



CONTRACT/ PURCHASE ORDER SAFETY LANGUAGE: SUBCONTRACTOR RESPONSIBILITIES

To the extent that a subcontractor of any tier performs any part of the contract scope of work, he assumes responsibility for complying with the provisions of the Pavarini McGovern Corporate Safety, Health and Environmental Policies and Procedures Manual. The Subcontractor has the responsibility for participating in and enforcing the site-specific safety and loss prevention programs established for the Project that shall cover all work performed by it and its sub-subcontractors. Subcontractor shall cooperate fully with Pavarini McGovern, the Owner, and all insurance carriers and loss prevention engineers on loss and accident prevention. There is no substitute for the exercise of good professional judgment.

1. Subcontractor shall perform all parts of its Purchase Order/Contract while assuming responsibility for complying with all applicable federal, state and local safety standards, regulations, rules or guidelines.
2. Subcontractor shall maintain documentation at the Project site that verifies that its safety program is in current compliance with applicable federal state, local, and Project safety regulations, rules or guidelines. Pavarini McGovern shall make documentation available upon request. The more stringent policy shall prevail.
3. Subcontractor shall plan and execute all work operations to comply with stated objectives of the project Site Specific Safety Policies and Procedures.
4. Subcontractor shall attend safety meetings as are scheduled by the Pavarini McGovern project management team.
5. Subcontractor shall schedule weekly Toolbox safety meetings conducted by their job foreman for all of their site employees under their supervision with sign-off and submit to the Pavarini McGovern Project Team weekly.
6. Subcontractor shall implement immediate corrective action to eliminate unsafe practices and conditions when they are observed or reported.
7. Subcontractor shall provide initial safety orientations to their new employees upon arrival to the job-site. At a minimum, such orientations shall include training on safety hazards associated with their work, site-specific safety policies and procedures as they pertain, personal protective equipment requirements, rules and limitations on equipment operations and what to do in case of injury or illness and location of medical station(s). Such orientations shall also advise of each employee's required attendance at weekly "tool box" safety meetings and each employee's obligation to report observed or known unsafe conditions or practices to the employees' immediate supervisors and to Pavarini McGovern. Pavarini McGovern will have available the proof of orientation form.
8. Subcontractor Safety and Management Safety Representative shall investigate all events resulting in personal injury and/or hospitalization as well as incidences of property damage, fire and any third-party claim to determine the causes. All findings shall be in writing and submitted to Pavarini McGovern. Subcontractor's follow-up in connection with such investigations shall consist of immediate corrective action and a written report submitted to Pavarini McGovern within twenty-four (24) hours of the event.
9. Subcontractor shall evaluate hazardous exposures that may arise from every portion of the Work prior to the start of the operation and follow-up with appropriate action where required. For medium to high-risk scopes of work, Subcontractor shall submit to Pavarini McGovern a written Work Plan or Methods of Procedures (MOP) that shall include a safety "means and method" prior to the start of operations.
10. Subcontractor shall provide adequate safety measures against occupational disease exposures such as gases, fumes, vapors, dusts, chemicals, and noise levels that may be injurious to the Project workforce.
11. Subcontractor shall provide personal protective equipment to his employees at the work area where needed, required and to utilize all such equipment. Subcontractor shall be prepared to take immediate corrective action for noncompliance that shall include dismissal if Subcontractor's employee(s) refuses to utilize the provided safety equipment.
12. Subcontractor shall include all of its personnel (including office staff) in the Project's safety program.
13. Subcontractor shall maintain OSHA documentation related to injuries.
14. Federal and State regulations require each employer to have a Hazardous Communications ("Hazcom") program in place. The Project requires a complete library of safety data sheet (SDS) for all material incorporated into the construction process. The Subcontractor shall submit all SDSs for materials provided/used in the performance of his scope of work to Pavarini McGovern to ensure completeness of this library. The Subcontractor shall maintain on site a copy of hazardous communications program and a library of SDSs for materials provided/used in the performance of its scope of work. Subcontractor shall submit its written Hazcom program to Pavarini McGovern for record purposes prior to the start of work.



