeletal disorders (MSD's) at participating facilities	C) Develop an ergonomic protocol for use by OSHA during on-site ergonomics inspections to assess employers' compliance under the General Duty Clause.	a) Identification of three best practices

Goal	Strategy	Measures
4) Share Partner best practices in ergonomics with other Partner facilities, like industries, and the public	C) Develop an ergonomic protocol for use by OSHA during on-site ergonomics inspections to assess employers' compliance under the General Duty Clause.	a) Baseline of MSD cases b) MSD cases involving day(s) of restricted work activity c) MSD cases involving day(s) away from work d) the number of MSD-related surgeries, e) an annual comparison of these incidence and severity criteria to the baseline numbers.

### Step 3: Identify Partners

- Besides OSHA, who will be a signatory to the Partnership? Who has similar issues or problems? Who can be impacted?
- Examples include: trade and/or professional associations, unions, councils, insurance firms, universities, state and local government, companies, corporations, industries with successful programs, etc. The more participants, the greater the impact and the greater leveraging of resources.

### Step 4: Draft Partnership Agreement

The most difficult part of the process. Use the following tools for assistance:

- Review core elements and use as a guide to draft agreement
- With assistance as needed from your OSHA contact, develop a draft agreement.
- Try to maintain all pieces (cover, signature pages, enclosures, appendices) within the same document as the final document will become a part of OSHA's Partnership website.

### Step 5: Submit the final proposal to OSHA for acceptance

- Once a draft has been completed, contact OSHA to move forward. The document will be routed through OSHA's Regional or National office and solicitor and may be approved as is or returned for comment/changes. Once the document clears, a signing ceremony is held.

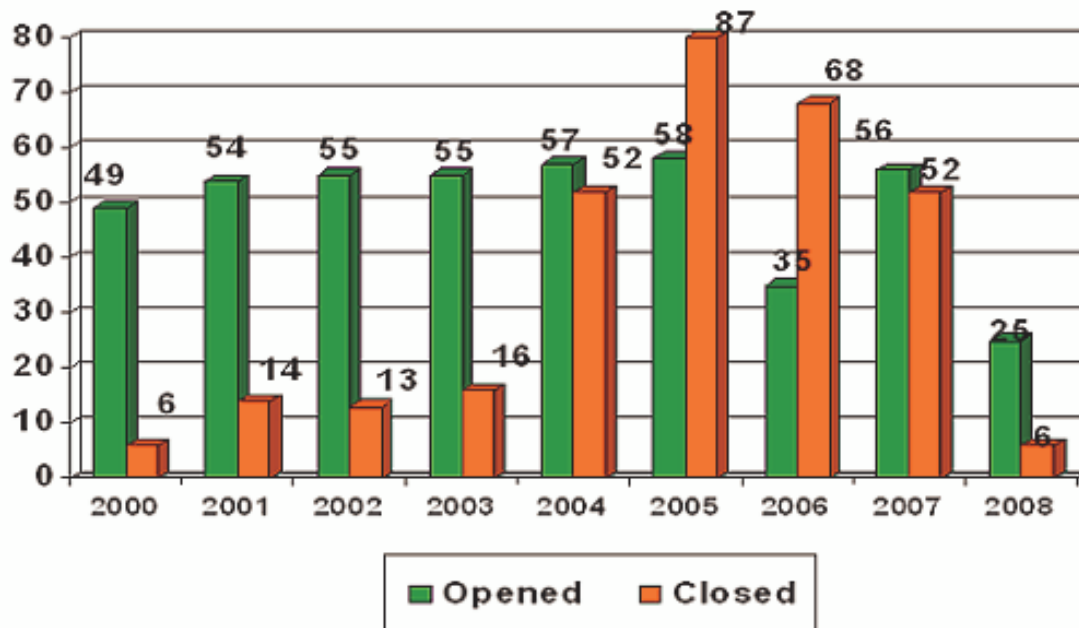
### Step 6: Begin new relationship with OSHA

Talk about ongoing Partnership activity, measurement, annual evaluation, and open communication. End result – positive, measurable impact on workplace safety and health.

Nationally there are typically over 100 new or on-going partnerships throughout the country.

