



Erie Area Office



PA OSHA Consultation

---

---

## Partnership Agreement

### I. General

The Erie Area Office of the Occupational Safety and Health Administration (hereafter referred to as “OSHA”), the Albert M. Higley Co. (hereafter referred to as AMHigley), and Pennsylvania OSHA Consultation at Indiana University of Pennsylvania (hereafter referred to as PA OSHA Consultation) have agreed to implement an OSHA Strategic Partnership (hereafter referred to as “Partnership”) during renovation of the Erie Insurance Global Security Operations Center (GSOC) and the Erie Insurance Doorbell bid package 1 (hereafter referred to as “Project”).

The goal of this Partnership is to encourage cooperation between OSHA, AMHigley, PA OSHA Consultation and trade contractors to foster a safe work environment for all project employees.

The Partnership calls for the Project to be managed consistent with OSHA’s [Recommended Practices for Safety and Health Programs in Construction](#), OSHA’s 1989 Safety and Health Management Guidelines or their equivalent. OSHA will provide timely responses to requests for information, requests for clarification of OSHA standards and assist as resources and/or OSHA Policy allow. To show their commitment to the Partnership, participating contractors will voluntarily sign a pledge (Appendix B).

This Partnership will not relieve any trade contractors from, lessen their safety responsibilities, nor change any contractual obligations between AMHigley, Project Owner/Developer, or trade contractor, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement action.

This Partnership will not in any way affect employees’ ability to exercise rights under the Occupational Safety and Health (“OSH”) Act and OSHA regulations. The Partnership is consistent with OSHA’s long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources and for innovation in safety management, and it encourages more participation in the safety process by each stakeholder.

### II. Identification of Partners

The following organizations are considered Partners:

- Occupational Safety and Health Administration, Erie Area Office (OSHA)
- The Albert M. Higley Co. (AMHigley)
- Pennsylvania OSHA Consultation at Indiana University of Pennsylvania (PA OSHA Consultation)

The following organizations pledge to support the Partnership:

- Erie Insurance
- Participating Contractors



Erie Area Office



PA OSHA Consultation

## Partnership Agreement

### III. Project Overview

Project construction started October 2022 with completion set for Winter 2024. It is expected that 20-25 trade contractors will employ approximately 80-100 craft persons at peak construction.

Project details include:

Owner:

Erie Insurance  
100 Erie Insurance Place  
Erie, PA 16530

Project highlights:

- Renovation of portions of an office building
- Construction cost \$20,000,000.00
- 225,000 square-feet
- Interior demolition of existing finishes
- Replacement of windows and roofing

### IV. Partnership Goals, Strategies, Measures

The primary objective of this Partnership is to prevent work-related injuries and fatalities, control or eliminate serious workplace hazards, and establish a foundation for the development of an effective safety and health program. The goals employed to achieve these results will include the following:

Goal	Strategy	Measures/Products
1. Reduce the total number of injury and illness cases, thereby providing a safer and healthier work environment for workers at the Project.	a. Review the injury data of all project contractors. b. Calculate the Project's Days Away from Work, Restricted, Or Job Transferred (DART) rate. c. Partners will meet quarterly to review injury and illness statistics and work together to resolve workplace safety and health issues and reduce injury and illnesses.	a. The Partnership baseline DART rate is established at 4.3 b. Reduce the DART rate by 3 percent annually.
2. Control workplace hazards by assisting contractors with the implementation of an effective safety and health management systems.	a. AMHigley will conduct evaluations of each trade contractor's safety and health management system in accordance with Appendix C.	a. The number of trade contractors that have an approved AMHigley's safety management plan and have pledged both support and cooperation to the Partnership.



