



Sample Applicant Participation Plan
XYZ Building Construction, Inc.

XYZ is very pleased to have this opportunity to apply for participation in OSHA's VPP Mobile Workforce Demonstration for Construction. In the following pages we provide a snapshot of our company. We have attempted to highlight aspects of our operation that differ – in substance or emphasis -- from the requirements of OSHA's traditional VPP as we understand it. We also discuss features of our safety and health efforts that we think are particularly important because of the substantial hazards our employees encounter at construction sites.

Designated Geographic Area (DGA)

We are applying for participation at the corporate level. We understand that our designated geographic area (DGA) can be a single OSHA Area Office, multiple OSHA Area Offices within a Region, an entire State, or an entire Region. While XYZ operates primarily within Region V, we prefer to limit our initial participation. Therefore, we request that our DGA be two Area Offices, the Milwaukee and Madison areas. XYZ Construction anticipates petitioning Region V's Regional Administrator at a future time to expand our DGA beyond the two Area Office boundaries initially requested.

Unique Aspects of XYZ's Mobile Workforce

Subcontractor Oversight. XYZ generally operates as a general contractor, and we utilize many subcontractors at worksites. As such, XYZ's role in the pre-bidding and pre-construction phase is more important than in a work environment where most employees are regular hires and not temporary or subcontracted employees. In addition, the company's role in overseeing the safety of subcontractors -- and also the safety of our own employees working alongside subcontractors -- is more critical than in a setting where few or no subcontractors may be used. Therefore, the OSHA team's VPP review will place special emphasis on how XYZ emphasizes safety in the planning phase of each project. Additionally, the team will place special emphasis on XYZ's hazard analysis prior to initiating construction jobs and subsequent phases of these projects. The review will carefully examine our subcontractor pre selection process; safety performance criteria; and role in monitoring and tracking hazards, injuries, and illnesses to ensure that subcontractors are working safely at the worksites and following our required procedures.

Hazard Recognition and Control as a Non-controlling Employer. We also work as subcontractor at large sites and must have policies and implemented procedures to ensure the safety of our employees in those situations where we do not control the site. Where XYZ performs work as a subcontractor, it sometimes discovers hazards created by others not under XYZ's control. Therefore, the OSHA team will focus on how well trained our unsupervised employees are in hazard recognition and company policies and procedures

that ensure interim protections under such circumstances. These policies and procedures include XYZ's policy that employees have a right to refuse work if they observe serious hazards and, if necessary to ensure their protection, the right to leave the worksite. A communication procedure also is in place to notify the appropriate onsite and company officials of any uncontrolled hazards that our employees discover, regardless of who controls the project or who created the hazard.

Whether XYZ employees are working at a site controlled by XYZ or controlled by another employer, we require them to conduct daily inspections of their workplace/area and of equipment to be used that day, and this, too, the OSHA team will assess.

Employee Involvement. XYZ and OSHA acknowledge that there may be some differences in the way a mobile workforce implements strong employee participation in safety and health. XYZ's emphasis will be to build strong labor-management communication in the form of supervisor and employee participation in toolbox meetings and training, safety audits, and incident investigations. XYZ agrees to operate an effective safety and health orientation program for all employees including new hires.

Baseline Hazard Analysis. XYZ and OSHA also acknowledge the need for an alternative method for the VPP requirement of industrial hygiene and safety baseline surveys, that is, baseline hazard analysis to identify hazards associated with specific work environment. In our typical work environments, these hazards may include air contaminants, noise, and lead. XYZ's employees work in environments where conditions change from phase to phase of a project and from one job to the next. Construction work conditions are very different from the relatively static work environment of manufacturing settings. Therefore, we will be employing alternative, more appropriate methods for analyzing hazards associated with each project. These will include preconstruction environmental studies, phase analyses, and task analyses (JSAs).

XYZ anticipates employing subcontractors for jobs that may require specialized expertise and equipment, for example, lead removal, asbestos removal, etc. In these projects, XYZ's role will be to screen, monitor, and review the subcontractors' work. XYZ has established historical databases with baseline information for common environment, equipment, materials, and practices. This baseline information enables XYZ to implement hazard controls as necessary. If the operations, equipment, or materials used on a job vary significantly from one of our databases of historical information, we agree to conduct a new hazard analysis prior to beginning that task to ensure that appropriate hazard controls are in place and that any required sampling or monitoring is performed.

Emergency Response. Because of the frequent change in construction personnel and ever-changing site logistics, XYZ will place strong emphasis on employee site orientation and training for emergency response and evacuation. In addition, XYZ will endeavor to hold annual emergency response evacuation drills at all sites. Normally, XYZ will try to maintain a muster point, but this may change as conditions warrant. On small sites, our method of notification utilizes the buddy system, that is, simple verbal communication as a means to evacuate. The senior person on the worksite normally will be responsible for

a head count. This person also will be responsible for submitting a completed drill evaluation form to the safety committee. On larger sites, supervisors carry small disposable air horns, and we instruct them to issue three small blasts several times, when feasible, as the signal to evacuate. Subcontractors are required to participate in all XYZ evacuations. Site personnel complete and share with the safety committee an evaluation form following all drills and any true emergency evacuations.

When XYZ employees work as subcontractors, they often must follow the emergency response and evacuation procedures of the host employer. XYZ agrees to maintain communication with the host employer in all matters relating to safety and health, including emergency response. XYZ will ensure that its employees are kept informed of any host employer procedures that differ from XYZ's own procedures.