

# Update Notice

## **Handbook EL-800 Managing Contract Safety and Health Compliance**

Updated through September 20, 2001:

Handbook EL-800, *Managing Contract Safety and Health Compliance*, May 2001, is updated in its online version to accommodate changes to Appendix A, a replica of Occupational Safety and Health Administration Directive Number CPL 2-00.124, effective December 1999. OSHA made these changes to correct minor internal reference errors.



## Managing Contract Safety and Health Compliance

Handbook EL-800

May 2001  
Transmittal Letter

**A. Explanation.** Handbook EL-800 is a new guide prepared to help facility managers, contracting officers, contracting officers' representatives, and other enabling function representatives to implement Postal Service policies governing contractors' compliance with federal and Postal Service safety and health requirements.

**B. Distribution**

- 1. Initial.** Handbook EL-800, *Managing Contract Safety and Health Compliance*, is distributed to all postal facilities directly involved in implementation and/or enforcement of the policies and procedures described in this handbook.
- 2. Additional Copies.** Order additional copies from the Material Distribution Center using Form 7380, *Material Distribution Center Supply Requisition*.

**C. Comments.** Comments and questions about the content of this document can be submitted in writing to:

SAFETY PERFORMANCE MANAGEMENT  
US POSTAL SERVICE  
475 L'ENFANT PLAZA SW RM 9801  
WASHINGTON DC 20260-4231

**D. Effective Date.** This handbook is effective upon publication.

A handwritten signature in cursive script that reads "Suzanne F. Medvidovich".

Suzanne F. Medvidovich  
Senior Vice President  
Human Resources

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# Postal Policy Overview

## Postal Service and OSHA Intent

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The Postal Service is committed to the safety and health of all postal and contract employees, and the requirements of the Occupational Safety and Health Administration (OSHA) are designed to protect employees from safety and health hazards. If suppliers (i.e., contractors) on postal premises violate OSHA requirements, the Postal Service is potentially liable for the injuries that may result to employees, customers, and/or contract employees. Even if there are no injuries, OSHA may take enforcement action against the Postal Service for supplier violations.

This handbook has been prepared to help facility managers, contracting officers (COs), contracting officers' representatives (CORs), and other enabling function representatives to implement Postal Service policies governing contractor compliance with federal and Postal Service safety and health requirements. It provides guidance and suggested procedures for new construction and repair and alteration projects at Postal Service sites and facilities. It applies to projects, activities, and programs managed through indefinite quantity contracts, service contracts, basic pricing agreements, or funding documents that bind the Postal Service to the completion of work.

*The terms **supplier** and **contractor** are used interchangeably in this handbook to identify a source of goods or services provided under a contractual arrangement with the Postal Service.*

## Purchasing and Materials Policy

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Existing purchasing policies address supplier compliance with laws and regulations, including safety and health requirements. The policies are addressed in (but not necessarily limited to) the Postal Service *Purchasing Manual* (PM) and various contract clauses (see *Purchasing Manual*, Appendix B); the Facilities Management System for Windows (FMSWIN) 2.1; and Handbook AS-709, *Credit Card Policies and Procedures for Local Buying*.

## Safety and Health Policy

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### Employee and Labor Relations Manual

*Employee and Labor Relations Manual* (ELM) 833.3 further defines the responsibilities for ensuring supplier compliance with safety and health regulations:

*Installation heads, purchasing, contracting officers, and other managers are responsible and accountable for ensuring that all suppliers (contractors) working on postal property follow OSHA regulations and postal safety and health policies. All suppliers must conform to OSHA regulations, and a postal representative is to be assigned to monitor supplier activities as appropriate, including coordinating with supplier safety "competent persons" and/or safety representatives. Supplier evaluation and selection must include a supplier's safety and health record, written programs, training, and OSHA compliance activity as appropriate to the scope of the contracted work, in accordance with existing procurement policy.*

### OSHA Regulations

On multi-employer worksites, more than one employer may be citable for a hazardous condition that violates an OSHA standard. Therefore, the Postal Service can be cited for OSHA violations resulting from contractor activities, even if those violations are a direct result of contractor actions. In December of 1999, OSHA issued a directive that provides their compliance officers with detailed guidance on citing multi-employer worksites. A copy of that directive is found in Appendix A, *OSHA Multi-employer Citation Policy*.

Additionally, note that OSHA retains federal jurisdiction over Postal Service contract employees and contractor-operated facilities engaged in Postal Service mail operations. All states with OSHA-approved safety and health plans have declined jurisdiction over the Postal Service and Postal Service contractors engaged in mail operations.

## **Safety and Health Program Evaluation Guide (PEG)**

The *Safety and Health Program Evaluation Guide* (PEG) includes criteria on contractor compliance with OSHA regulations. These are derived from OSHA guidance, an anticipated OSHA standard on safety and health programs, and OSHA's published citation policy on multi-employer worksites. The PEG — including standards, tests, and measurement criteria — is to be used to evaluate facility safety and health programs as required in the ELM. The evaluations focus on facility-level programs. Therefore, certain issues not necessarily controlled by the facility, e.g., evaluating contractor safety approaches for national deployment of equipment, are not within the purview of the facility program evaluation.

To assist the field in ensuring facility-level contractor compliance with safety and health regulations, a matrix, keyed to the PEG standards, tests, and measurement criteria, is found in Appendix B, *Safety and Health Program Evaluation Guide (PEG) Matrix*. The matrix references templates for checklists and other tools adapted for purposes of this handbook. These tools are for guidance purposes and should be used within existing postal policies and procedures for ensuring contractor compliance with safety and health requirements.

Questions about this guidance or the PEG should be referred to Safety Performance Management, Employee Resource Management, at Headquarters. Questions about purchasing policies and contracting issues should be referred to the appropriate field unit, e.g., purchasing and materials service center (PMSC), facilities service office (FSO), and/or administrative support units. That office will contact the appropriate Headquarters function as necessary for additional guidance.

# Applicability of This Guidance

This handbook contains guidance applicable to suppliers performing a variety of services at Postal Service facilities, whether they are performing work under a basic pricing agreement, an indefinite quantity contract, a requirements contract, a service contract, or funding documents that bind the Postal Service to the completion of work. Upon execution of a contract, suppliers must comply with the terms and conditions included in the contract, including those governing safety and health.

## Services Covered

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The following contract services are normally covered by the guidance of this handbook. The examples are illustrative only and not inclusive of all contract services subject to this handbook:

- Construction and repair and alteration work.
- Grounds, building, and equipment maintenance work, including landscaping, pest control, and building and equipment preventive maintenance activities.
- Building or equipment service work, including trash and recycling services, hazardous and biological disposal services, window washing, snow removal, food services, building inspections, equipment servicing, and custodial services.
- Transportation services, including highway contractors.
- Nationally deployed equipment.

## Services Not Covered

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Activities that are not covered by guidance in this handbook include the following services. It is the responsibility of the contracting officer's representative to verify that the substantive provisions of federal and postal guidelines are being complied with in situations where hazards may be created on Postal Service property during the performance of these exempted services:

- Air, rail, and water transportation services.
- External First-Class, Priority End-to-End, and Customer Satisfaction Index measurement services.
- Utility services (e.g., electric, gas, sewer, and water services).
- Stamp production and distribution.



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- Contract postal units.
- Real estate services (e.g., appraisals, surveys, and title searches).
- Design and engineering services (e.g., architect and/or engineer services and construction management).
- Medical services.
- Litigation and legal support provided by court reporters, arbitrators, and mediators.

# Evaluating Suppliers

## Preproposal Planning

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### Project Safety and Health Requirements

The *Project Safety and Health Requirements Checklist*, covering all phases of the contract and found in Appendix C, provides an overview to guide planning as well as document compliance.

### Evaluation Criteria

Large construction and service projects (e.g., valued over \$100,000) should always include safety and health evaluation factors. A safety specialist should review the project request form (e.g., Form 7437, *Facilities Services Request*) to identify safety concerns that should be addressed in the purchasing plan.

The *Purchasing Manual* contains policies for evaluating suppliers for selection (including procedures for prequalifying suppliers). The ELM contains requirements for including supplier safety and health performance in accordance with existing policies for evaluating suppliers. Purchase teams can use the following guidance as they evaluate each proposal on its own merits.

Project Value (\$)	Suggested Criteria for Proposal Evaluation
<10K	Stipulations for training, licenses, and certificates as required by the nature of the work.
10K to 100K	<10K criteria plus supplier's safety record (OSHA 200 Log if applicable) and OSHA compliance record (citations issued if any).
>100K	10K to 100K criteria <i>plus</i> the company's safety and health approach (e.g., safety philosophy, safety record and plans, or internal safety procedures and controls) and information on how they manage subcontractor safety and health issues.

This guidance is neither all-inclusive nor exclusive, but points to appropriate criteria for the level of the project. Purchase teams are responsible for selecting the performance evaluation factors to be used for a particular purchase (see PM 2.1.7).

## Preproposal Meeting

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Preproposal meetings are typically held for complex projects so that potential contractors may obtain a better understanding of the work required. The contracting officer or designated Postal Service representative should use the *Project Safety and Health Considerations Checklist*, found in Appendix D, to determine which safety and health considerations apply to the project and then review the applicable sections of the *Safety and Health Guide for Contractors*, found in Appendix E, with the prospective contractors.

The *Safety and Health Guide for Contractors* should then be incorporated into all construction and repair and alteration contracts so that contractors are fully aware of the federal and postal regulations governing their work.

# Overseeing Contractors Effectively

## Postaward Orientations

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### All Covered Contract Projects or Work

The proper way to start a construction or service contract is to hold a postaward orientation conference (see PM 6.2.1). The purpose of the meeting is to discuss essential contract provisions, including the requirements found in the *Safety and Health Guide for Contractors* (Appendix E) as well as other requirements the contractor must follow. This meeting will let the contractor know what the expectations are. If the *Safety and Health Guide for Contractors* has been incorporated into the contract, then the applicable safety and health contract provisions can be reviewed at this meeting. The contractor needs to be informed that the Postal Service is serious about protecting the safety and health of its own employees and of contract employees.

If contractors performing services that involve safety and health considerations do not receive orientation using the *Project Safety and Health Considerations Checklist* (Appendix D) at the postaward conference, they should be provided this orientation as early as practicable. Only those portions of the guide pertaining to the work (which can be determined from the *Project Safety and Health Considerations Checklist*) need to be reviewed by the contracting officer, contracting officer's representative, or designated Postal Service representative. As one method to document the review, the contracting officer or contracting officer's representative may use the certificate of understanding found in the *Safety and Health Guide for Contractors* (Appendix E).

For all projects exceeding \$100,000 in value, the contractor should have a completed a Project Safety Plan (based on a Detailed Safety Analysis) for review at the postaward orientation conference. A Project Safety Plan may also be recommended for projects with a value less than \$100,000 whenever the contracting officer or contracting officer's representative determines it is appropriate based on a hazard risk analysis and/or regulatory risk analysis of the project.

OSHA requires contractors to have a written Emergency Action Plan (EAP) whenever they employ more than ten employees for a construction project (29 CFR 1926.35).

To assist the contracting officer, contracting officer's representative, and/or project manager in coordinating the postaward orientation conference so that all safety and health considerations are addressed, a *Postaward Orientation Procedures Checklist* and instructions for its use are found in Appendix F.

## Cleaning Services Contracts

Contractors performing cleaning services for the Postal Service must be notified of a facility's emergency action and fire prevention plans and all special hazards.

It may be advantageous to the Postal Service to provide training, beyond notifications, for hazard communication and asbestos. If the facility contains any asbestos material, e.g., floor tile, the contract employees must be notified and instructed in proper work practices, e.g., care of asbestos flooring materials. If cleaning service contract employees use hazardous chemicals, they must receive hazard communication training applicable to the materials. The *Cleaning Services Contract Administration Guide*, found in Appendix G, provides information about required training for contract custodians and specific guidelines for care of asbestos-containing flooring material as well as certifications for this training.

Appendix G also contains a copy of Form 7355, *Cleaning Agreement*, used for contracts with self-employed individuals when the contract will not exceed \$10,000 in value. The servicing purchasing and materials service center initiates contracts for greater amounts.

