

CONSTRUCTION SAFETY PROGRAM

FOR

ALL STATES CONSTRUCTION, INC.

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IMPLEMENTATION DATE

March 1, 2008

29 CFR 1910 & 1926
REGULATORY STATUTES

Jim Kyger
President

ALL STATES CONSTRUCTION, INC.
Occupational Health and Safety Program

Corporate Policy Statement

The Occupational Safety and Health Act of 1970 clearly states our common goal of safe and healthful working conditions. The safety and health of our employees continues to be the first consideration in the operation of this business.

Safety and health in our business must be a part of every operation. Without question it is every employee's responsibility at all levels.

It is the intent of this company to comply with all laws. To do this we must constantly be aware of conditions in all work areas that can produce injuries. No employee is required to work at a job he or she knows is not safe or healthful. Your cooperation in detecting hazards and, in turn, controlling them is a condition of your employment. Inform your supervisor immediately of any situation beyond your ability or authority to correct.

The personal safety and health of each employee of this company is of primary importance. The prevention of occupationally-induced injuries and illnesses is of such consequence that it will be given precedence over operating productivity whenever necessary. To the greatest degree possible, management will provide all mechanical and physical facilities required for personal safety and health in keeping with the highest standards.

We will maintain a safety and health program conforming to the best management practices of organizations of this type. To be successful, such a program must embody the proper attitudes toward injury and illness prevention not only on the part of supervisors and employees, but also between each employee and his or her co-workers. Only through such a cooperative effort can a safety program in the best interest of all be established and preserved.

Our objective is a safety and health program that will reduce the number of injuries and illnesses to an absolute minimum, not merely in keeping with, but surpassing, the best experience of operations similar to ours. Our goal is nothing less than zero accidents and injuries.

President
All States Construction, Inc.

ALL STATES CONSTRUCTION, INC. Occupational Health and Safety Program**Health and Safety Guidelines**

Program Responsibility: The company Safety Officer is Mike Coolidge . He is solely responsible for all managerial facets of this program and has full authority to make necessary decisions to ensure success of the program. All States Construction, Inc. also utilizes Safety Resources, LLC as a consulting firm for workplaces safety and OSHA compliance. They provide guidance on safety and health issues, and provide routine jobsite inspections and training. Safety is also the responsibility of every employee of this company. The Safety Officer will develop written detailed instructions covering each of the basic elements in this program, and is the sole person authorized to amend these instructions. This company has expressly authorized the Safety Officer to halt any operation of the company where there is danger of serious personal injury.

Program Content

The All States Construction, Inc. Safety and Health program will include, but is not limited to development and maintenance of the following:

- 1. Company Health and Safety Program Guidelines.**
- 2. Written Programs.**
- 3. Safety Committee.**
- 4. Routine Safety and Health Inspections.**
- 5. Safety Meetings.**
- 6. Accident and Incident Reporting.**
- 7. Accident Investigation.**
- 8. General Safety Rules for all Work Areas.**
- 9. Recordkeeping Requirements.**
- 10. Disciplinary Actions for Willful Unsafe Acts.**

1. Company Health and Safety Program Guidelines. All States Construction, Inc. will review and evaluate this document:

1.1 On an annual basis.

1.2 When changes occur to 29 CFR that prompt a revision.

1.3 When changes occur to any related regulatory document that prompts a revision of this document.

1.4 When company operational changes occur that require a revision of this document.

2. Written Individual Programs. All States Construction, Inc. will maintain written individual procedures for the types of hazards/issues that our employees will or could potentially be exposed to. Each program will be reviewed/revise on an annual basis, or as required by the respective governing OSHA Standard. Each program insofar as possible will be maintained as an independent program to avoid situations where it is unclear where responsibility for given issues belong. Effective implementation of these program's require support from all levels of management within this company. Each written program will be communicated to all personnel that are affected by it. Each will encompass the total workplace, regardless of number of workers employed or the number of work shifts. They will be designed to establish clear goals, and objectives. The following individual safety programs will be maintained.