## OSHA STRATEGIC PARTNERSHIP PROGRAM

### Opened and Closed by Fiscal Year



Source: OSHA Strategic Partnership Program  
Automated Data System (OSPADS)

As of 1/4/2008

## Case Studies

### Liberty Science Center Project

**Partners:** Skanska USA Building, Inc., New Jersey Economic Development Authority, Hudson County Building and Construction Trades Council, New Jersey Department of Labor and Workforce Development.

**Overview:** The partnership's overarching goal was to reduce injuries and illnesses through a cooperative relationship between the signatories. This goal was accomplished by implementing the following:

- Fostering the development, implementation and maintenance of effective comprehensive safety and health programs in accordance with OSHA's Safety and Health Program Management Guidelines. Skanska USA Building, Inc. maintained a comprehensive site safety and health management system that met or exceeded OSHA's 1989 guidelines. Further, Skanska USA Building, Inc. evaluated site subcontractors' safety and health programs to ensure that they were being maintained under the terms of this partnership agreement.
- Increasing worker awareness of site safety and health hazards and means to protect themselves from those hazards. Skanska agreed to perform or require regular tool box talks

and training required by OSHA standards. In addition, Skanska provided regular training to site personnel on hazards to which workers may be exposed.

- Achieve participant recordable illness and injury rates at least 25% below the National average for the construction industry. Injury and illness trend analyses, accident and near miss investigations and regular site inspections and hazard mitigation were conducted on a regular basis throughout the site. This was accomplished as part of the on-going implementation of all the elements of effective safety and health management systems (e.g., worksite analysis, safety and health training and hazard prevention and control) designed to minimize workplace conditions that can result in injuries and/or illnesses.

**Success Impact:** Through the implementation of exemplary safety and health management systems overall lagging indicators were well below the National average for the site. The partnership goal of maintaining recordable injury and illnesses rates at 20% or more below the national average was significantly exceeded as evidenced by the following: The Total Case Incidence Rate (TCIR) for the project was found to be 72% below the National Average and the Days Away, Restricted or Transferred (DART) rates for the project was found to be 83% below the National Average.

Other leading indicators include the following:

- Site Specific Focused Audits were conducted twice-daily by project superintendents. Daily Pre-task analysis were required of and conducted by all contractors and reviewed with crews prior to work startup.
- Self inspections were conducted by Skanska personnel and contractors as part of their contract. Skanska performed daily inspections consisting of twice a day five days a week from 2/28/2006 to 2/28/2007 totaling 500 inspections for the project. Contractors were required to conduct daily safety and health inspections for the term of their contracts totaling 5000 inspections for the site. (Contractors were required to conduct pre-work inspections by completing daily Start Work Cards which document a pre-work inspection (inspections included PPE, Daily Work Area Inspection, Special Equipment, Permits, Tagging and JobSite Work Area Inspection).
- Weekly safety audits and evaluations were conducted by corporate safety using the company's Safety Assessment Summary rating system.
- Quarterly safety reviews conducted by Vice President or Executive for the Project.
- As part of the Injury Free Environment (IFE) Program, lunches were provided to all employees upon completion of orientation.

Northern New Jersey National Electrical Contractors Association (NECA) International Brotherhood of Electrical Workers Construction Industry Safety Partnership

**Partners:** National Electrical Contractors Association, Northern New Jersey Chapter; International Brotherhood of Electrical Workers; New Jersey Department of Labor

**Overview:** This Partnership is one of OSHA's regional Construction Industry Safety Partnerships (CISPs). CISPs are a special group of partnerships that are forged with an industry association, and in this case organized labor. This on-going partnership is open to all NECA member contractors and recognizes employer's and the IBEW's efforts to improve the safety performance

among their members through a multi-platform process. As part of the process, contractors must improve their safety and health management systems in order to move up in participation levels, starting at RED, then WHITE and ending at BLUE. As improvement is made, as evidenced by lowered LWDII rates and better scores on their annual self-evaluations, they move up from RED to WHITE, and finally, BLUE Platform Level. Employers at the blue level are exempted from programmed OSHA inspections. The goals of this Partnership include decreasing injury and illness rates as employers improve their safety and health management systems; adopting an industry standard checklist for use when working with energized circuits; decreasing workers compensation costs, and increasing the implementation of effective contractor safety and health management systems. Also, as part of this partnership regular seminars are provided to partner and non-partner members on topics of interest based on surveys and partner injury and illness trend analyses. One example includes a 4-hour seminar that was provided by OSHA/NNJNECS/IBEW representatives for 23 contractor attendees covering the real cost of injuries and illnesses, an analysis of participating contractor three-year injury and illness trends, and common sense solutions to avoid the most common injuries experienced among partners.