## Notification

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After the postaward orientation meeting, the contractor is responsible for providing the Postal Service designated representative with appropriate notifications concerning contract activity within the facility. For example, the contractor must notify the Postal Service designated representative any time work will affect asbestos, lead-based paint, or electrical equipment. Such notifications are required for all projects that affect regulated materials or alter or adversely affect the safety and health of the work place (see Appendix E, *Safety and Health Guide for Contractors*).

When work affects a Postal Service-occupied space, the contractor must notify the Postal Service designated representative before the work activities are initiated. In these instances, the Postal Service designated representative is responsible for posting applicable employee notifications.

## Safety and Health Site Inspections

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The purpose of the safety and health site inspection is to evaluate working conditions for their effect on safety and health and for compliance with OSHA and postal standards. Such inspections must be conducted by the contracting officer's representative or the designated Postal Service representative on an as-needed basis during the course of the project. A project inspection team procedures checklist and a project inspection checklist are included in Appendix H, *Project Safety and Health Inspection Guide*.

## Final Inspection

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The final inspection is a critical aspect of contract administration. This inspection is the means to ensure that the Postal Service is obtaining the quantity, quality, and performance of materials and equipment called for by the contract. It also assists in ensuring safety and health requirements compliance. Final acceptance of goods and services must not occur before the contracting officer's representative or Postal Service designated representative has determined that the work conforms to applicable OSHA and postal standards outlined in the contract and summarized in the *Safety and Health Guide for Contractors* (Appendix E).

# Roles and Responsibilities

The roles and responsibilities of organizations and persons responsible for aspects of contract compliance with safety and health requirements are detailed below.

<b>Organizational or Position Level</b>	<b>Functional Organization or Position</b>	<b>Roles and Responsibilities</b>
Headquarters	Safety Performance Management	Provides guidance concerning how contractors are to comply with OSHA standards. Monitors area and performance cluster safety and health programs. Interprets compliance issues as necessary.
	Purchasing Policies and Programs	Establishes purchasing policies that ensures that safety and health considerations and OSHA compliance are taken into account in supplier evaluation, selection, and performance when appropriate.
Areas	Manager of Maintenance Support	Is responsible for providing necessary information to contractors they supervise to ensure that they understand and follow the guidance in <i>Safety and Health Guide for Contractors</i> (Appendix E).
	Human Resources Analyst (Safety)	Is responsible for providing technical guidance to the contracting officer and contracting officer's representative on safety issues as requested.
	Senior Area Medical Director and Associate Area Medical Director	Are responsible for providing guidance to the contracting officer and contracting officer's representative on medical information and regulatory requirements applicable to contractors as requested.

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Organizational or Position Level	Functional Organization or Position	Roles and Responsibilities
Contracting Officials and Project Managers	Contracting Officer (CO)	<p>Is the only individual who has the authority to enter into, administer, and terminate the contract.</p> <p>Is ultimately responsible for all contract administration functions. Duties include developing a purchasing plan, awarding contracts, approving contractual specifications, and ensuring that funds are available.</p> <p>Is also responsible for ensuring that safety and health specifications are incorporated into a covered contract.</p> <p>Is responsible for ensuring that the guidance in the <i>Safety and Health Guide for Contractors</i> is applied during the administration of all covered contract services set forth in this handbook.</p>
	Contracting Officer's Representative (COR)	<p>Is appointed in writing by the contracting officer to perform all administrative functions on behalf of the contracting officer that do not involve a change in the cost or duration of contract performance.</p> <p>Is also responsible for ensuring contractor compliance with the applicable provisions of OSHA and postal regulations as contained in the <i>Safety and Health Guide for Contractors</i>.</p>
	Designated Postal Service Representative	<p>Is the on-site liaison for the Postal Service concerning the day-to-day activities performed by contractors and is identified at the beginning of the project. The designated Postal Service representative may be a maintenance supervisor, branch manager, postmaster, station manager, or officer in charge.</p> <p>Does not have any authority to approve or modify contracts.</p>
	Safety Representative	<p>Is the on-site person responsible for ensuring compliance with Postal Service safety and health policies and OSHA requirements.</p> <p>Is to contact the safety specialist (see below) for technical information and regulatory interpretations.</p>



Roles and Responsibilities

<b>Organizational or Position Level</b>	<b>Functional Organization or Position</b>	<b>Roles and Responsibilities</b>
Installation	Installation Head	Is responsible for ensuring that postal policies and OSHA regulations regarding contractor safety and health are followed. Should ensure that those elements of the installation's safety and health program detailed in the PEG, Category 1-d Contractor Safety, are implemented.
Safety and Health	Occupational Health Nurse Administrator	Is responsible for providing guidance to the contracting officer and contracting officer's representative concerning the occupational health guidelines that are applicable to contractors as requested.
	Safety Specialist	Is the person (e.g., manager of Safety and Health, plant safety specialist, or facility safety coordinator) responsible for obtaining and providing technical assistance and regulatory interpretations regarding contractor safety and health requirements.

# Templates for Oversight and Documentation

By using the following checklists and other documents and retaining them after use, persons responsible for contractor performance can identify potential safety and health issues; coordinate safe and compliant work with contractors; and verify that notifications, training, and other regulatory requirements are met. These checklists are not official Postal Service forms. Rather, they are templates that may be modified or adapted for use by management, contracting officials, and others responsible for contractor performance.

## **Appendix A — OSHA’s Multi-employer Citation Policy**

### **General Reference**

This OSHA directive was issued in December 1999 to provide OSHA compliance officers with detailed guidance on citing violations at multi-employer worksites. It can aid in avoiding citations for violations resulting from contractor activities.

## **Appendix B — Safety and Health Program Evaluation Guide (PEG) Matrix**

### **S&H PEG Reference**

This matrix refers to templates for checklists and other tools adapted to help ensure facility-level contractor compliance with safety and health regulations. It is keyed to the PEG standards, tests, and measurement criteria. These tools are for guidance purposes and should be used within existing postal policies and procedures.

## **Appendix C — Project Safety and Health Requirements Checklist**

### **Plan and Evaluate**

This checklist helps identify safety and health requirements and helps ensure that all safety and health elements of contractor work have been addressed at all stages of the project.

## **Appendix D — Project Safety and Health Considerations Checklist**

### **Plan and Coordinate**

This checklist helps identify elements of contractor work that may be governed by safety and health regulations of OSHA and the policies and procedures of the Postal Service.

## **Appendix E — Safety and Health Guide for Contractors**

### **Coordinate**

This guide provides information to contractors regarding compliance with OSHA regulations and postal policies. The accompanying certificate of understanding documents that the contractor has received and understands the information in the informational sections of the guide. Included are:

- Certificate of Understanding.
- Safety and Health and Related Environmental Requirements.
- Emergency Procedures.

## **Appendix F — Postaward Orientation Procedures Checklist**

### **Coordinate**

This checklist helps coordinate the orientation conference so that all safety and health considerations are addressed.

## **Appendix G — Cleaning Services Contract Administration Guide**

### **Monitor and Document**

This guide provides information about hazard communication training and asbestos orientation which may be needed for contractors performing cleaning services for the Postal Service to comply with OSHA regulations. Included are:

- Form 7355, *Cleaning Agreement* (check Postal Service Intranet for latest version).
- Asbestos Awareness Orientation.
- Hazard Communication (HAZCOM) Training.

## **Appendix H — Project Safety and Health Inspection Guide**

### **Monitor and Document**

This guide provides templates for a comprehensive and objective procedure to evaluate the performance of contractors pertaining to safety and health requirements. Included are:

- Project Inspection Procedures.
- Project Inspection Team Procedures Checklist.
- Project Inspection Findings Checklist.

Appendix A

## **OSHA's Multi-employer Citation Policy**

**DIRECTIVE NUMBER:** CPL 2-00.124

**EFFECTIVE DATE:** December 10, 1999

**SUBJECT:** Multi-Employer Citation Policy

## ABSTRACT

**Purpose:** To Clarify the Agency's multi-employer citation policy.  
**Scope:** OSHA-wide  
**References:** OSHA Instruction CPL 2.103 (the FIRM)  
**Suspensions:** Chapter III, Paragraph C. 6. of the FIRM is suspended and replaced by this directive.  
**State Impact:** This Instruction describes a Federal Program Change. Notification of State intent is required, but adoption is not.  
**Action Offices:** National, Regional and Area Offices  
**Originating Office:** Directorate of Construction  
**Contact:** Carl Sall (202) 693 2345  
Directorate of Construction  
N3468 FPB 200  
Constitution Ave., NW  
Washington DC 20210

By and Under the Authority of  
R. Davis Layne  
Deputy Assistant Secretary, OSHA

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- I. *Purpose.* This Directive clarifies the Agency's multi-employer citation policy and suspends Chapter III. C. 6. of OSHA's Field Inspection Reference Manual (FIRM).
- II. *Scope.* OSHA-Wide.
- III. *Suspension.* Chapter III. Paragraph C. 6. of the FIRM (CPL 2.103) is suspended and replaced by this Directive.
- IV. *References.* OSHA Instructions:
  - CPL 02-00.103; OSHA Field Inspection Reference Manual (FIRM), September 26, 1994.
  - ADM 08-0.1C, OSHA Electronic Directive System, December 19, 1997.
- V. *Action Information.*
  - A. *Responsible Office.* Directorate of Construction.
  - B. *Action Offices.* National, Regional and Area Offices.
  - C. *Information Offices.* State Plan Offices, Consultation Project Offices.
- VI. *Federal Program Change.* This Directive describes a Federal Program Change for which State adoption is not required. However, the States shall respond via the two-way memorandum to the Regional Office as soon as the State's intent regarding the multi-employer citation policy is known, but no later than 60 calendar days after the date of transmittal from the Directorate of Federal-State Operations.
- VII. *Force and Effect of Revised Policy.* The revised policy provided in this Directive is in full force and effect from the date of its issuance. It is an official Agency policy to be implemented OSHA-wide.
- VIII. *Changes in Web Version of FIRM.* A note will be included at appropriate places in the FIRM as it appears on the Web indicating the suspension of Chapter III paragraph 6. C. and its replacement by this Directive, and a hypertext link will be provided connecting viewers with this Directive.
- IX. *Background.* OSHA's Field Inspection Reference Manual (FIRM) of September 26, 1994 (CPL 2.103), states at Chapter III, paragraph 6. C., the Agency's citation policy for multi-employer worksites. The Agency has determined that this policy needs clarification. This directive describes the revised policy.
  - A. *Continuation of Basic Policy.* This revision continues OSHA's existing policy for issuing citations on multi-employer worksites. However, it gives clearer and more detailed guidance than did the earlier description of the policy in the FIRM, including new examples explaining when citations should and should not be issued to exposing, creating, correcting, and controlling employers. These examples, which address common situations and provide general policy guidance, are not intended to be exclusive. In all cases, the decision on whether to issue citations should be based on all of the relevant facts revealed by the inspection or investigation.
  - B. *No Changes in Employer Duties.* This revision neither imposes new duties on employers nor detracts from their existing duties under the OSH Act. Those duties continue to arise from the employers' statutory duty to comply with OSHA standards and their duty to exercise reasonable diligence to determine whether violations of those standards exist.

X. *Multi-employer Worksite Policy.* The following is the multi-employer citation policy:

A. *Multi-employer Worksites.* On multi-employer worksites (in all industry sectors), more than one employer may be citable for a hazardous condition that violates an OSHA standard. A two-step process must be followed in determining whether more than one employer is to be cited.

1. *Step One.* The first step is to determine whether the employer is a creating, exposing, correcting, or controlling employer. The definitions in paragraphs (B) - (E) below explain and give examples of each. Remember that an employer may have multiple roles (see paragraph F). Once you determine the role of the employer, go to Step Two to determine if a citation is appropriate (NOTE: only exposing employers can be cited for General Duty Clause violations).
2. *Step Two.* If the employer falls into one of these categories, it has obligations with respect to OSHA requirements. Step Two is to determine if the employer's actions were sufficient to meet those obligations. The extent of the actions required of employers varies based on which category applies. Note that the extent of the measures that a controlling employer must take to satisfy its duty to exercise reasonable care to prevent and detect violations is less than what is required of an employer with respect to protecting its own employees.