Erie Area Office



PA OSHA Consultation

---

---

**Partnership Agreement**

Goal	Strategy	Measures/Products
3. Conduct effective self-inspections and assist trade contractors with training resources and technical assistance in areas where workers might be exposed to hazards.	<ul style="list-style-type: none"><li>a. AMHigley will document all self-inspections, the number of hazards corrected, and safety training conducted by trade contractors for workers on the Project.</li><li>b. OSHA will provide technical assistance on various topics such as: 1904. Recordkeeping, 1926.59 Hazard Communication, 1926.1153 Respirable crystalline silica, 1926 Subpart P Excavation, Subpart L Scaffolds, and Subpart M Fall Protection</li><li>c. AMHigley will conduct Safe Construction training for trade contractor supervision.</li></ul>	<p>The Partners will meet quarterly to review:</p> <ul style="list-style-type: none"><li>a. The number of self-inspections performed, the number of hazards identified and corrected.</li><li>b. The number of training sessions conducted, and the number of training hours provided for workers and supervision.</li><li>c. The number of trade contractor supervisors who have participated Safe Construction training.</li></ul>



Erie Area Office



PA OSHA Consultation

### Partnership Agreement

<p>4. Develop a working relationship with OSHA to maintain a continuing dialogue that supports various safety and health campaigns/initiatives.</p>	<ul style="list-style-type: none"> <li>a. AMHigley and all on-site participating trade contractors will participate in the OSHA Region III Focus Four Campaign.</li> <li>b. AMHigley and all on-site participating contractors will hold an annual event to support the OSHA National Fall Prevention Safety Stand-Down until the Project is completed. AMHigley and all participating trade contractors will display a stand-down poster and stickers (available on OSHA webpage) on site.</li> <li>c. AMHigley and all on-site participating trade contractors will participate in the NIOSH/OSHA annual Heat Illness Prevention campaign until the Project is completed. AMHigley and all participating trade contractors will use the OSHA/NIOSH Heat Safety Tool App and display new Heat Illness Prevention infographics in both English and Spanish (available on OSHA webpage) on site.</li> <li>d. AMHigley and all on-site participating trade contractors will hold an annual event to support the NUCA Trench Safety Stand-Down until the Project is completed. AMHigley and all participating trade contractors will display the stand-down poster and stickers (available on OSHA and NUCA webpages) on the site.</li> <li>e. AMHigley and all on-site participating contractors will register and hold an annual event to support the OSHA Safe + Sound Week until the Project is completed. AMHigley and all participating trade contractors will display campaign information (available on OSHA webpage) on site.</li> <li>f. AMHigley and all on-site participating contractors will hold an annual event to support the prevention of Suicide and Opioid deaths in construction</li> </ul>	<p>The Partners will meet as needed to verify and/or review:</p> <ul style="list-style-type: none"> <li>a. The number of workers trained in each safety talk that is associated with the Region III Focus Four Campaign.</li> <li>b. The use OSHA's "National Fall Safety Stand-Down" webpage to log their event, provide information about their stand down activity, complete the survey and print participation certificate.</li> <li>c. Prepare and implement a site heat illness prevention plan. The number of workers trained on the annual Heat Illness Prevention "Water, Rest, Shade" campaign.</li> <li>d. The use NUCA's "National Trench Safety Stand-Down" webpage to log the event(s), provide information about their stand down activity, complete the survey and print participation certificate.</li> <li>e. The use OSHA's Safe + Sound Week Campaign webpage to register the event(s), provide information about their activity, complete the survey and print participation certificate.</li> <li>f. The number of workers trained in each safety talk that is associated with the prevention of suicide and opioid deaths in construction.</li> </ul>
---	--	--



Erie Area Office



PA OSHA Consultation

---

---

**Partnership Agreement**

Goal	Strategy	Measures/Products
	until the Project is completed. AMHigley and all participating trade contractors will display information (available on OSHA and NIOSH webpages) on site.	



Erie Area Office



PA OSHA Consultation

## Partnership Agreement

### V. Partnership Management and Operation

AMHigley in association with U.S. Department of Labor/Occupational Safety and Health Administration – Erie Area Office, and PA OSHA Consultation will form a committee to monitor the implementation of this Partnership. It will consist of a representative from each of the Partners. The Compliance Assistance Specialist (CAS) will serve as OSHA's primary contact. The Committee will review contractor compliance and involvement in the Partnership, analyze job site audits, make Partnership improvements, and evaluate Partnership modifications, achievements, and success.

#### *Partnership Roles and Responsibilities*

##### *OSHA agrees to:*

1. Evaluate AMHigley's Project Safety Plan (Attachment 1) prior to and during the OSHA enforcement verification inspections using Appendix C (or equivalent) and determine whether effective safety and health management systems are in place.
2. Designate a CAS to serve as a resource and liaison person for the Partnership.
3. Meet with AMHigley quarterly to review project safety performance. Safety performance will be evaluated through review of all onsite trade contractors' injury logs for the Project and related accident reports.
4. Provide timely response to requests for information and clarification of OSHA standards, as resources permit.
5. Provide information on OSHA training resources available.