15. In connection with all Work performed hereunder, Subcontractor shall include provisions for and shall comply with all Safety and Health Regulations of the Occupational Safety and Health Act of 1970 (29 CFR. 1926), including all amendments and modifications thereto (hereinafter "OSHA"). In the event there is a conflict between the safety and health provisions of federal, state or local regulations, the more stringent provision shall prevail. Subcontractor acknowledges and agrees that with respect to the scope of its Work under this Subcontract, it shall comply with all obligations and assume all responsibilities imposed upon the "controlling contractor" as such term is defined and construed under all OSHA rules and regulations.
16. In accordance with the terms and conditions of the contract, Pavarini McGovern reserves its right to take appropriate actions to remedy subcontractor or sub-subcontractor non-compliance with these safety requirements at the Subcontractor's expense.
17. Subcontractor shall prepare the Site Specific Safety Program (SSSP) encompassing their contract activities and submit it to Pavarini McGovern for review prior to start of work. A SSSP should include a written Safety & Health Program, written Hazard Communication Program, Lockout/Tagout Program (if required), SDSs, OSHA 300A Summary form, Site-Specific Fall Protection Plan (if required), name of designated Competent Person, name of designated Management safety representative, name of Qualified Person (if required), Fall Protection Training Documentation (for all employees who might be exposed to a fall hazard), and other training or certification elements as required such as for ladders, scaffolding, excavations signaling and rigging for cranes, confined space, etc.
18. Subcontractor shall submit emergency contacts and telephone numbers for their senior safety person and their senior operations person, and management safety representative who are available 24/7.
19. Subcontractor shall appoint and submit in writing the name of the competent person who is qualified by training and experience to recognize and anticipate predictable hazards and has the authority to take prompt corrective action to abate them and must have the authority to stop work of his/her work forces in the event of a safety issue.
20. The subcontractor project safety representative shall ensure that their site employees, suppliers and technical support, regardless of tier, comply with the Pavarini McGovern Corporate Safety, Health and Environmental Policies and Procedures Manual, their project's Safety and Health and HAZCOM Programs, the Contract Documents, the project Site Specific Safety Plan, OSHA Standards and all other federal, state and local codes, laws and regulations.
21. Subcontractor shall provide and enforce, at all times, the use of personal protective equipment at no cost to the employees.
22. Subcontractor shall conduct periodic safety observations and take corrective actions for recognized hazards. Report unsafe conditions outside their scope of work to Pavarini McGovern personnel.
23. Subcontractor shall comply with the record keeping and procedural requirements of OSHA and Pavarini McGovern and its insurance carrier relating to accident reporting and investigation. Document loss control data involving personnel, equipment, and property.
24. Subcontractor shall report immediately any accident/incident involving employees and provide accident, insurance and hospital reports in a timely fashion per section 3 of the Pavarini McGovern Safety Manual.
25. Subcontractor shall provide for safety planning in the scheduling and coordination of the work.
26. Subcontractor shall conduct periodic safety meetings with employees, foremen and subcontractors, and direct subcontractors to issue safety instructions with work assignments including training to use the required tools, and to recognize hazards associated with the work environment. In addition, subcontractors are to provide safety training for all aspects of their job duties as required by OSHA (and re-training when necessary).
27. Where a designated site safety manager is required by contract he/she shall meet the following criteria:
 - a. Successfully completed an OSHA 30 hour construction safety course within the last five years.
 - b. Be recognized by the Subcontractor as competent person in accordance with OSHA definitions.
 - c. Have the ability to recognize hazards associated with the scope of work.
28. If Pavarini McGovern determines a Subcontractor's work is considered a high hazard (crane lifts, unusual lifts, extensive scaffolding, demolition, excavation, fire or smoke generating activities, concrete formwork, pre-cast concrete, steel erection, shaft work, confined space, work at heights, work at depths, etc.) the subcontractor shall provide a written Job Hazard Analysis (JHA) and/or a written Method of Procedures (MOP). A joint meeting shall be held to determine the need for a full time dedicated safety manager and review/coordinate the plan with the Owner or other subcontractors as required.
29. Subcontractor's with an on-site safety work history which does not meet Pavarini McGovern's expectations shall be required to designate a full time, on-site, dedicated safety person meeting the requirements of 27 (a-c).
30. The Foreman shall be required to prepare and submit a daily JHA covering that day's work and working conditions, as required.
31. Pavarini McGovern, in an attempt to be a leader in safety, shall strive to require all subcontractor foremen and/or competent persons to be OSHA 30 Hour Trained.