B. *The Creating Employer.*

1. *Step 1: Definition:* The employer that caused a hazardous condition that violates an OSHA standard.
2. *Step 2: Actions Taken:* Employers must not create violative conditions. An employer that does so is citable even if the only employees exposed are those of other employers at the site.

- a. *Example 1:* Employer Host operates a factory. It contracts with Company S to service machinery. Host fails to cover drums of a chemical despite S's repeated requests that it do so. This results in airborne levels of the chemical that exceed the Permissible Exposure Limit.

*Analysis: Step 1:* Host is a creating employer because it caused employees of S to be exposed to the air contaminant above the PEL. *Step 2:* Host failed to implement measures to prevent the accumulation of the air contaminant. It could have met its OSHA obligation by implementing the simple engineering control of covering the drums. Having failed to implement a feasible engineering control to meet the PEL, Host is citable for the hazard.

- b. *Example 2:* Employer M hoists materials onto Floor 8, damaging perimeter guardrails. Neither its own employees nor employees of other employers are exposed to the hazard. It takes effective steps to keep all employees, including those of other employers, away from the unprotected edge and informs the controlling employer of the problem. Employer M lacks authority to fix the guardrails itself.

*Analysis: Step 1:* Employer M is a creating employer because it caused a hazardous condition by damaging the guardrails. *Step 2:* While it lacked the authority to fix the guardrails, it took immediate and effective steps to keep all employees away from the hazard and notified the controlling employer of the hazard. Employer M is not citable since it took effective measures to prevent employee exposure to the fall hazard.



C. *The Exposing Employer.*

1. *Step 1: Definition:* An employer whose own employees are exposed to the hazard. See Chapter III, section (C)( 1)( b) for a discussion of what constitutes exposure.
2. *Step 2: Actions taken:* If the exposing employer created the violation, it is citable for the violation as a creating employer. If the violation was created by another employer, the exposing employer is citable if it (1) knew of the hazardous condition or failed to exercise reasonable diligence to discover the condition, and (2) failed to take steps consistent with its authority to protect its employees. If the exposing employer has authority to correct the hazard, it must do so. If the exposing employer lacks the authority to correct the hazard, it is citable if it fails to do each of the following: (1) ask the creating and/or controlling employer to correct the hazard; (2) inform its employees of the hazard; and (3) take reasonable alternative protective measures. In extreme circumstances (e.g., imminent danger situations), the exposing employer is citable for failing to remove its employees from the job to avoid the hazard.

- a. *Example 3:* Employer Sub S is responsible for inspecting and cleaning a work area in Plant P around a large, permanent hole at the end of each day. An OSHA standard requires guardrails. There are no guardrails around the hole and Sub S employees do not use personal fall protection, although it would be feasible to do so. Sub S has no authority to install guardrails. However, it did ask Employer P, which operates the plant, to install them. P refused to install guardrails.

*Analysis: Step 1:* Sub S is an exposing employer because its employees are exposed to the fall hazard. *Step 2:* While Sub S has no authority to install guardrails, it is required to comply with OSHA requirements to the extent feasible. It must take steps to protect its employees and ask the employer that controls the hazard — Employer P — to correct it. Although Sub S asked for guardrails, since the hazard was not corrected, Sub S was responsible for taking reasonable alternative protective steps, such as providing personal fall protection. Because that was not done, Sub S is citable for the violation.

- b. *Example 4:* Unprotected rebar on either side of an access ramp presents an impalement hazard. Sub E, an electrical subcontractor, does not have the authority to cover the rebar. However, several times Sub E asked the general contractor, Employer GC, to cover the rebar. In the meantime, Sub E instructed its employees to use a different access route that avoided most of the uncovered rebar and required them to keep as far from the rebar as possible.

*Analysis: Step 1:* Since Sub E employees were still exposed to some unprotected rebar, Sub E is an exposing employer. *Step 2:* Sub E made a good faith effort to get the general contractor to correct the hazard and took feasible measures within its control to protect its employees. Sub E is not citable for the rebar hazard.

D. *The Correcting Employer.*

1. *Step 1: Definition:* An employer who is engaged in a common undertaking, on the same worksite, as the exposing employer and is responsible for correcting a hazard. This usually occurs where an employer is given the responsibility of installing and/or maintaining particular safety/health equipment or devices.

2. *Step 2: Actions taken:* The correcting employer must exercise reasonable care in preventing and discovering violations and meet its obligations of correcting the hazard.
  - a. *Example 5:* Employer C, a carpentry contractor, is hired to erect and maintain guardrails throughout a large, 15-story project. Work is proceeding on all floors. C inspects all floors in the morning and again in the afternoon each day. It also inspects areas where material is delivered to the perimeter once the material vendor is finished delivering material to that area. Other subcontractors are required to report damaged/missing guardrails to the general contractor, who forwards those reports to C. C repairs damaged guardrails immediately after finding them and immediately after they are reported. On this project few instances of damaged guardrails have occurred other than where material has been delivered. Shortly after the afternoon inspection of Floor 6, workers moving equipment accidentally damage a guardrail in one area. No one tells C of the damage and C has not seen it. An OSHA inspection occurs at the beginning of the next day, prior to the morning inspection of Floor 6. None of C's own employees are exposed to the hazard, but other employees are exposed.  
*Analysis: Step 1:* C is a correcting employer since it is responsible for erecting and maintaining fall protection equipment. *Step 2:* The steps C implemented to discover and correct damaged guardrails were reasonable in light of the amount of activity and size of the project. It exercised reasonable care in preventing and discovering violations; it is not citable for the damaged guardrail since it could not reasonably have known of the violation.

E. *The Controlling Employer.*

1. *Step 1: Definition:* An employer who has general supervisory authority over the worksite, including the power to correct safety and health violations itself or require others to correct them. Control can be established by contract or, in the absence of explicit contractual provisions, by the exercise of control in practice. Descriptions and examples of different kinds of controlling employers are given below.
2. *Step 2: Actions Taken:* A controlling employer must exercise reasonable care to prevent and detect violations on the site. The extent of the measures that a controlling employer must implement to satisfy this duty of reasonable care is less than what is required of an employer with respect to protecting its own employees. This means that the controlling employer is not normally required to inspect for hazards as frequently or to have the same level of knowledge of the applicable standards or of trade expertise as the employer it has hired.
3. *Factors Relating to Reasonable Care Standard.* Factors that affect how frequently and closely a controlling employer must inspect to meet its standard of reasonable care include:
  - a. The scale of the project;
  - b. The nature and pace of the work, including the frequency with which the number or types of hazards change as the work progresses.
  - c. How much the controlling employer knows both about the safety history and safety practices of the employer it controls and about that employer's level of expertise.
  - d. More frequent inspections are normally needed if the controlling employer knows that the other employer has a history of noncompliance. Greater inspection frequency may also be needed, especially at the beginning of the project, if the

controlling employer had never before worked with this other employer and does not know its compliance history.

- e. Less frequent inspections may be appropriate where the controlling employer sees strong indications that the other employer has implemented effective safety and health efforts. The most important indicator of an effective safety and health effort by the other employer is a consistently high level of compliance. Other indicators include the use of an effective, graduated system of enforcement for non-compliance with safety and health requirements coupled with regular jobsite safety meetings and safety training.
4. *Evaluating Reasonable Care.* In evaluating whether a controlling employer has exercised reasonable care in preventing and discovering violations, consider questions such as whether the controlling employer:
    - a. Conducted periodic inspections of appropriate frequency (frequency should be based on the factors listed in (E)(3);
    - b. Implemented an effective system for promptly correcting hazards;
    - c. Enforces the other employer's compliance with safety and health requirements with an effective, graduated system of enforcement and follow-up inspections.
  5. *Types of Controlling Employers.*
    - a. *Control Established by Contract.* In this case, *the Employer Has a Specific Contract Right to Control Safety:* To be a controlling employer, the employer must itself be able to prevent or correct a violation or to require another employer to prevent or correct the violation. One source of this ability is explicit contract authority. This can take the form of a specific contract right to require another employer to adhere to safety and health requirements and to correct violations the controlling employer discovers.
      - (1) *Example 6:* Employer GH contracts with Employer S to do sandblasting at GH's plant. Some of the work is regularly scheduled maintenance and so is general industry work; other parts of the project involve new work and are considered construction. Respiratory protection is required. Further, the contract explicitly requires S to comply with safety and health requirements. Under the contract GH has the right to take various actions against S for failing to meet contract requirements, including the right to have non-compliance corrected by using other workers and back-charging for that work. S is one of two employers under contract with GH at the work site, where a total of five employees work. All work is done within an existing building. The number and types of hazards involved in S's work do not significantly change as the work progresses. Further, GH has worked with S over the course of several years. S provides periodic and other safety and health training and uses a graduated system of enforcement of safety and health rules. S has consistently had a high level of compliance at its previous jobs and at this site. GH monitors S by a combination of weekly inspections, telephone discussions and a weekly review of S's own inspection reports. GH has a system of graduated enforcement that it has applied to S for the few safety and health violations that had been committed by S in the past few years. Further, due to respirator equipment problems S violates respiratory protection requirements two days before GH's next scheduled inspection of S. The next day there is an OSHA inspection. There is no notation of the equipment problems in S's inspection reports to GH and S made no mention of it in its telephone discussions.

*Analysis: Step 1:* GH is a controlling employer because it has general supervisory authority over the worksite, including contractual authority to correct safety and health violations. *Step 2:* GH has taken reasonable steps to try to make sure that S meets safety and health requirements. Its inspection frequency is appropriate in light of the low number of workers at the site, lack of significant changes in the nature of the work and types of hazards involved, GH's knowledge of S's history of compliance and its effective safety and health efforts on this job. GH has exercised reasonable care and is not citable for this condition.

(2) *Example 7:* Employer GC contracts with Employer P to do painting work. GC has the same contract authority over P as Employer GH had in Example 6. GC has never before worked with P. GC conducts inspections that are sufficiently frequent in light of the factors listed above in (E)(3). Further, during a number of its inspections, GC finds that P has violated fall protection requirements. It points the violations out to P during each inspection but takes no further actions.

*Analysis: Step 1:* GC is a controlling employer since it has general supervisory authority over the site, including a contractual right of control over P. *Step 2:* GC took adequate steps to meet its obligation to discover violations. However, it failed to take reasonable steps to require P to correct hazards since it lacked a graduated system of enforcement. A citation to GC for the fall protection violations is appropriate.

(3) *Example 8:* Employer GC contracts with Sub E, an electrical subcontractor. GC has full contract authority over Sub E, as in Example 6. Sub E installs an electric panel box exposed to the weather and implements an assured equipment grounding conductor program, as required under the contract. It fails to connect a grounding wire inside the box to one of the outlets. This incomplete ground is not apparent from a visual inspection. Further, GC inspects the site with a frequency appropriate for the site in light of the factors discussed above in (E)(3). It saw the panel box but did not test the outlets to determine if they were all grounded because Sub E represents that it is doing all of the required tests on all receptacles. GC knows that Sub E has implemented an effective safety and health program. From previous experience it also knows Sub E is familiar with the applicable safety requirements and is technically competent. GC had asked Sub E if the electrical equipment is OK for use and was assured that it is.

*Analysis: Step 1:* GC is a controlling employer since it has general supervisory authority over the site, including a contractual right of control over Sub E. *Step 2:* GC exercised reasonable care. It had determined that Sub E had technical expertise, safety knowledge and had implemented safe work practices. It conducted inspections with appropriate frequency. It also made some basic inquiries into the safety of the electrical equipment. Under these circumstances GC was not obligated to test the outlets itself to determine if they were all grounded. It is not citable for the grounding violation.