##### *AMHigley agrees to:*

1. Provide a dedicated Site Safety Manager to serve as a safety resource and liaison person for the Partnership and to assist trade contractors with safety issues/concerns.
2. Provide notice to all trade contractors that the Project is subject to this Partnership and include the Partnership Fact Sheet (Appendix A) in the Project New Worker Safety Orientation.
3. Implement the Project Safety Plan (Attachment 1).
4. Evaluate participating contractors' safety and health management systems utilizing AMHigley's Safety Management Plan evaluation (Attachment 2).
5. Inform the OSHA Erie Area Office of participating contractors that have an approved AMHigley Safety Management Plan and have pledged both support and cooperation to the Partnership (Appendix B).
6. Offer all trade contractors safety and health information (i.e., toolbox training resources) especially on the focused four construction hazards (which are Falls; Caught-In or Between; Struck-By and Electrocutions).
7. Maintain Project safety performance report.
8. Meet with OSHA quarterly to review the safety performance of AMHigley and participating contractors and provide feedback on noted incident trends.
9. Coordinate safety related matters that pertain to site general conditions such as hazard communications, emergency response, installation and maintenance of building perimeter guardrail systems, and housekeeping.



Erie Area Office



PA OSHA Consultation

---

---

## Partnership Agreement

*PA OSHA Consultation agrees to:*

1. Attend meetings upon request to review data on the worksite and recommend solutions to improve site safety.
2. Ensure any walkthroughs of the site with the CAS to this site specifically under this Partnership are conducted and tracked as Compliance Assistance Activities. Compliance Assistance Activities differ completely from assistance provided under the confidential consultation visit process under 29 CFR 1908.
3. Provide one full-service consultation visit for AMHigley at the site per year, if so requested. All consultation visit assessments performed at this site will be shared only with the requesting employer, and conducted with permission of the general contractor in accordance with 29 CFR 1908 and OSHA's Consultation Policies and Procedures Manual.
4. Provide priority scheduling to any small subcontractor (less than 500 employees nationwide) who request a confidential on-site consultation visit at the Partnership site. Small subcontractors may request a no-cost, confidential consultation visit by telephone at 1-800-382-1241 or on-line at [Consultation Request Form - PA OSHA Consultation Program - Safety Sciences - IUP](#).
5. Provide small subcontractors with a confidential personalized review of their Safety and Health Program when requested as part of a consultation visit.
6. Provide PA OSHA Consultation Program brochures to AMHigley for distribution.

## VI. On-Site Enforcement Verification Inspections

In order to assist in measuring the success of this Partnership, an initial enforcement verification inspection will be conducted after the signing of this Partnership, and annually thereafter. The enforcement verifications may be conducted as a focused inspection if the site meets the criteria outlined in OSHA's current enforcement guidelines. In addition to traditional enforcement issues, the inspection will assess the Partner's and participating contractor's progress in meeting the requirements of the Partnership.

## VII. OSHA Inspections

This Partnership provides for the timely response to each allegation of a safety or health hazard brought to each contractor's attention by any person. Upon an OSHA finding that an allegation is valid, the responsible trade contractor shall promptly abate the hazard.

OSHA agrees that a copy of each non-formal complaint related to the Project and filed with OSHA will be forwarded by fax or mail to the Project office. In accordance with applicable law, the identity of a complainant requesting confidentiality will not be revealed. AMHigley agrees to investigate these complaints regardless of the contractor involved and provide OSHA with a written response within five working days of receiving the non-formal complaint/referral.

OSHA personnel will continue to conduct investigations and inspections in any event or circumstance that may warrant the opening of an OSHA inspection, pursuant to the policy set forth in Field Operations Manual (FOM). These may include but are not limited to formal complaints, referrals, fatalities, catastrophes, or other accidents or significant events. OSHA will also investigate contractors whose employees are exposed to or are creating plain view hazards



Erie Area Office



PA OSHA Consultation

---

---

### Partnership Agreement

at the Project. OSHA reserves the right to issue citations and penalties for violations including but not limited to regulatory violations for which mandatory penalties are established.