2.1 Hazard Communication

2.2 Respiratory Protection

2.3 Fall Protection

2.4 Scaffolding

2.5 Portable Ladders

3. Safety Committee.

3.1 All States Construction, Inc. does not currently use a formal safety committee. All employees are expected to be involved with safety in some aspect. Safety will be a subject at all meetings. If needs arise, or standards dictate the requirement, then one will be formed and implemented.

4. Routine Safety and Health Inspections. Routine safety and health inspections will be conducted of all company work areas and jobsites. The inspection will be conducted to discover through specific, methodical auditing, checking, or inspection procedures; conditions and work practices that lead to job accidents and industrial illnesses. Currently, inspections are provided by Safety Resources, LLC. However, each superintendent and/or competent person, is required to ensure a safe working environment DAILY.

4.1 Currently, on jobsites, all superintendents/supervisors are required to do a thorough inspection at the beginning of each work day.

4.2 Inspection Intervals. Inspections will be conducted on a regular basis, at least monthly, for OSHA compliance. Safety Resources, LLC is currently providing jobsite inspections.

4.3 Hazard priority classification system. Hazards will be rated according to the following rating system. Where it is unclear where a hazard should be rated the next higher priority classification will be assumed.

4.3.1 Priority 1 Hazard. The most serious type of unsafe condition or unsafe work practice that could cause loss of life, permanent disability, the loss of a body part (amputation or crippling injury), or extensive loss of structure, equipment, or material.

4.3.2 Priority 2 Hazard. Unsafe condition or work practice that could cause serious injury, industrial illness, or disruptive property damage.

4.3.3 Priority 3 Hazard. Unsafe condition or work practice that might cause a recordable injury or industrial illness or nondisruptive property damage.

4.3.4 Priority 4 Hazard. Minor condition, a housekeeping item or unsafe work practice infraction with little likelihood of injury or illness other than perhaps a first-aid case.

4.4 Inspection elements. The following inspection elements will be checked during safety inspections, as a minimum. Where an individualized safety program exists, the company standard practice instruction will be used as the basis for development of inspection criteria.

<u>Element</u>	<u>Criteria</u>
Floors	Condition, slip, trip, falls, holes covered/marked
Stairs	Condition, railings, obstructions
Ladders	Condition, proper setup
Scaffolds	Condition, fully planked, level, guardrails (see checklist)
Fall Hazards	PFAS, Guardrails
Lighting	Suitable Illumination for work
Exits	Obstructions, locked?, lighted?
Ventilation	Adequate, fans guarded?, maintained
Noise control	85db or less?, hearing protection?
Hand tools	Grounded, guarded, pressure switches
Machine tools	Guarded, stop buttons, training?
Chemicals	MSDS's, labels, storage, Chemical Lists
Hoists/lifts	Load limits, unrestricted view, limits

Compressed gas	Storage, heat sources, labels
Guarding	Installed, over, under, around, between
Forklifts	Licenses, checklists, capacity, keys
Head Protection	Used, training, proper usage
Eye protection	Used, training, Z-87 rated protectors
Fire protection	Extinguishers, training, locations
First Aid	Kits, training
Electrical	Cords inspected, grounded, GFCI in use
Waste disposal	Chutes, signage
Heavy Equipment	Qualified operators, back-up alarms
Yards/roads	Obstructions, housekeeping, signs
Work practices	Unsafe work practices observed? (list)

4.5 Inspection report. The safety officer will develop a safety report based on the inspection items noted during the inspection. The following items will be accomplished:

4.5.1 The report will be distributed immediately to personnel/subcontractors responsible for correcting deficiencies noted during the inspection. These personnel will use the hazard classification system to prioritize deficiency correction.

4.5.2 The report will be distributed to all supervisors and key management personnel. Supervisors will brief the results to all employees under their control. Any employee requesting to be placed on the distribution list will be accommodated.

4.5.3 The safety officer will develop a statistical analysis of deficiencies noted to determine jobs/areas that have a high incidence of injury potential. These areas will be emphasized during inspections and meetings.