- b. *Control Established by a Combination of Other Contract Rights:* Where there is no explicit contract provision granting the right to control safety, or where the contract says the employer does *not* have such a right, an employer may still be a controlling employer. The ability of an employer to control safety in this circumstance can result from a combination of contractual rights that, together, give it broad responsibility at the site involving almost all aspects of the job. Its responsibility is broad enough so that its contractual authority necessarily

involves safety. The authority to resolve disputes between subcontractors, set schedules and determine construction sequencing are particularly significant because they are likely to affect safety. (NOTE: citations should only be issued in this type of case after consulting with the Regional Solicitor's office).

(1) *Example 9:* Construction manager M is contractually obligated to: set schedules and construction sequencing, require subcontractors to meet contract specifications, negotiate with trades, resolve disputes between subcontractors, direct work and make purchasing decisions, which affect safety. However, the contract states that M does not have a right to require compliance with safety and health requirements. Further, Subcontractor S asks M to alter the schedule so that S would not have to start work until Subcontractor G has completed installing guardrails. M is contractually responsible for deciding whether to approve S's request.

*Analysis: Step 1:* Even though its contract states that M does not have authority over safety, the combination of rights actually given in the contract provides broad responsibility over the site and results in the ability of M to direct actions that necessarily affect safety. For example, M's contractual obligation to determine whether to approve S's request to alter the schedule has direct safety implications. M's decision relates directly to whether S's employees will be protected from a fall hazard. M is a controlling employer. *Step 2:* In this example, if M refused to alter the schedule, it would be citable for the fall hazard violation.

(2) *Example 10:* Employer ML's contractual authority is limited to reporting on subcontractors' contract compliance to owner/developer O and making contract payments. Although it reports on the extent to which the subcontractors are complying with safety and health infractions to O, ML does not exercise any control over safety at the site.

*Analysis: Step 1:* ML is not a controlling employer because these contractual rights are insufficient to confer control over the subcontractors and ML did not exercise control over safety. Reporting safety and health infractions to another entity does not, by itself (or in combination with these very limited contract rights), constitute an exercise of control over safety. *Step 2:* Since it is not a controlling employer it had no duty under the OSH Act to exercise reasonable care with respect to enforcing the subcontractors' compliance with safety; there is therefore no need to go to Step 2.

- c. *Architects and Engineers:* Architects, engineers, and other entities are controlling employers only if the breadth of their involvement in a construction project is sufficient to bring them within the parameters discussed above.

(1) *Example 11:* Architect A contracts with owner O to prepare contract drawings and specifications, inspect the work, report to O on contract compliance, and to certify completion of work. A has no authority or means to enforce compliance, no authority to approve/reject work and does not exercise any other authority at the site, although it does call the general contractor's attention to observed hazards noted during its inspections.

*Analysis: Step 1:* A's responsibilities are very limited in light of the numerous other administrative responsibilities necessary to complete the project. It is little more than a supplier of architectural services and conduit of information to O. Its responsibilities are insufficient to confer control over the subcontractors and it did not exercise control over safety. The responsibilities it does have are insufficient

to make it a controlling employer. Merely pointing out safety violations did not make it a controlling employer. NOTE: In a circumstance such as this it is likely that broad control over the project rests with another entity. *Step 2:* Since A is not a controlling employer it had no duty under the OSH Act to exercise reasonable care with respect to enforcing the subcontractors' compliance with safety; there is therefore no need to go to Step 2.

(2) *Example 12:* Engineering firm E has the same contract authority and functions as in Example 9.

*Analysis: Step 1:* Under the facts in Example 9, E would be considered a controlling employer. *Step 2:* The same type of analysis described in Example 9 for Step 2 would apply here to determine if E should be cited.

- d. *Control Without Explicit Contractual Authority.* Even where an employer has no explicit contract rights with respect to safety, an employer can still be a controlling employer if, in actual practice, it exercises broad control over subcontractors at the site (see Example 9). NOTE: Citations should only be issued in this type of case after consulting with the Regional Solicitor's office.

(1) *Example 13:* Construction manager MM does not have explicit contractual authority to require subcontractors to comply with safety requirements, nor does it explicitly have broad contractual authority at the site. However, it exercises control over most aspects of the subcontractors' work anyway, including aspects that relate to safety.

*Analysis: Step 1:* MM would be considered a controlling employer since it exercises control over most aspects of the subcontractor's work, including safety aspects. *Step 2:* The same type of analysis on reasonable care described in the examples in (E)(5)(a) would apply to determine if a citation should be issued to this type of controlling employer.

F. *Multiple Roles.*

1. *A creating, correcting or controlling employer* will often also be an exposing employer. Consider whether the employer is an exposing employer before evaluating its status with respect to these other roles.
2. *Exposing, creating and controlling employers* can also be correcting employers if they are authorized to correct the hazard.

Appendix B

**Safety and Health Program Evaluation  
Guide (PEG) Matrix**

Safety and Health Program Evaluation Guide (PEG) Matrix

Excerpted from *Safety and Health Program Evaluation Guide*, Category 1, Management Leadership and Employee Participation, Cat 1-d, Contractor Safety.

PEG Standard	Test	Measurement Criteria	Guidance
1. Management includes contractors in scope of site safety and health (S&H) program.	Are contractors included in worksite S&H program?	Review local documents to verify.	Add statement in compliance with ELM 833.3 to the S&H written program.
2. Management policy requires contractors to conform to OSHA and EPA regulations.	Does installation head or direct report require contractors to receive a safety briefing prior to work?	Review local documents to verify.	Include a statement about contractor safety in the installation head's safety policy and use the checklists in Handbook EL-800, <i>Managing Contract Safety and Health Compliance</i> .
3. Management designates a representative to monitor contractor S&H practices.	Does management designate a representative to monitor and document contractor S&H practices?	Review and verify that a representative has been designated and procedures are in place.	Designate in writing the COR, project manager, safety professional, or other person to work with the contractor's safety and health competent person. See App. F, <i>Postaward Orientation Procedures Checklist</i> .
Management designates an individual who has the authority to stop contractor practices that expose Postal Service or contractor employees to hazards.	Has the installation head designated an individual who has the authority to stop contract work if work practices or conditions are unsafe?	Verify that a document exists designating an individual who has the authority to stop contractor work if work practices or conditions are unsafe.	Designate in writing the persons who can work with the contractor to stop unsafe work practices. See App. F, <i>Postaward Orientation Procedures Checklist</i> .
Management informs contractors and employees of hazards present in the facility.	Does management inform contractors of potential hazards or exposures associated with the facility areas that are accessible to the contractor?	Verify that documentation exists that shows that contractors have been informed of the potential hazards or exposures that are associated with facility areas that are accessible to the contractor.	Use: <ul style="list-style-type: none"> <li>- App. D, <i>Project Safety and Health Considerations Checklist</i>.</li> <li>- App. F, <i>Postaward Orientation Procedures Checklist</i>.</li> <li>- App. E, <i>Safety and Health Guide for Contractors</i>.</li> <li>- Form 8210, <i>Work Authorization — Asbestos</i> (if asbestos is present).</li> <li>- Material Safety Data Sheets (MSDSs).</li> <li>- Chemical inventory.</li> </ul>
	Does management inform Postal Service employees of the hazards associated with the contract work?	Verify the existence of documentation informing employees of contractor operations.	Maintain records of safety talks to or other notification of employees.



PEG Standard	Test	Measurement Criteria	Guidance
4. Management investigates a contractor's S&H record as one of the selection criteria.	Does management require review of the contractor's injury or illness rates or other indicators of the contractor's S&H performance (with particular emphasis on high hazard jobs, e.g., equipment maintenance, asbestos, window cleaning, and spray painting) as part of the contractor selection criteria?	Review contracting procedures within the facility's control to determine if contractor's S&H record is used as part of the selection process.	See Handbook 800, <i>Contract Safety and Health Requirements Compliance</i> , Evaluating Suppliers.
5. The site's contractor safety and health program ensures protection of everyone employed at the worksite, i.e., regular full-time employees, contractors, and temporary and part-time employees.	Does the site S&H program protect everyone working at the facility?	Verify the existence of documentation that the contractor S&H program applies to everyone on-site.	Update the written program to show management commitment, responsibility, and accountability for protecting all persons on site. See App. A, <i>OSHA Multi-employer Citation Policy</i> .

Appendix C

# **Project Safety and Health Requirements Checklist**

Project Safety and Health Requirements Checklist

**Project Safety and Health Requirements Checklist**

<b>Project:</b>	<b>Contractor's Name:</b>	
<b>Facility:</b>	<b>Address:</b>	
<b>Project Description:</b>		
<b>Instructions to CO/COR/Project Manager:</b> Use this checklist to ensure that all safety and health (S&H) elements of contractor work have been addressed at all stages of the project. (See back.)		
<b>Presolicitation and Solicitation Phases of Project</b>	<b>Yes</b>	<b>No</b>
<b>I. Safety and Health Contract Considerations</b>		
1. Has a project request form been submitted to the safety specialist?		
2. Should USPS safety specialists be consulted on this project?		
3. Were S&H evaluation factors included in the solicitation?		
4. Was a safety specialist notified of the project? If so, date notified:		
5. Was the facility manager or postmaster notified of the project? If so, date notified:		
6. Was a Maintenance representative notified of the project? If so, date notified:		
7. Were USPS-required S&H specifications added to the solicitation?		
8. Is a Project Safety Plan required?		
9. Has appropriate time been built into the statement of work for a local safety orientation?		
10. Was a preproposal meeting held with potential offerers? If so, were S&H contract clauses and S&H specifications reviewed at the preproposal meeting?		
<b>II. Safety and Health Project Coordination Considerations</b>		
11. Is a USPS safety specialist required for this project?		
12. Is input required from the medical director or occupational health nurse administrator?		
13. Is an architect and/or engineer, industrial hygienist, or project monitor required to either supervise or provide supplementary services for this project?		
<b>III. Project Permits or Licenses and Notifications</b>		
14. Are licenses required to complete this project or work?		
15. Are safety & health notifications required for this project or work?		
If yes, are asbestos abatement notifications required?		
If yes, are lead-based paint abatement notifications required?		
If yes, are hot work permit authorizations required?		
If yes, are confined space permit notifications required?		
If yes, are other notifications required? If so, list them here:		
16. Are S&H permits required to complete the project or work?		
17. Is an S&H site inspection required to ensure proper execution of the project or work?		
<b>Award Phase of Project</b>		
<b>IV. Safety and Health Postaward and Preconstruction Considerations</b>		
18. Will there be a postaward orientation conference with the contractor? If so, use the Postaward Orientation Procedures Checklist.		
19. Has the project manager completed the <i>Project Safety and Health Considerations Checklist</i> (App. D)? Were applicable sections of the <i>Safety and Health Guide for Contractors</i> (App. E) reviewed?		
20. Did the contractor receive the <i>Safety and Health Guide for Contractors</i> (App. E) and sign the Certificate of Understanding?		
21. Was a Project Safety Plan reviewed?		
22. Has the contractor designated a competent person(s) for the project or work?		
23. If training is required, has proof of completion been provided? Proof must be received before work begins.		
24. If licenses are required, have copies of licenses been provided? Proof must be received before work begins.		
25. If permits are required, have copies of permits been provided? Proof must be received before work begins.		
<b>V. Safety and Health Project Close-Out Considerations</b>		
26. Is an S&H acceptance inspection appropriate before final payment?		
Signature of CO/COR/Project Manager _____		Date _____
<b>Note:</b> Sign at the completion of the project and retain this documentation in the project file.		

## Instructions for Completing the *Project Safety and Health Requirements Checklist*

### General Instructions

This checklist is to be completed by the contracting officer (CO), contracting officer's representative (COR), or project manager. The purpose of this checklist is to assist the CO or project manager in the identification of S&H requirements for projects initiated through a contract. Use this checklist at the beginning of the project and at each subsequent phase of the project. When there are multiple managers, each section should be initialed by the responsible project manager.