## 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 participating contractors.

AMHigley and any participating contractors will receive the following benefits from OSHA:

1. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page.
2. Informational materials such as safety and health publications and electronic educational resources.
3. Participating trade contractors will be provided special priority consideration for free, confidential On-Site Consultation services from the Pennsylvania OSHA Consultation Program. Small subcontractors may request a no-cost, confidential consultation visit by submitting a request on-line at <https://www.iup.edu/pa-oshaconsultation>.

## IX. Worker and Employer Rights – Employee Involvement

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 rules and regulations adopted pursuant to the OSH Act. This Partnership recognizes employees bring valuable skills and perspective to the implementation of an effective site safety and health system. Employees on site will be encouraged and given opportunities to be involved in the site safety and health system. Employee involvement will include, but is not limited to, participation in site inspections, job hazard analyses, safety and health management system reviews, safety training, and accident/near miss reporting. Employee involvement will be included in the Safety and Health Management System Evaluation (Appendix C).

## X. Safety and Health Management Systems

OSHA, PA OSHA Consultation, and AMHigley support the implementation of Safety and Health Management Systems, including the four main elements of management commitment/employee involvement, hazard identification, hazard correction/control, and employee training. AMHigley commits to implementing a SHMS at this Partnership site as detailed in Appendix C.

## XI. Annual Evaluation

Partners will jointly prepare the annual Partnership Activities Report and Evaluation from Appendix C of the [OSHA Strategic Partnership Program for Workers Safety and Health Directive number CSP 03-02-003](#). The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. Annual evaluations





Erie Area Office



PA OSHA Consultation

---

---

**Partnership Agreement**

will be submitted by the Partners to OSHA's Philadelphia Regional Office no later than 45 days after the signing anniversary date each year.

**XII. Termination**

This Partnership will terminate two years from the date of the signing or upon completion of the Project. If either OSHA or AMHigley wishes to withdraw its 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. Paperwork Reduction Act**

OSHA Strategic Partnerships are part of OSHA's available voluntary cooperative programs. As per the Paperwork Reduction Act of 1995 (PRA OMB CONTROL NO. 1218-0244, expires July 31, 2022), the public reporting burden for this Partnership's collection of information is estimated at 11 hours per participant, per year. If you have any comments regarding this collection of information, including suggestions for reducing the burden or revising the burden estimate, please direct them to:

Occupational Safety and Health Administration  
Attention: Director, Office of Partnerships and Recognition  
Directorate of Cooperative and State Programs  
200 Constitution Avenue, NW – Room N3700  
Washington, DC 20210



Erie Area Office



PA OSHA Consultation

---

---

#### XIV. Signatures

#### Partnership Agreement

Based on a mutual interest to protect construction workers, the below parties agree to the terms of the Partnership for the construction of the Erie Insurance New Office Building.

Signed \_\_\_\_\_ day of \_\_\_\_\_, 2022

Partners:

---

Brendan Claybaugh  
Area Director  
Erie Area Office  
USDOL/OSHA

---

Gareth D. Vaughan  
President & CEO  
The Albert M. Higley Co.

---

John M. Mulroy, PhD, CSP  
Program Director  
PA OSHA Consultation  
Indiana University of Pennsylvania

---

Hilliary E. Creely, JD, PhD  
Dean, School of Graduate Studies & Research  
Indiana University of Pennsylvania  
Indiana University of Pennsylvania



Erie Area Office



PA OSHA Consultation

---

---

## PARTNERSHIP FACT SHEET – APPENDIX A

## Partnership Agreement

OSHA, PA OSHA Consultation, and AMHigley, have agreed to implement an OSHA Strategic Partnership (hereafter referred to as “Partnership”) during renovation of the Erie Insurance Global Security Operations Center (hereafter referred to as “Project”).

The goal of this Partnership is to encourage cooperation between OSHA, AMHigley, and trade contractors to foster a safe work environment for all Project employees as described in this Partnership.

The Partnership between AMHigley and OSHA calls for the Project to be managed consistent with OSHA’s [\*Recommended Practices for Safety and Health Programs in Construction\*](#), or its equivalent.