4.6 OSHA/MOSH/VOSH Inspections. When a Compliance Officer from the appropriate agency arrives at a jobsite, the Superintendent will immediately notify a representative of Safety Resources, LLC for assistance. At this time, the Compliance Officer will be asked for qualification of a Focused Inspection. Elements addressed to qualify for a Focused Inspection are as follows:

- a comprehensive Safety & Health Program
- a designated Competent Person responsible for the implementation and monitoring of the Safety & Health Program
- absence of "clear-view" violations of the following areas;

1. **Fall hazards**
 - a. Roofing work
 - b. Open-sided floors/platforms
 - c. Floor holes/openings
 - d. Scaffolding/Lifts

2. **Electrical hazards**
 - a. Overhead power lines
 - b. Cords/tools
 - c. GFCI Protection
 - d. Temporary wiring/receptacles

3. **Caught in/between hazards**
 - a. Machinery/equipment
 - b. Trenches

4. **Struck-by hazards**
 - a. Falling objects
 - b. Machinery/equipment
 - c. Use of Controlled Access Zones

This program, along with specific safety programs, will be used as a basis for keeping the jobsite a safe and healthy workplace. Subcontractors will be required to complete a Contractor Safety Verification Form prior to work commencement. This will help ensure compliance with the Program. The Construction Focused Inspection Guidelines, as provided by OSHA in their Guidelines dated September 20, 1995, will be used as a guideline.

5. Safety Meetings. A well ordered flow of information is essential to a good safety program. The company, through a program of safety meetings at all levels, intends to accomplish the goals of safety awareness, education, and participation.

5.1 Safety training/education. The safety officer will ensure proper training/education occurs for all employees. Supervisors can add the level of detail required to make the material completely relevant to his or employees at each specific jobsite. Safety Resources, LLC currently provides training/education necessary for compliance with OSHA's 29 CFR 1910 & 1926 standards. Training is provided by a qualified person. Documentation is provided.

5.2 Safety meeting schedules. Employees will be given safety updates/information on a monthly basis. Safety meetings will be given immediately:

5.2.1 Upon initial job assignment or reassignment.

5.2.2 When operational changes to equipment or the job occur.

5.2.3 When a co-worker in their department is injured.

5.2.4 When manufacturers provide safety related information pertaining to defects, use, etc., for equipment used by this company.

5.3 Staff meetings. Safety will be included in the agenda of all staff meetings. The safety officer will keep all superintendents informed of safety performance developments in the area of accident prevention, and safety. Superintendents may ask the safety officer to provide safety briefings as required.

6. Accident and Incident Reporting. (see employee handbook for injury reporting) The All States Construction, Inc. Hazard Report will be used by all employees to report potential or known hazards. The following procedures apply:

6.1 Person reporting hazard:

6.1.1 Notify supervisor of the hazard.

6.1.2 Accomplish hazard identification/correction if possible.

6.1.3 Fill out required sections of the hazard report.

6.1.4 Forward report immediately to the safety officer.

6.2 Supervisor:

6.2.1 Notify all affected workers of hazard.

6.2.2 Ensure hazard is properly marked and controlled.

6.2.3 Contact Safety Officer if needed.

7. Accident Investigation. Accident investigation is primarily a fact-finding procedure; the facts revealed are used to prevent recurrences of similar accidents. The focus of accident investigation will be to prevent future accidents and injuries to increase the safety and health of all our employees.

7.1 Immediate concerns.

7.1.1 Ensure any injured person receives proper care.

7.1.2 Ensure co-workers and personnel working with similar equipment or in similar jobs are aware of the situation. This is to ensure that procedural problems or defects in certain models of equipment do not exist.

7.1.3 Contact the Safety Officer.

7.2 Accident Investigation Form. A standardized investigation form which details specific company requirements for investigation will be developed and used to gather data to determine causes and corrective actions.