### Presolicitation and Solicitation Phases of Project

- I. Send the project request form (e.g., Form 7437, etc.) to the safety specialist as a project alert.
- II. The project manager will make this decision based on the size and complexity of the project.
- III. Large construction projects (e.g., over \$100,000) should always include S&H evaluation factors.
- IV. By notifying the safety specialists, safety concerns can be addressed in the procurement plan.
- V. Apprise the installation head, managers, and/or postmasters of project activities, especially at project inception.
- VI. Apprise facility maintenance personnel of project activities that involve maintenance functions.
- VII. Incorporate S&H specifications into the solicitations for all projects covered by Handbook 800, *Managing Contract Safety and Health Compliance*.
- VIII. All projects exceeding \$100,000 in value should have a Project Safety Plan. In addition, a Project Safety Plan is recommended whenever the CO or COR determines it is appropriate based on a hazard risk analysis and/or regulatory risk analysis of the project.  
**Note:** OSHA requires contractors to have a written Emergency Action Plan whenever they employ more than 10 employees for a construction project (29 CFR 1926.35).
- IX. Time should be allocated within the statement of work (SOW) for the contractor to receive a safety orientation for the facility in which the work is performed.
- X. Preproposal meetings are typically held for large or complex projects so that potential contractors may obtain a better understanding of the work required.
- XI. See question 2.
- XII. By receiving input from medical personnel, medical concerns can be addressed in the procurement plan.
- XIII. Project supervision or monitoring is recommended on projects with legally prescribed notifications or permits.
- XIV. Licenses are based on the type of work required (i.e., asbestos or lead-based paint abatement, electrical work, etc.)
- XV. Self-explanatory.
- XVI. Permits are required for certain types of work, (e.g., confined space, hot work). See the *Safety and Health Guide for Contractors* (App. E) for a detailed list of permit requirements.
- XVII. Site inspections are recommended on projects that require notifications or permits.

### Award Phase of Project

- XVIII. The purpose of a postaward orientation conference is to discuss key contract provisions, including *the Safety and Health Guide for Contractors* and other S&H requirements contained in the SOW that must be followed by the contractor.
- XIX. The *Project Safety and Health Considerations Checklist* (App. D) should be completed by the project manager and reviewed with the contractor. Applicable S&H issues checked off on this checklist are to be reviewed with the contractor.
- XX. The *Safety and Health Guide for Contractors* was developed to provide guidance for contractors hired to perform work requiring access to postal property. The Certificate of Understanding should be signed by the contractor at the postaward orientation conference or before work begins.
- XXI. If a Project Safety Plan is required in the SOW, it is to be reviewed at the postaward orientation conference.
- XXII. OSHA requires that a "competent person" be designated to be capable of identifying existing and predictable hazards in the surroundings or working conditions that are hazardous to employees and to have authorization to take prompt corrective measures to eliminate them. Depending on the work, the contractor may have more than one competent person.
- XXIII. Proof that training has been provided is required for contractors and their employees for asbestos and lead abatements and for chlorofluorocarbon (CFC) (e.g., freon) equipment maintenance or repair. Proof of training must be in writing, authorized by an approved training provider.
- XXIV. Copies of required licenses must be provided as proof. Verbal authorizations are not acceptable.
- XXV. Copies of required permits must be provided as proof. Promises of permits "on their way" are not acceptable.
- XXVI. Inspections are used to ensure that the terms of the contract are met and work conforms to OSHA and postal standards. If an S&H inspection is appropriate, the safety specialist should attend the project punch list inspection.

Appendix D

## **Project Safety and Health Considerations Checklist**

### Project Safety and Health Considerations Checklist

<b>Name of Contractor:</b>				
<b>Project Description:</b>				
<b>Location:</b>				
<b>Instructions to CO/COR/Project Manager:</b> Use this checklist to identify elements of contractor work that are governed by regulations of the Occupational Safety and Health Administration (OSHA) and the safety and health policies and procedures of the Postal Service.				
Project Involves	Yes	No	Procedures Reviewed	Remarks
	Check Applicable Box			
Emergency Procedures	√			
Hazard Communication	√			
Walking and Working Surfaces	√			
Asbestos				
Barricades and Barriers				
Confined Spaces				
Electrical Work				
Elevated Work and Fall Protection				
Excavation				
Fire Protection				
Hazardous Materials				
Hot Work				
Powered Industrial Equipment				
Ladders				
Lead-Based Paint				
Lockout/Tagout				
Machinery and Equipment				
Personal Protective Equipment				
Regulated and Prohibited Materials				
Scaffolding				
_____ Date <i>Safety and Health Guide for Contractors</i> Reviewed				
Signature of CO/COR/Project Manager			Date	
<b>Note 1:</b> Prechecked items must be reviewed for all contractor projects.				
<b>Note 2:</b> Retain this documentation in the project file and provide a copy to the facility manager.				

## Appendix E

# **Safety and Health Guide for Contractors**

- Certificate of Understanding
- Safety and Health and Related Environmental Requirements
- Emergency Procedures

## Certificate of Understanding

This *Safety and Health Guide for Contractors* was developed by the Postal Service to provide guidance for contractors hired to perform repair, alteration, renovation, demolition, equipment installation, and other work requiring access to postal-owned or -leased property.

### Distribution

A copy of this Certificate of Understanding should be signed by the contractor's representative at the postaward orientation conference or before the commencement of work. A copy of this guide should be readily accessible where the work is being performed. The contracting officer's representative (COR) should thoroughly brief the contractor's representative on the Contract Safety and Health Requirements contained herein.

### Contractor's Verification Statement

As a representative of \_\_\_\_\_  
(contractor's name), I have received the *Safety and Health Guide for Contractors* prepared by the Postal Service. As the contractor's representative, I understand and accept the requirements contained herein, and I have reviewed each of the required sections of the guide with the COR and/or the designated Postal Service representative. I agree to review the contents of this guide with all subcontractors hired to perform work on postal property.

### Contractor's Representative

Printed Name: \_\_\_\_\_ Contract Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Designated Postal Service Representative

Printed Name: \_\_\_\_\_ Contract Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Safety Representative (If Required by COR)

Printed Name: \_\_\_\_\_ Contract Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Postal Service CO, COR, or Project Manager

Printed Name: \_\_\_\_\_ Contract Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Maintain a copy of this signed form in the Postal Service and contractor's project files.**



## Safety and Health and Related Environmental Requirements

Issue	Regulatory Statement	Postal Requirements
<b>Asbestos</b>	Asbestos-containing building materials (ACBM) is regulated by OSHA standards 29 CFR 1910.1001 and 1926.1101 requirements as well as by the Toxic Substances Control Act, the National Emissions Standards for Hazardous Air Pollutants, and the Resource Conservation and Recovery Act.	<p><i>Review of Facility Asbestos Survey:</i> Before any building maintenance, equipment installation, renovation, alteration, demolition, or other project begins, determine whether ACBM will be disturbed.</p> <p><i>Proper Work Practices:</i> If ACBM is present, follow proper control procedures and work practices.</p> <p><i>Consultation With Facility Asbestos Coordinator:</i> Consult with the facility manager or his or her designee before the start of any work likely to disturb ACBM.</p> <p>Disturbance means activities that crumble or pulverize ACBM or presumed asbestos-containing material (PACM) or generate visible debris. Operations may include drilling, abrading, cutting a hole, pulling cable, and crawling through tunnels or attics and spaces above the ceiling where asbestos is actively disturbed or asbestos-containing debris is actively disturbed.</p> <p><i>Asbestos Work Authorization:</i> You must have an approved Form 8210, <i>Work Authorization — Asbestos</i>, before work begins within any building containing asbestos.</p>
<b>Barricades, Barriers, and Warnings</b>	Barricades are required for most contractor activities to isolate the work area from other personnel and to protect the contractor's employees. OSHA barricade requirements are found in 29 CFR 1926, Subpart G, and other 29 CFR 1910 and 1926 standards.	Your barricades must meet the OSHA requirements. In addition, you assume control of your work area during your activities unless otherwise specified in writing by the contracting officer (CO) or contracting officer's representative (COR).
<b>Confined Spaces</b>	OSHA confined space requirements are found in 29 CFR 1910.146.	<p>Confined space work must meet the OSHA requirements. You must have a comprehensive confined space program that includes a written program, employee training, entry and testing equipment, and rescue capabilities.</p> <p>If you require access to confined space requiring a permit, then the trained, designated Postal Service representative must review and approve the project and permit. Entry into other confined spaces must be in accordance with OSHA regulations.</p>
<b>Electrical Work</b>	OSHA has extensive electrical safety requirements in general industry (29 CFR 1910, Subpart S) and construction (29 CFR 1926, Subpart K) that must be followed. All electrical installations, modifications, etc., must comply with the most current edition of the National Electric Code NFPA 70 and the applicable State Electrical Code.	Lock or rope off work areas involving exposed energized equipment or have an attendant present to prevent accidental contact by unqualified people. Refer to the Barricade section of this guideline for additional information.
<b>Elevated Work and Fall Protection</b>	OSHA has very stringent fall protection requirements concerning elevated work. The OSHA standard is located in 29 CFR 1926.500–503.	Follow strictly the applicable OSHA fall protection requirements.

Issue	Regulatory Statement	Postal Requirements
<b>Excavation</b>	Excavations are regulated by OSHA requirements by OSHA standards in 29 CFR 1926.650–652.	<p>All excavations 4 feet or more in depth must be properly shored or sloped and meet all OSHA requirements.</p> <p>Before any digging or drilling commences, inform the Postal Service COR and call Dig Safe or its local equivalent to determine whether any underground utilities are located in the work area. Submit documentation that these notifications have been performed. You must not begin digging or drilling until you have verified that underground utilities have been identified and are properly marked so that work may be accomplished in a safe manner.</p>
<b>Fire Protection</b>	OSHA and State Safety regulations require fire protection systems, extinguishers, and fire safety devices to be fully functional. Contract work must not adversely affect the performance of these systems.	<p>Do not block, remove, or otherwise prevent Postal Service fire extinguishers from being immediately accessible and usable.</p> <p>If a system must be impaired by a scheduled shutdown, notify the appropriate Postal Service representative and do not proceed without Postal Service authorization.</p>
<b>Hazard Communication</b>	The OSHA Hazard Communication standard (29 CFR 1910.1200, 1926.59) requires that employers provide each employee information concerning the hazards of chemicals in the work area, safe work procedures, and emergency procedures.	<p>Inform the Postal Service before any chemicals are used. Before materials are brought on site, provide material safety data sheets (MSDSs) and an inventory of materials. For projects that are anticipated to use substantial quantities of hazardous materials, you may be required to provide a routing, storage, and waste disposal plan.</p> <p>Upon request, the Postal Service will make available to you MSDSs for hazardous materials the Postal Service uses in the contractor work area.</p>
<b>Hazardous Materials</b>	OSHA has specific requirements concerning specific classes of hazardous materials, including compressed gases (29 CFR 1910, Subpart H) and flammable and combustible liquids (29 CFR 1910.106).	<p>Follow all OSHA requirements regarding hazardous materials. Hazardous materials include, but are not limited to, flammable and combustible liquids, gasoline, diesel fuel, motor oil, lubricating oil, hydraulic oil, corrosive cleaners, and battery acid.</p> <p>Provide secondary containment for all containers of liquids that are over 5 gallons in capacity.</p> <p>Immediately report all hazardous material releases (“spills”), regardless of how small or where they occur, to the designated Postal Service representative. Releases include solids, liquids, and gases.</p>
<b>Hot Work</b>	Contractors who perform hotwork — welding, brazing, bronzing, soldering, torch cutting, chipping, grinding, and any other task that generates sparks or heat — are required to have a Hot Work Procedure that meets OSHA requirements found in 29 CFR 1910.252.	<p>Do not begin any hot work until a Postal Service qualified person has completed and signed a Postal Service Hot Work Permit. The permit will be valid for only a single work shift. You must display the permit at the work site.</p> <p>You are prohibited from performing hot work (a) when the Postal Service has not authorized it, (b) in locations in which fire protection systems have been impaired, (c) in the presence of explosive or flammable atmospheres, or (d) in locations where large quantities of flammable and combustible materials are unprotected.</p>