OSHA will provide timely responses to requests for information, requests for clarification of OSHA standards and other assistance as resources and/or OSHA Policy allow. To show their commitment to the Partnership, contractors will voluntarily sign a pledge (Appendix B).

This Partnership will not relieve any trade contractors from or lessen their safety responsibilities nor change any contractual obligations between AMHigley, Project Owner/Developer, or trade contractor, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement action.

This Partnership will not in any way affect employees’ ability to exercise rights under the OSH Act and OSHA regulations.

This Partnership is consistent with OSHA’s long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources and for innovation in safety management, and it encourages more participation in the safety process by each stakeholder.



Erie Area Office



PA OSHA Consultation

## PLEDGE – APPENDIX B

## Partnership Agreement

The Erie Area Office, Region III, of the Occupational Safety and Health Administration (hereafter referred to as OSHA), The Albert M. Higley Co. (hereafter referred to as AMHigley), Pennsylvania OSHA Consultation at Indiana University of Pennsylvania (hereafter referred to as PA OSHA Consultation) have agreed to implement an OSHA Strategic Partnership (hereafter referred to as “Partnership”) during renovation of the Erie Insurance Global Security Operations Center (hereafter referred to as “Project”).

The goal of this Partnership is to encourage cooperation between OSHA, AMHigley, PA OSHA Consultation and trade contractors to foster a safe work environment for all project employees as described in this Partnership.

The Partnership between AMHigley, PA OSHA Consultation and OSHA calls for the project to be managed consistent with OSHA’s Recommended Practices for Safety and Health Programs in Construction or its equivalent.

Under the Partnership, OSHA will provide timely responses to requests for information, requests for clarification of OSHA standards and other assistance as resources and/or OSHA Policy allow. To show their commitment to the Partnership, contractors will voluntarily sign this pledge.

This Partnership will not relieve any participating trade contractors from or lessen their safety responsibilities nor change any contractual obligations between AMHigley, Project Owner/Developer, or trade contractor, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement action.

This Partnership will not in any way affect employees’ ability to exercise rights under the OSH Act and OSHA regulations.

This Partnership is consistent with OSHA’s long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources and for innovation in safety management, and it encourages more participation in the safety process by each stakeholder.

**Based on mutual interest to protect construction workers, the below party pledges support and cooperation to the OSHA, PA OSHA Consultation, and AMHigley Partnership by following the AMHigley Project Safety Plan.**

\_\_\_\_\_  
Authorized Representative (print / type)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title (print / type)



Erie Area Office



PA OSHA Consultation

---

Company / Organization (print / type)

**Partnership Agreement**

**SAFETY AND HEALTH MANAGEMENT SYSTEM EVALUATION – APPENDIX C**

1. AMHigley and trade contractors have implemented a comprehensive written Project Safety Plan.
2. AMHigley contractually requires all trade contractors to adhere to the requirements of the Project Safety Plan. AMHigley does not allow trade contractors to mobilize prior to said safety management plan being approved by AMHigley.
3. AMHigley and trade contractors will have either a full-time or designated safety representative at the site to conduct and document safety inspections of work, and who through training and experience, can recognize hazards, and has authority to take prompt corrective action. Minimum training required for a site safety representative is either the OSHA 10-Hour or 30-Hour Construction Safety Outreach Course, as specified in the Project Safety Plan.
4. AMHigley and trade contractors have or will have trained field supervisory personnel and have provided additional training for competent persons in such areas as scaffolding, excavation, fall protection, crane operations, etc. (Additional training will be dictated by the type and scope of the work the trade contractor routinely conducts).
5. AMHigley will have a safety and health management system orientation for all new workers, including hazard recognition specific to the work sites.
6. AMHigley and trade contractors will have employee involvement in the Partnership. Examples including, but not limited to, participation in site inspections, job hazard analysis, Safety and Health Management System reviews, safety training and accident/near-miss investigations.
7. AMHigley and trade contractors will conduct and document weekly employee safety meetings.
8. AMHigley will conduct and document self-audits.
9. AMHigley and trade contractors will follow a six-foot fall protection policy.
10. AMHigley and trade contractors will utilize the written safety violation policy and enforcement which is detailed in the Project Safety Plan.