32. The project employees shall comply with all Federal and State Safety and Health Standards/Laws and all site employees are charged with obeying the law. The standards and laws contained in Federal and State mandates are available for review at the Pavarini McGovern job site field office. Rules cannot be written to cover every possible situation that may arise at the job site. Therefore, certain responsibilities rest upon the site employee, namely the protection of themselves and protection of fellow workers.
33. The following rules are important to the safety of all personnel on the project and are to be enforced by subcontractor management:
- a. Employees are to be alert at all times and report all unsafe conditions or acts, along with all accidents, to Pavarini McGovern immediately.
 - b. Possession of or working under the influence of alcohol or drugs is prohibited and subject to immediate dismissal.
 - c. Firearms are prohibited on a project. Anyone found with such shall be subject to immediate dismissal and the authorities shall be notified.
 - d. Fighting on the job is cause for immediate dismissal.
 - e. "Horseplay" and other inappropriate behaviors are prohibited.
 - f. Zero tolerance is in effect for fall protection, confined space and NFPA 70E issues, even if discovered after the fact. Offenders will be removed from the project and re-trained within two days before returning to the project.
 - g. Expose no site employees to a fall hazard greater than six (6') feet above a lower level. When an employee observes a fall hazard, they shall notify their supervisor of the hazard. The responsible Subcontractor shall immediately correct the hazard. 100% continuous fall protection, for fall hazards greater than six (6') feet, shall be implemented using hard barricades or personal fall arrest system.
 - h. An operable Ground Fault Circuit Interrupter (GFCI) plugged in at the power source or a GFCI circuit breaker shall protect temporary power for all power tools and cord sets. If no GFCI outlets are available, the subcontractor shall provide a GFCI "pigtail". Above 110 V, any cord and plug set shall be protected via GFCI or Assured Equipment Grounding Conductor Program (AEGCP).
 - i. Site employees are to inspect all hand tools and extension cords they will be using. Defective tools and extension cords found to be defective are to be taken out of service immediately. The subcontractor's competent person prior to use shall inspect other equipment, such as scaffolding and ladders for any defects. If equipment is defective or unserviceable, it is to be immediately brought to the attention of the supervisor and removed from service.
 - j. Hot work permits and qualified full-time fire watch are required for all hot work.
 - k. Fire protection equipment is not to be tampered with or removed from its assigned location.
 - l. Obey "No Smoking" rules. Smoking is prohibited throughout the job site.
 - m. The use of gasoline is prohibited for the cleaning of equipment and tools or for starting fires. Gasoline engines shall be shut off and allowed to cool before refueling.
 - n. The use of plastic gas cans for storing combustible/flammable liquids on the site is prohibited. Use only approved metal containers.
 - o. Hazard Communication and Lockout/Tagout Programs shall be observed.
 - p. Use approved respirators when conditions warrant and procedures in the Respiratory Protection Program strictly followed.
 - q. Appropriate work attire shall be worn at all times:
 - I. Wear personal protective equipment supplied by the employer.
 - II. Wear hard hats and Safety glasses as required by task and/or hazard.
 - III. Wear gloves as required by task such as when handling objects or substances that could cut, tear, burn or injure hands.
 - IV. Wear traffic/safety vests as required by task.
 - r. Maintaining good housekeeping is mandatory at all times.
 - s. Only authorized and properly instructed/trained employees shall operate machinery, equipment, vehicles and tools.
 - t. Operate vehicles and drive in a safe manner at all times and by no one other than the assigned operator.
 - u. Utilize proper lifting techniques. Workers are not to lift or push heavy objects. Get help if necessary.
 - v. Do not enter barricaded areas unless authorized to do so.
 - w. The use of portable FM/AM, iPod, and MP3 radios or other devices affecting the ability to hear emergency instructions and warnings on the site is prohibited at all times.
34. The Subcontractor is responsible to obtain and faithfully execute and comply with the most current version of the Pavarini McGovern Corporate Safety, Health and Environmental Policies and Procedures Manual available at www.structuretone.com which is hereby incorporated by reference and made a part hereof as if fully set forth in length.