Issue	Regulatory Statement	Postal Requirements
<b>Powered Industrial Trucks</b>	OSHA and the U.S. Department of Transportation have extensive regulations concerning powered industrial trucks and other mobile equipment, such as forklifts, platform trucks, and tow-motors. The OSHA regulations are located in 29 CFR 1910.178, 29 CFR 1926.602, and elsewhere and in various paragraphs of 49 CFR 40 through 399.	Powered industrial trucks and other mobile equipment must follow all traffic rules of the postal facility. The maximum speed limit for in-plant powered vehicles is 5 miles per hour. Many work areas have posted speed limits that you must strictly follow. Perform refueling only in authorized locations following safe procedures. As a general rule, the Postal Service does not allow gas- or diesel-powered industrial equipment inside postal facilities. Coordinate exceptions to the rule through the servicing safety office.
<b>Ladders</b>	Contractors commonly use ladders to access work areas and perform services. OSHA has Ladder standards located in various parts of the Construction and General Industry regulations.	Strictly follow all OSHA requirements regarding ladders. Barricade the ladder use area to prevent contact with mobile equipment and employees.
<b>Lead-Based Paint</b>	Lead-based paint (LBP) is regulated by OSHA standards 29 CFR 1910.1025 and 1926.62 as well as by the Toxic Substances Control Act (40 CFR 260 et seq.) and the Resource Conservation and Recovery Act 760 et seq.).	<p><i>Review of Facility Lead Survey:</i> Before any construction, alterations, and/or repair activities begin, determine whether LBP will be disturbed. If the painted surface has not been tested, you must have it tested before beginning any activities that could potentially disturb LBP.</p> <p><i>Proper Work Practices:</i> If LBP is present, follow proper control procedures and work practices.</p> <p><i>Consultation With Facility Manager:</i> Consult with the facility manager or his or her designee before the start of any work likely to disturb LBP. Examples of activities that may affect LBP include paint removal by scraping, sanding, power tools, or heat guns; alterations that include removing drywall, structural steel, or other building materials coated with LBP; welding, cutting, or other hot work on coated metal surfaces; abrasive blasting of mail boxes and other equipment; and moving or cleaning of abrasive blasting enclosures.</p>
<b>Lockout/Tagout</b>	Lockout/tagout of equipment and machinery is required before any servicing or maintenance is performed. OSHA standards 29 CFR 1910.147 and 1910.333 have detailed lockout/tagout requirements.	<p>Provide a copy of your lockout/tagout procedures, which must meet or exceed the OSHA Lockout/Tagout standard. You will be given access to and must review the Postal Service lockout/tagout program.</p> <p>If you encounter a Postal Service lockout/tagout device that prevents the continuation of work, do not make any attempts to remove, tamper with, or bypass the devices. Contact a Postal Service Maintenance official and make arrangements to have the lockout device removed in accordance with Postal Service lockout removal policies.</p>
<b>Machinery and Equipment</b>	OSHA standards that apply to the hazards created by machinery, tools, and equipment are located in general industry regulations (29 CFR 1910) and construction regulations (29 CFR 1926).	<p>Postal facilities use state-of-the-art mail handling machinery, some of which may operate automatically. Hazards may include, but are not limited to, moving parts and power transmission apparatus, pinch points, electrical contact, and hot surfaces.</p> <p>Do not use machine surfaces as work platforms.</p> <p>Contact the designated Postal Service representative concerning facility machinery.</p>

Issue	Regulatory Statement	Postal Requirements
<b>Personal Protective Equipment</b>	The OSHA general Personal Protective Equipment standard is located in 29 CFR 1910.132, with additional requirements located throughout OSHA General Industry and Construction standards.	Before beginning work, evaluate the work area for hazards, determine whether contract employees will be required to use personal protective equipment (PPE) to protect themselves from these hazards, and document the hazard assessment.  Wear the PPE required by the postal facility in which you are working, regardless of your perception of hazard potential.
<b>Regulated And Prohibited Materials</b>	The U.S. Environmental Protection Agency regulates or prohibits the use of certain materials such as chlorofluorocarbons (see 40 CFR 82), lead solder (see Safe Drinking Water Act, 40 CFR 100–149), or sprayed-on asbestos-containing building material (see Toxic Substances Control Act, 40 CFR 76 et seq.).	<i>Pesticides.</i> The Postal Service has restricted the use of pesticides. Obtain prior approval of the district environmental compliance coordinator for special cases that may require the use of pesticide treatments. <i>Seventeen Chemical Prohibition.</i> Adhere to the Postal Service Hazard Communication Program and chemical prohibition policies. Do not use on postal property any of the 17 chemicals prohibited by EPA unless a Postal Service person authorizes its use (each of these chemical must be authorized separately). The district environmental compliance coordinator can supply the list. <i>Asbestos-Free Products.</i> Install no asbestos-containing products or materials in postal facilities. <i>Lead.</i> Apply no lead-based paint in postal facilities.
<b>Scaffolding</b>	OSHA has extensive Scaffolding standards, meant mainly to prevent employees from falling off scaffolds, that apply to the variety of types of scaffolds available and the numerous uses for them. The standards can be found in 29 CFR 1926.450–454.	Follow strictly the applicable OSHA scaffolding requirements.  Provide adequate barrier protection around the scaffolding to prevent hazards to postal workers.
<b>Walking and Working Surfaces</b>	Personnel must be able to move about their work area safely and to exit the area and building safely if an emergency occurs. OSHA has a variety of regulations concerning these requirements in both General Industry (29 CFR 1910) and Construction (29 CFR 1926) standards.	If the project requires temporary modifications to the means of egress, inform the designated Postal Service representative before performing such actions, provide appropriate alternative means of egress, and communicated these to all employees.

## Emergency Procedures

<b>Preparations for Emergency</b>	<p>Be prepared for emergency situations.</p> <p>Ensure that emergency telephone numbers are site specific, readily available, easily read, and communicated to all employees.</p> <p>Train and authorize employees to implement emergency procedures.</p>
<b>Medical Emergencies</b>	<p>Have procedures and medical supplies to provide emergency medical services for your own personnel.</p> <p>Determine how to contact emergency medical services before work begins, and have on-site capabilities to contact such services immediately.</p>
<b>Fires</b>	<p>See Fire Protection above.</p> <p>In the event of a fire, you must:</p> <ul style="list-style-type: none"> <li>■ Immediately remove personnel from the area or building following Postal Service evacuation procedures.</li> <li>■ Immediately contact the nearest postal employee and inform him or her of the fire. You may also activate an emergency alarm in the area. If no postal employees are on-site, immediately contact the local fire department.</li> </ul> <p>Personnel trained in the use and limitations of fire extinguishers may attempt to extinguish the fire if it is safe to do so.</p>
<b>Chemical Releases</b>	<p>See Hazardous Materials above.</p> <p>If the event of a hazardous material release, you must:</p> <ul style="list-style-type: none"> <li>■ Immediately remove personnel from the area or building following Postal Service evacuation procedures.</li> <li>■ Immediately contact the designated Postal Service representative and inform him or her of the release. You may also activate an emergency alarm in the area. If no postal employees are on-site, immediately contact the local fire department.</li> </ul> <p>Contractor personnel should not respond to the release unless specifically trained and protected to perform hazardous material response.</p>
<b>Power Outages</b>	<p>In the event of a power outage, you must:</p> <ul style="list-style-type: none"> <li>■ Immediately stop work and assemble for a head count and possible facility egress.</li> <li>■ Inform all contract employees that equipment may automatically restart when power resumes.</li> <li>■ Immediately contact the designated Postal Service representative and inform him or her of the status of contract work and personnel head count. Relay at this time all hazards created due to the power outage.</li> </ul> <p>When power resumes evaluate the status of operations that were being performed relative to hazard potential. For example, the interruption of ventilation in confined spaces may generate atmospheric hazards.</p>
<b>Accident Investigation and Reporting</b>	<p>As soon as is practical after an accident, investigate and document an accident investigation. The documentation must describe the incident and identify the causes and the corrective actions that will prevent future incidents.</p> <p>Report all accidents, whether or not they result in injury. Give the written report to the Postal Service COR within 24 hours of the accident or incident.</p>

Appendix F

## **Postaward Orientation Procedures Checklist**

Postaward Orientation Procedures Checklist

### Postaward Orientation Procedures Checklist

(See reverse for instructions.)

<b>Project:</b>	<b>Contractor Name:</b>	
<b>Facility:</b>	<b>Address:</b>	
<b>Date:</b>		
<b>Required Postaward Review Elements</b>	<b>Yes</b>	<b>Not Applicable</b>
1. Review the contractor's Project Safety Plan.	<input type="checkbox"/>	<input type="checkbox"/>
2. Review the scope of work to be performed.	<input type="checkbox"/>	
3. Review the <i>Project Safety and Health Considerations Checklist</i> (Appendix D).	<input type="checkbox"/>	
4. Notify contractor of potential high-hazard issues and procedures.		
a. Asbestos.	<input type="checkbox"/>	<input type="checkbox"/>
b. Lead-based paint.	<input type="checkbox"/>	<input type="checkbox"/>
c. Confined spaces.	<input type="checkbox"/>	<input type="checkbox"/>
d. Electrical work (lockout/tagout).	<input type="checkbox"/>	<input type="checkbox"/>
e. Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>
5. Review training documentation (e.g., lead, asbestos, CFC service technician, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
6. Confirm that contractor has provided material safety data sheets (MSDSs). Date MSDSs provided: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. Confirm that the contractor has received and reviewed the provided <i>Safety and Health Guide for Contractors</i> and signed the Certificate of Understanding (Appendix E).	<input type="checkbox"/>	
8. Identify contractor project superintendent or competent person for the project. Name: _____		
9. Identify designated Postal Service representatives (e.g., local supervisor) tasked with monitoring contractor's safety performance on a regular basis. Name: _____		
10. Identify management's representative with authority to stop work activities if unsafe acts, unsafe conditions, or imminent dangers exist. Name: _____ Telephone Number: _____		
11. Identify method for notifying employees about this project and keeping them updated (see Exhibit, Sample Notice). Method: _____		
12. Identify postaward orientation conference attendees. Installation Head: _____ Designated Postal Service Representative: _____ Safety Representative: _____ Contractor's Representative: _____		

## Instructions for Completing Postaward Orientation Procedures Checklist

### General Instructions

This checklist is to be completed by the contracting officer's representative (COR) or the project manager. The checklist is intended to assist the COR or project manager with identifying safety and health elements with the contractor before work begins. The use of this checklist will ensure that all of the relevant requirements contained in the *Safety and Health Guide for Contractors* (Appendix E) are properly addressed before work begins. Place a check in the appropriate box next to each question.

### Item Instructions

1. Review the contractor's Project Safety Plan required for all projects over \$100,000 or when the contracting officer (CO) deems it necessary based on a hazard risk analysis. The Project Safety Plan identifies potential hazards during each phase of the project and provides a specific method to deal with each identified hazard.
2. Review the statement of work (SOW) with the contractor. The SOW describes what is expected of the contractor and the procedures necessary to complete those tasks required for the success of the project.
3. Use the *Project Safety and Health Considerations Checklist* (Appendix D) to identify elements of contractor work that may impact safety and health issues. This form should be signed and kept in the project file.
4. Place special emphasis on work that could potentially create a high hazard risk. The work listed under item 4 covers high hazard issues. These issues require special training, notifications, licenses, etc. Discuss these requirements with the contractor during the postaward orientation conference.
5. Review all required training documents to ensure that the contractor's representative has the necessary documentation. Training documents must be current and clearly state each employee's name and social security number.
6. Contractors must provide material safety data sheets (MSDSs) for all materials that they bring onto Postal Service property. Review all MSDSs to ensure that they are incorporated into the facility's hazard communication program and that they are consistent with Postal Service policy. The COR should record the date the MSDSs were submitted for Postal Service review.
7. The contractor must sign the Certificate of Understanding of the *Safety and Health Guide for Contractors* at the postaward orientation conference or before work begins.
8. Record the name(s) of the project superintendent or "competent person" for the project. Record all names of competent person designees and their related tasks on projects that require more than one competent person.
9. Identify the designated COR and/or project manager.
10. Record the name of the designated Postal Service representatives who have been delegated authority to stop work activities. If more than one person is necessary, then record all names on this checklist.
11. Identify how employees will be notified about the project (see Exhibit, Sample Notice).
12. Attendees should sign this checklist. Alternatively, an official attendance sheet may serve as documentation to show that contractors were notified of relevant safety and health issues. The roles of the attendees are defined in Handbook EL-800, *Managing Contract Safety and Health Compliance*.