**Success Impact:** Over the last two years, participation in this partnership has remained stable. Total participating contractors now constitutes 21% of the membership of the Northern NJ Chapter of the National Electrical Contractor's Association. This industry partnership by far, has the most participants of all the industry partnerships in NJ.

Some notable statistics include:

- During the last two years White level partners' TCIR, DART, and DAFWII rates have declined by 1%, 30%, and 30%, respectively.
- During the last two years Blue level partners' TCIR, DART, and DAFWII rates have declined by 53%, 47%, and 68%, respectively.
- Last year at the White level, employers' TCIR rates were 41% below the national average; DART rates were 29% below the national average and DAFWII rates were 40% below the national average.
- Last year at the Blue level, employer's TCIR rates were 73% below the national average; DART rates were 72% below the national average and DAFWII rates were 96% below the national average.

#### Partnership between Skanska USA Building and OSHA at The New Meadowlands Stadium Project

**Partners:** Skanska USA Building Inc., OSHA's Hasbrouck Heights Area Office, Bergen County Construction & Trades Council, New Jersey Department of Labor and Welfare Development, and site Contractors.

**Overview:** The Partnership was formed to eliminate hazards and to achieve a high level of worker safety during the construction of the New Meadowlands Stadium in East Rutherford, NJ. The construction of the New Meadowlands Stadium in East Rutherford, New Jersey is being managed by Skanska. When complete, this facility will become the home field for two National Football League (NFL) teams; the New York Giants and the New York Jets. It will be the first



facility of its kind built specifically to accommodate two NFL teams. The New Meadowlands Stadium will also be used for concerts and other entertainment and sports activities.

The New Meadowlands Stadium will be a technologically advanced open air stadium with seating for 82,000 spectators. There will also be 217 Luxury Suite Boxes. The facility is being constructed between the existing football stadium and the Meadowlands Race Track. It is expected that the stadium will be ready for the 2010 season.

This partnering agreement will facilitate the process of identifying project health and safety performance goals, developing plans for achieving those goals, cooperation in hazard identification and control, measuring and establishing a vehicle to communicate the successes, and ultimately learning from the process. Beyond the confines of the New Meadowlands Stadium Project, it is projected that this partnership agreement will foster a sustainable working relationship between the signatory groups.

A key component of the Partnership was a "gap analysis" comparing contractor safety and health management systems with the project requirements. Skanska provided assistance to contractors to bring the contractors' programs up to Partnership requirements. Skanska reviewed each contractor program to ensure that all required elements were included, and that the program is specific enough so proper safety and health procedures are followed on the jobsite.

The Partnership also emphasized Skanska requirements to incorporate specific safety and health performance requirements into their contracts, and to only hire contractors who are prequalified based on safety and Health performance criteria. Prior to the bidding process, the company conducted pre-bid meetings to discuss safety and health performance expectations. Once contractors were chosen, Skanska conducted a Kick-Off Meeting to integrate contractor programs with their safety and health management systems.

As part of the Partnership Skanska also agrees to apply for VPP Star status on this project after a period of nine to twelve months from the beginning of the project and achieve VPP Star status within eighteen months from the beginning of the project. To facilitate this goal, this partnership is designed to foster the development and implementation of all necessary elements to qualify for VPP Star status.

## **Success Impact**

Significantly, pre-task planning was a project requirement. Each contractor was required to conduct pre-task planning session prior beginning work each and everyday. To assist in developing this for the project is contractor was required to attend a training session which thoroughly taught the basic principles on how to conduct an effective pre-task plan. these plans worked to identify all hazards associated with the operational activities and the controls needed to mitigate those hazards. This activity work to establish a positive safety culture on the project.