8. General Safety Rules for all Work Areas. The following safety rules are established by this company as general safety rules for all jobsites. (see Daily Checklist and checklist for scaffolding)

8.1 Never operate any machine or equipment unless you are authorized and trained to do so.

8.2 Do not operate defective equipment. Do not use broken hand tools. Report them to your supervisor immediately.

8.3 Obtain full instructions for your supervisor before operating a machine with which you are familiar.

8.4 Never start on any hazardous job without being completely familiar with the safety techniques which apply to it. Check with your supervisor if in doubt.

8.5 Make sure all safety attachments are in place and properly adjusted before operating any machine.

8.6 Do not operate any machine or equipment at unsafe speeds. Shut off equipment which is not in use.

8.7 Wear all protective garments and equipment necessary to be safe on the job. Wear proper shoes; sandals or other open-toed or thin-soled shoes should not be worn, safety shoes/boots are required.

8.8 Do not wear loose, flowing clothing or long hair while operating moving machinery.

8.9 Never repair or adjust any machine or equipment unless you are specifically authorized to do so by your foreman.

8.10 Put tools and equipment away when they are not in use.

8.11 Do not lift items which are too bulky or too heavy to be handled by one person. Ask for assistance.

8.12 Keep all aisles, stairways, and exits clear of skids, boxes, air hoses, equipment, and spillage.

8.13 Do not place equipment and materials so as to block emergency exit routes, fire boxes, sprinkler shutoffs, machine or electrical control panels, or fire extinguishers.

8.14 Stack all materials neatly and make sure piles are stable.

8.15 Keep your work area, machinery and all company facilities which you use clean and neat.

8.16 Do not participate in horseplay, or tease or otherwise distract fellow workers. Do not run on company premises - always walk.

8.17 Heavy Equipment operators must safeguard other workers at all times; workers must show courtesy to equipment operators.

8.18 Proper size extension cords should be used. Only heavy duty or extra heavy duty cords will be used.

8.19 Burned out light bulbs should be replaced immediately.

8.20 Frayed or damaged electrical cords should be replaced.

8.21 Never take chances. If you're unsure, your unsafe!

8.22 Ask for help, Let good common sense be your guide.

8.23 **Equipment Repair/Lockout/Tagout.**

8.23.1 All equipment, power tools, machinery, etc. owned by Allstates Construction, Inc. (including employee owned equipment utilized on jobsites), must be maintained in proper working condition. This includes the use of guards, power cords, etc. Defective/broken equipment, power tools, and other machinery must be disconnected/unplugged from the power source (including batteries), prior to working on it or repairing it. This includes changing of saw blades, drill bits, etc. Any defective equipment, tools or machinery which cannot be immediately repaired, must be tagged out and removed from service. Return all defective equipment, tools and machinery to the office for repair.

9. Recordkeeping requirements. This employer fully understands that companies with eleven (11) or more employees at any time during the calendar year immediately preceding the current calendar year must comply with the provisions of 29 CFR 1904. This section provides for recordkeeping and reporting by All States Construction, Inc. covered under 29 CFR 1904 as necessary or appropriate for developing information regarding the causes and prevention of occupational accidents and illnesses, and for maintaining a program of collection, compilation, and analysis of occupational safety

and health statistics both for this company and as part of the national system for analysis of occupational safety and health. Records shall be established on a calendar year basis.

9.1 This employer will report under 29 CFR 1904.8 concerning fatalities or multiple hospitalization accidents.

9.2 This employer will maintain a log of occupational injuries and illnesses under 29 CFR 1904.2 and to make reports under 29 CFR 1904.21 upon being notified in writing by the Bureau of Labor Statistics that the employer has been selected to participate in a statistical survey of occupational injuries and illnesses.

9.3 Log and summary of occupational injuries and illnesses. This employer shall:

9.3.1 Maintain a log and summary of all recordable occupational injuries and illnesses by calendar year.

9.3.2 Enter each recordable injury and illness on the log and summary as early as practicable but no later than 6 working days after receiving information that a recordable injury or illness has occurred. For this purpose form OSHA No. 300 or an equivalent which is as readable and comprehensible to a person not familiar with it will be used. The log and summary shall be completed in the detail provided in the form and instructions on form OSHA No. 300 and 300A.