Exhibit  
**Sample Notice**

# Notice

**TO:** Plant Manager  
Safety Office  
MDOs  
Union Representatives  
Employee Bulletin Board  
Vehicle Maintenance Facility Postmaster

**Designated Postal Service Representative:** \_\_\_\_\_

**Contractor Name:** \_\_\_\_\_

**Dates in Facility:** \_\_\_\_\_

**Location of Work:** \_\_\_\_\_

**Environmental, safety and health, and engineering controls  
have been established for this project.**

**Comments:** \_\_\_\_\_  
\_\_\_\_\_

(If a special notice is required, please present it under the Comments section.)

If there are questions or concerns relative to this project, contact the Designated Postal Service Representative at (phone no.) \_\_\_\_\_.

**This notice should be posted by the designated Postal Service representative  
at least 72 hours before the contractor is on the premises.**

## Appendix G

# Cleaning Services Contract Administration Guide

- Form 7355, *Cleaning Agreement*  
(check Postal Service Intranet for latest version)
- Asbestos Awareness Orientation
- Hazard Communication Training



**Cleaning Agreement**

The supplier named below agrees to perform \_\_\_\_\_ hours of cleaning per week at the \_\_\_\_\_ postal facility for the sum of \$ \_\_\_\_\_ per hour. The supplier will be paid by cash, check or no-fee money order, weekly for each week's service (the Postal Service will not withhold taxes or take any other kind of deduction from these payments). The Postal Service will report supplier payment information to the Internal Revenue Service at quarterly intervals.

Cleaning service will be of the kind and quality offered and sold in the commercial marketplace under commercial terms and conditions. The Postal Service reserves the right to reject any work it finds to be unsatisfactory.

The Supplier, by signing this form, certifies that he/she is not a postal employee or a member of the immediate family (see *Purchasing Manual 1.7.3.a*) of a supervisory postal employee. The supplier agrees and acknowledges that he/she is performing this service as an independent contractor and not an employee of the Postal Service for any purpose, and that the terms of this agreement shall not be construed to create any other relationship between the parties other than an independent contractor status.

Unless otherwise agreed, the Postal Service will provide reasonable quantities of cleaning equipment and supplies.

The supplier will hold harmless and indemnify the Postal Service and its officers, employees, agents and representatives, from all claims, losses, damages, actions or causes of actions resulting from the negligent acts or omissions of the supplier, his/her agents, employees or representatives.

The term of this agreement shall be for \_\_\_\_\_ year(s) from the start date set forth below. The Postal Service or the supplier may terminate this agreement at anytime, for any or no reason, on one day's notice to the other party. In the event of such termination, each party shall bear its own costs of any kind whatsoever.

Supplier Name (No., street, ste./apt. no., city, state, and ZIP + 4)	Taxpayer Identification Number (TIN)/SSN
	Telephone Number (Include area code)
	Agreement Start Date
Postmaster's Signature and Date	Supplier's Signature and Date

**Terms and Conditions**

**Clause B-9, Claims and Disputes (January 1997)**

a. This contract is subject to the *Contract Disputes Act of 1978 (41 U.S.C. 601-613)* ("the Act").

b. Except as provided in the Act, all disputes arising under or relating to this contract must be resolved under this clause.

c. "Claim," as used in this clause, means a written demand or written assertion by one of the contracting parties seeking, as a matter of right, the payment of money in a sum certain, the adjustment or interpretation of contract terms, or other relief arising under or relating to this contract. However, a written demand or written assertion by the supplier seeking the payment of money exceeding \$100,000 is not a claim under the Act until certified as required by subparagraph d.2 below. A voucher, invoice, or other routine request for payment that is not in dispute when submitted is not a claim under the Act. The submission may be converted to a claim under the Act by complying with the submission and certification requirements of this clause, if it is disputed either as to liability or amount is not acted upon in a reasonable time.

d. (1) A claim by the supplier must be made in writing and submitted to the contracting officer for a written decision. A claim by the Postal Service against the supplier is subject to a written decision by the contracting officer.

(2) For supplier claims exceeding \$100,000, the supplier must submit with the claim the following certification:

"I certify that the claim is made in good faith, that the supporting data are accurate and complete to the best of my knowledge and belief, that the amount requested accurately reflects the contract adjustment for which the supplier believes the Postal Service is liable, and that I am duly authorized to certify the claim on behalf of the supplier."

(3) The certification may be executed by any person duly authorized to bind the supplier with respect to the claim.

e. For supplier claims of \$100,000 or less, the contracting officer must, if requested in writing by the supplier, render a decision within 60 days of the request. For supplier-certified claims over \$100,000, the contracting officer must, within 60 days, decide the claim or notify the supplier of the date by which the decision will be made.

f. The contracting officer's decision is final unless the supplier appeals or files a suit as provided in the Act.

g. When a claim is submitted by or against a supplier, the parties by mutual consent may agree to use an alternative dispute resolution (ADR) process to assist in resolving the claim. A certification as described in d(2) of this clause must be provided for any claim, regardless of dollar amount, before ADR is used.

h. The Postal Service will pay interest in the amount found due and unpaid from:

(1) The date the contracting officer receives the claim (properly certified, if required); or  
 (2) The date payment otherwise would be due, if that date is later, until the date of payment.

i. Simple interest on claims will be paid at a rate determined in accordance with the interest clause.

j. The supplier must proceed diligently with performance of this contract, pending final resolution of any request for relief, claim, appeal, or action arising under the contract, and comply with any decision of the contracting officer.

**Clause B-30, Permits and Responsibilities (January 1997)**

The supplier is responsible, without additional expense to the Postal Service, for obtaining any necessary licenses and permits, and for complying with any applicable federal, state, and municipal laws, codes, and regulations in connection with the performance of the contract. The supplier is responsible for all damage to persons or property, including environmental damage, that occurs as a result of its omission(s) or negligence. The supplier must take proper safety and health precautions to protect the work, the workers, the public, the environment, and the property of others.

**Clause 1-5, Gratuities or Gifts (January 1997)**

a. The Postal Service may terminate this contract for default if, after notice and a hearing, the Postal Service Board of Contract Appeals determines that the supplier or the supplier's agent or other representative:

(1) Offered or gave a gratuity or gift (as defined in 5 CFR 2635) to an officer or employee of the Postal Service; and

(2) Intended by the gratuity or gift to obtain a contract or favorable treatment under a contract.

b. The rights and remedies of the Postal Service provided in this clause are in addition to any other rights and remedies provided by law or under this contract.

**Clause 9-11, Service Contract Act - Short Form (January 1997)**

Except to the extent that an exemption, variation, or tolerance would apply if this contract were more than \$2,500, the supplier and any subcontractor must pay employees engaged in performing work on the contract at least the minimum wage specified in section 6(a)(1) of the *Fair Labor Standards Act of 1938*, as amended. Regulations and interpretations of the *Service Contract Act of 1965*, as amended, are contained in 29 CFR Part 4.

**See Privacy Act Statement on Reverse.**

**Privacy Act Statement**

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To the extent that the information you provide is about an individual, the Privacy Act will apply. Collection of that information is authorized by 39 USC 401. As a routine use, the information may be disclosed to an appropriate government agency, domestic or foreign, for law enforcement purposes; where pertinent, in a legal proceeding to which the USPS is a party or has an interest; to a government agency in order to obtain information relevant to a USPS decision concerning employment, security clearances, contracts, licenses, grants, permits or other benefits; to a government agency upon its request when relevant to its decision concerning employment, security clearances, security or suitability investigations, contracts, licenses, grants or other benefits; to a congressional office at your request; to an expert, consultant, or other person under contract with the USPS to fulfill an agency function; to the Federal Records Center for storage; to the Office of Management and Budget for review of private relief legislation; to an independent certified public accountant during an official audit of USPS finances; to an investigator, administrative judge or complaints examiner appointed by the Equal Employment Opportuni-

ty Commission for investigation of a formal EEO complaint under 29 CFR 1614; to the Merit Systems Protection Board of Office of Special Counsel for proceedings or investigations involving personnel practices and other matters within their jurisdiction; to a labor organization as required by the National Labor Relations Act; to a federal, state or local agency, financial institution or other appropriate entity for the purpose of verifying an individual's or entity's eligibility or suitability for engaging in a transaction. In addition, the following disclosures may be made to any person: a solicitation mailing list when a purchase is highly competitive and competitors will not be harmed by release, or to provide an opportunity for potential subcontractors seeking business; a list of lessors or real or personal property to the Postal Service; a list of entities with whom the Postal Service transacts for goods or services, interests in real property, construction, financial instruments, or intellectual property; and the identity of the successful offeror. Completion of this form is voluntary; however, if this information is not provided, we will be unable to process your request.

# Asbestos Awareness Orientation

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## Training Required for Contract Custodians

The Occupational Health and Safety Administration (OSHA) requires asbestos awareness certification or housekeeping training and annual refresher orientation for all custodial and maintenance personnel in buildings that have asbestos-containing materials. Contractors must submit a copy of their certifications before beginning work. If contractors have not already received asbestos housekeeping orientation, such orientation can be provided by the postmaster or other designated Postal Service personnel.

This on-the-job orientation must be based on a review of the asbestos survey (if available) and the asbestos orientation materials described below. Contractors must follow Postal Service work practices in accordance with OSHA regulations (see 29 CFR 1910.1001(k), Housekeeping). Before beginning work, contractors must sign the certification below stating that they have reviewed the post office's asbestos survey (if available), understand the requirements, and are familiar with locations of asbestos in the facility.

Asbestos awareness training includes:

- Viewing an asbestos awareness video (e.g., *Asbestos and the US Postal Worker*).
- Providing the contractor access to the facility asbestos survey and Operations and Maintenance Plan (if available).
- Providing the contractor with cleaning practices and prohibited activities applicable to asbestos-containing building materials.
- Showing the contractor the location and purpose of asbestos signs and labels. Walking the cleaner through the facility and identifying the specific locations of the asbestos.
- Obtaining written certification of this training on the Certification of Asbestos Orientation for Contract Custodians.

## Guidelines for Care of Asbestos-Containing Flooring Material

All vinyl and asphalt-based flooring materials must be maintained in accordance with these instructions unless the facility asbestos coordinator (FAC) demonstrates that the flooring does not contain asbestos.

### Work Practices — Handling of Asbestos-Containing Flooring Material

- Sanding of asbestos flooring material is prohibited.
- Stripping of finishes must be accomplished using low-abrasion pads at machine speeds less than 300 revolutions per minute (rpm) and using wet methods. Stripping pads are not allowed.

- Burnishing or dry buffing may only be performed on asbestos flooring that has a finish thick enough that the pad cannot contact the asbestos flooring material. Low-speed spray buffing is strongly recommended over the high-speed burnishing process. Burnishing has a very strong potential to disturb or release asbestos fibers for reasons beyond the control of the machine operator. Uneven floor surfaces and insufficient thickness of floor finish, for example, can cause fiber releases in potentially high concentrations.

## Maintenance Steps

### Ordinarily:

- Use a spray-on product and a low-speed buffer to maintain the floor. When refinishing becomes necessary, use a commercial stripping product to remove the wax finish only and leave the sealer intact.

### If the floor must be resealed:

**Note:** It is recommended that the stripper, sealer, and finish all come from the same company. The contractor must provide a list of these chemicals to the postmaster for approval before work begins.

- Wet strip the floor using a < 300 rpm scrubber or buffer with a low-abrasion scrubbing pad. Use a commercial stripping product. Remove the liquid from the floor before it dries. In most states, you can dispose of the liquid waste in a sanitary drain. Check with your local sewage authority to determine if this is the case in your facility before disposing of the waste.
- Apply two to four coats of floor sealer to the stripped flooring. Follow the manufacturer's application instructions.
- Apply two to four coats of finish over the sealer. Follow the manufacturer's application instructions.

Low-speed stripping and buffing operations may take a little longer to accomplish, but they will produce excellent results with minimal health and safety risks.