9.3.3 If this employer elects to maintain the log of occupational injuries and illnesses at a place other than this establishment or by means of data-processing equipment, or both, it will meet the following criteria:

9.3.3.1 There will be available at the place where the log is maintained sufficient information to complete the log to a date within 6 working days after receiving information that a recordable case has occurred.

9.3.3.2 At each facility belong to this company, there will be available a copy of the log which reflects separately the injury and illness experience of that establishment complete and current to a date within 45 calendar days.

9.4 Supplementary record. In addition to the log of occupational injuries and illnesses (OSHA 300) this employer shall have available for inspection at each of our facilities within 6 working days after receiving information that a recordable case has occurred, a supplementary record for each occupational injury or illness for that establishment. The record shall be completed in the detail prescribed in the instructions accompanying Occupational Safety and Health

Administration Form OSHA No. 101. Workmen's compensation, insurance, or other reports are acceptable alternative records if they contain the information required by Form OSHA No. 101 (according to OSHA). If no acceptable alternative record is maintained for other purposes, Form OSHA No. 101 shall be used or the necessary information will be otherwise maintained.

9.5 Annual summary. This employer shall post an annual summary of occupational injuries and illnesses for each facility under our control. This summary shall consist of a copy of the year's totals from the form OSHA No. 300 and the following information from that form:

9.5.1 Calendar year covered.

9.5.2 Company Name and establishment address.

9.5.3 Certification signature, title, and date.

9.5.4 A form OSHA No. 300A shall be used in presenting the summary. If no injuries or illnesses occurred in the year, zeros will be entered on the totals line, and the form posted.

9.5.5 The summary shall be completed by February 1 of each calendar year. This company, or the officer or employee of the employer who supervises the preparation of the log and summary of occupational injuries and illnesses, shall certify that the annual summary of occupational injuries and illnesses is true and complete. The certification shall be accomplished by affixing the signature of the employer, or the officer or employer who supervises the preparation of the annual summary of occupational injuries and illnesses, at the bottom of the last page of the log and summary or by appending a separate statement to the log and summary certifying that the summary is true and complete.

9.5.6 This employer shall post a copy of the establishment's summary in each facility/jobsite trailer, in the same manner required under 29 CFR 1903.2 The summary covering the previous calendar year shall be posted no later than February 1, and shall remain in place until May 1. For employees who do not primarily report or work at a fixed site belonging to this company, or who do not report to any fixed site on a regular basis, we shall satisfy this posting requirement by presenting or mailing a copy of the summary during the month of February of the following year to each such employee who receives pay during that month. (NOTE: For multi-establishment employers where operations have closed down in some establishments during the calendar year, it will not be necessary to post summaries for those establishments).

9.6 Records retention. Records provided for in 29 CFR 1904.2, 1904.4, and 1904.5 (including form OSHA No. 300 and its predecessor forms OSHA No. 100 and OSHA No. 102 and 200) will be retained for 5 years following the end of the year to which they relate.

9.7 Access to records. This employer shall provide, upon request, records provided for in 29 CFR 1904.2, 1904.4, and 1904.5, for inspection and copying by any representative of the Secretary of Labor for the purpose of carrying out the provisions of the OSHA act, and by representatives of the Secretary of Health, Education, and Welfare, or by any representative of a State accorded jurisdiction for occupational safety and health inspections or for statistical compilation.

9.7.1 The log and summary of all recordable occupational injuries and illnesses (OSHA No. 300 and 300A) will, upon request, be made available to any employee, former employee, and to their representatives for examination and copying in a reasonable manner and at reasonable times. The employee, former employee, and their representatives shall have access to the log for any establishment in which the employee is or has been employed.

9.8 Reporting of fatality or multiple hospitalization accidents. Within 8 hours after the occurrence of an employment accident which is fatal to one or more employees or which results in hospitalization of three or more employees, this employer shall report the accident either orally or in writing to the nearest office of the Area Director of the Occupational Safety and Health Administration, U.S. Department of Labor. The reporting may be by telephone or telegraph. The report shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries. It is understood that the Area Director may require such additional reports, in writing or otherwise, as he deems necessary, concerning the accident.

9.9 Change of ownership. Should this company change ownership, the company shall preserve those records, if any, of the prior ownership which are required to be kept.

9.10 Petitions for recordkeeping exceptions. Should this wish to maintain records in a manner different from that required the company will submit a petition containing the information specified by the Regional Commissioner of the Bureau of Labor Statistics in our region.

9.11 Employees not in fixed establishments. Record requirements for company employees engaged in physically dispersed operations such as occur in construction, installation, repair or service activities who do not report to any fixed company establishment on a regular basis but are subject to common supervision will be satisfied by:

9.11.1 Maintaining the required records for each operation or group of operations which is subject to common supervision (field superintendent, field supervisor, etc.) in an established central place.

9.11.2 Having the address and telephone number of the central place available at each worksite.

9.11.3 Having personnel available at the central place during normal business hours to provide information from the records maintained there by telephone and by mail.

9.12 Statistical program. This employer will comply with all requirements to maintain, provide, and use statistical summaries. Upon receipt of an Occupational Injuries and Illnesses Survey Form, this employer shall promptly complete the form in accordance with the instructions contained therein, and return it in accordance with the instructions.

10. Disciplinary Actions for Willful Unsafe Acts. Employee safety is paramount at this company. The willful commitment of an unsafe act cannot be condoned. Employees who willfully jeopardize their own or coworkers safety will be disciplined. The type of discipline can range from a verbal warning to dismissal. The company safety officer, and supervisory personnel in the administrative chain of any employee may give employees a verbal warning for a known unsafe act or procedural, or operational infraction. Disciplinary action other than a release from shift without pay must be reviewed by administration.

10.1 Forms of discipline.

10.1.1 **First Offense.** A verbal warning and proper instructions pertaining to the specific violation. A notation may be included in your personnel file for any violations deemed serious (life-threatening) by your foreman or field person in charge of the job. Management has the option to change your work assignment and/or work location.

10.1.2 **Second Offense.** For the same or different violation, occurring within 12 months of the first offense, you will receive a written warning, a copy of which will be placed in your personnel file. Management will determine if additional training is required and has the option of changing your work assignment and/or work location.

10.1.3 **Third Offense.** For the same or different violation, occurring within 12 months of the first offense, you will receive a written warning, a copy of which will be placed in your personnel file. You will also be suspended without pay for a period of 3 working days. Before you return

to work, management will determine if additional training is required and which job and/or location you will return to.

10.1.4 Fourth Offense. For the same or different violation, occurring within 12 months of your first violation, you will be dismissed and expected to immediately leave the jobsite. You can contact the office to arrange to have your check mailed or picked up.

10.2 Unsafe act priority classification system. Unsafe acts will be rated according to the following rating system. Where it is unclear where an unsafe act should be rated the next higher priority classification will be assumed. While any unsafe act is serious, this classification system will be used to gauge the severity of an unsafe act for use in determining the appropriate level of disciplinary action.

10.2.1 Priority 1 Unsafe Act. The most serious type of unsafe act or unsafe work practice that could cause loss of life, permanent disability, the loss of a body part (amputation or crippling injury), or extensive loss of structure, equipment, or material.

10.2.2 Priority 2 Unsafe Act. Unsafe act or work practice that could cause serious injury, industrial illness, or disruptive property damage.

10.2.3 Priority 3 Unsafe Act. Unsafe act or work practice that might cause a recordable injury or industrial illness or nondisruptive property damage.

10.2.4 Priority 4 Unsafe Act. Minor unsafe work practice infraction with little likelihood of injury or illness.

Addendum: Construction Focused Inspection Guideline