## Certification

The certificate shown in Exhibit 1 may be used to document asbestos awareness orientation.

**Certification of Asbestos Awareness Orientation for Contract Custodians**

**Certification of Asbestos Awareness Orientation  
for Contract Custodians**

This acknowledges that I have reviewed and become familiar with the asbestos orientation materials, asbestos work practices, and Operations and Maintenance plan, as described below, for the facility in which I work. I understand that I will not be allowed to undertake any cleaning activities that would disturb asbestos-containing building materials as a result of work I am required to perform under contract to the Postal Service. I further acknowledge that I have been informed where asbestos-containing materials are located in this facility.

**I certify that I have viewed, read, and become familiar with the following asbestos orientation materials and required work practices (*check all that apply*):**

- Asbestos video or comparable two-hour orientation (*required*)
- Asbestos survey (*if available*)
- Asbestos Operations and Maintenance Plan (*if available*)
- Cleaning practices applicable to asbestos-containing building materials (*if available*)
- Prohibited activities applicable to asbestos-containing buildings materials (*if available*)
- Location and purpose of asbestos signs and labels (*if available*)

\_\_\_\_\_  
Signature of Contract Custodian                      Printed Name of Contract Custodian                      Date

\_\_\_\_\_  
Name of Post Office    Contract Number

\_\_\_\_\_  
Address of Post Office

\_\_\_\_\_  
City    State    ZIP Code

This form must be completed and returned to the installation head for the above listed facility after review of the above orientation materials and familiarization with required asbestos work practices.

**WARNING: No contract custodial work can be performed at this facility unless this certification form has been signed, dated, and maintained on file with the postmaster or installation head.**

# Hazard Communication Training

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## **Training Required for Contract Custodians**

The Occupational Health and Safety Administration (OSHA) requires hazard communication (HAZCOM) training for all custodial and maintenance personnel (see 29 CFR 1910.1200(h), Hazard Communication). The postmaster or other designated Postal Service personnel must ensure training requirements are met. Contractors must submit a copy of their training certification before beginning work.

Contractors must be trained on the methods and observations that may be used to detect the presence or release of hazardous chemicals in their work area and the postal hazard communication program, including an explanation of the labeling system, the material safety data sheets, and how employees can obtain and use the appropriate hazard information. All chemicals, including cleaning products, used in the performance of this contract must meet postal and OSHA-regulated guidelines.

Hazardous Communication (HAZCOM) Training includes:

- Viewing the HAZCOM video.
- Familiarizing the contractor with the HAZCOM program, MSDSs, and a list of chemicals that will be supplied by the Postal Service for use in the performance of the contract.
- Obtaining written certification of this training on the Certification of Hazard Communication (HAZCOM) Orientation for Contract Custodians.

## **Certification**

The certificate shown in Exhibit 2 may be used to document hazard communication training.



Exhibit 2

**Certification of HAZCOM Training for Contract Custodians**

**Certification of HAZCOM Training  
for Contract Custodians**

This acknowledges that I have reviewed and become familiar with the postal facility's Hazard Communication Program, chemical inventory list, and the material safety data sheets (MSDSs). I understand that I will not be allowed to introduce any chemicals or cleaning products that do not meet postal and OSHA-regulated guidelines.

I certify that I have viewed, read, and become familiar with the following hazard communication orientation materials and work practices (*check all that apply*):

- HAZCOM video or comparable orientation
- HAZCOM Program
- Chemical inventory list
- Material safety data sheets

\_\_\_\_\_  
Signature of Contract Custodian                      Printed Name of Contract Custodian                      Date

\_\_\_\_\_  
Name of Post Office    Contract Number

\_\_\_\_\_  
Address of Post Office

\_\_\_\_\_  
City    State    ZIP Code

This form must be completed and returned to the installation head for the above listed facility after review of the above orientation materials and familiarization with hazard communication procedures.

**WARNING: No contract custodial work can be performed at this facility unless this certification form has been signed, dated, and maintained on file with the postmaster or installation head.**

## Appendix H

# Project Safety and Health Inspection Guide

- Project Inspection Procedures
- Project Inspection Team Procedures Checklist
- Project Inspection Findings Checklist

## Project Inspection Procedures

<b>Introduction</b>	This is an optional guide and template for a comprehensive and objective procedure to evaluate the performance of contractors relative to safety and health requirements. This inspection procedure provides a systematic method for evaluating contractors, and provides instructions on how designated Postal Service representatives may perform contractor evaluations.
<b>Purpose and Scope</b>	<p>The purpose of this inspection procedure is to determine if contractors are working safely at Postal Service facilities and following Postal Service policy and OSHA regulations.</p> <p>The scope of the inspection program may apply to all contractors and their subcontractors working at Postal Service facilities, but it is clearly targeted to larger projects being accomplished by contractors.</p>
<b>Frequency of Contractor Inspections</b>	<p>Contractor inspections should be performed on an ongoing basis on all covered projects. The following suggested criteria may be used to select contractor projects for evaluation:</p> <ul style="list-style-type: none"> <li>■ Major projects, e.g., over \$100,000, should be given priority over smaller projects.</li> <li>■ Projects in which the contractor is working in close proximity to Postal Service employees should be given priority over projects in which the contractor is working in a remote location.</li> <li>■ New Postal Service contractors with the potential for a significant amount of contract work should be given priority.</li> <li>■ Each district should inspect approximately 10 percent of construction contract work on an annual basis.</li> </ul>
<b>Inspection Teams</b>	<p>Inspections are normally performed by the contracting officer's representative (COR) or the designated Postal Service representative. The COR may also use other personnel knowledgeable about Postal Service requirements and applicable regulations. Suggested personnel on inspection teams are as follows:</p> <ul style="list-style-type: none"> <li>■ The inspection team should be headed by the COR.</li> <li>■ District safety specialist, designated Postal Service representative, facility manager, safety committee members, and a representative of the contractor should be members.</li> </ul> <p>Each Postal Service team member should properly prepare for the inspection and complete the attached <i>Project Inspection Findings Checklist</i>. At the conclusion of the inspection, the team should meet to discuss their findings and consolidate comments into one <i>Project Inspection Findings Checklist</i>.</p>
<b>Safety of Inspectors</b>	The inspection team needs to be aware of potential safety and health hazards during the inspection. The team needs to wear appropriate personal protective equipment (PPE). The team should not go into work areas in which they do not have authority, such as asbestos containments and confined spaces.

<p><b>Contractor Approval Review</b></p>	<p>Depending on the type of work to be performed by the contractor, various aspects of the contractor's safety record and approach will have been included in the contract evaluation phase:</p> <ul style="list-style-type: none"> <li>■ Adequate insurance coverage (where required); applicable licenses.</li> <li>■ Acceptable safety performance, e.g., OSHA Injury and Illness statistics.</li> <li>■ An established safety program that includes management commitment, written procedures, employee training, accident investigation, and ongoing program management.</li> <li>■ Acknowledgment and adherence to OSHA regulations.</li> <li>■ Projects greater than \$100,000 should have a Project Safety Plan prepared by the contractor. The inspection team should review this document and determine if the contractor is following the Plan's requirements.</li> </ul> <p>The inspection should include a brief review of the documentation applicable to the project. The most important documents that the contractor should have readily available involve written safety programs and compliance documents.</p>
<p><b>Inspection Protocol</b></p>	<p>The <i>Project Inspection Team Procedures Checklist</i> and <i>Project Inspection Findings Checklist</i> are included in this appendix. Each of the inspectors should carry the <i>Project Inspection Findings Checklist</i> for completion during the walk-through portion of the inspection. At the completion of the walk-through, the inspection team should meet to discuss the findings and complete the final inspection report.</p> <p>The <i>Project Inspection Team Procedures Checklist</i> can assist the team in preparing for, performing, and completing the inspection.</p> <p>The inspection should be performed unannounced to allow the inspection team to evaluate the project "as is."</p> <p>The team should immediately address any significant safety or health hazards that are identified.</p>
<p><b>Closing Meeting</b></p>	<p>At the completion of the walk-through phase of the inspection, the contractor's representative and selected site personnel should be provided a debriefing of the inspection. The purpose for this debriefing is to highlight areas for improvement. Because the inspection notes are not completed (see discussion in Completion of Inspection Report below), the contractor should not be provided copies of any inspection documents at this time.</p>
<p><b>Completion of Inspection Report</b></p>	<p>The inspection team should complete the final inspection report in a timely manner and submit copies to selected personnel. Various Postal Service personnel should receive a copy of the final report and <i>Project Inspection Findings Checklist</i>. Also, the contractor's representative, the COR, and the designated Postal Service representative should receive the final report.</p>

## Project Inspection Team Procedures Checklist

<b>Preparing for the Inspection</b>	<b>Assembling Team and Materials</b>	<input type="checkbox"/> Introduce the team members.
		<input type="checkbox"/> Review the inspection procedure.
		<input type="checkbox"/> Provide a Project Inspection Findings Checklist to each team member.
		<input type="checkbox"/> Have available inspection reference documents such as: <ul style="list-style-type: none"> <li><input type="checkbox"/> OSHA Regulations</li> <li><input type="checkbox"/> <i>Safety and Health Guide for Contractors</i> (Appendix E).</li> </ul>
	<b>Ensuring Team Safety</b>	<input type="checkbox"/> Arrange to wear work clothes appropriate for the project.
		<input type="checkbox"/> Arrange to wear, as needed: <ul style="list-style-type: none"> <li><input type="checkbox"/> Hard hats.</li> <li><input type="checkbox"/> Safety glasses.</li> <li><input type="checkbox"/> Safety-toed shoes.</li> </ul>
<b>Holding an Opening Meeting</b>	<input type="checkbox"/> Hold an initial meeting with the contractor's representative.	
	<input type="checkbox"/> Explain the purpose of the inspection.	
	<input type="checkbox"/> Review safety procedures for the team.	
	<input type="checkbox"/> Review the site paperwork.	
	<input type="checkbox"/> Discuss the status of the project.	
<b>Performing a Walk-Through</b>	<b>Documenting Observations</b>	<input type="checkbox"/> Discuss the mechanics of this inspection.
		<input type="checkbox"/> Use the Project Inspection Findings Checklist to document all findings.
		<input type="checkbox"/> Make notes on the checklist or a separate paper.
	<b>Observing Contractor Employees</b>	<input type="checkbox"/> Intervene immediately where significant hazards are found.
		<input type="checkbox"/> Review personal protective equipment.
		<input type="checkbox"/> Discuss training.
<b>Holding a Closing Meeting</b>	<input type="checkbox"/> Observe whether safe work practices are being implemented.	
	<input type="checkbox"/> Assemble the team and the contractor's representative.	
	<input type="checkbox"/> Keep the meeting short and nonconfrontational.	
	<input type="checkbox"/> Explain all areas that need improvement.	
<b>Completing the Report</b>	<input type="checkbox"/> Ask if the contractor wants a copy of the inspection report when it is completed.	
	<input type="checkbox"/> Meet as a team to complete the report.	
	<input type="checkbox"/> Prepare one Project Inspection Findings Checklist.	
	<input type="checkbox"/> Send the completed report to listed Postal Service personnel and the contractor's representative.	
		<input type="checkbox"/> Follow up on areas that need improvement.

## Project Inspection Findings Checklist

<b>Postal Service Facility:</b>		<b>Inspection Date:</b>	
<b>Facility Address:</b>			
<b>Inspection Team Leader:</b>		<b>Other Team Members:</b>	
<b>Contractor's Name:</b>		<b>Project Name:</b>	
<b>Contractor's Contact:</b>		<b>Project Number:</b>	
<b>Project Cost:</b>			
<b>Contract Issued By:</b> (facilities service office, purchasing and materials service center, district administrative support office, or other)			
<b>Subcontractors Working on Project:</b>			
<b>Summary of Contract Work:</b>			
<p><b>Instructions to the Inspection Team:</b> Complete each of the applicable tables. Each subject table is numbered and titled so that additional inspection comments can be referenced at the end of the checklist. Each of the listed subject tables has several questions concerning safety and health practices that may be applicable to the project that you are inspecting. Place a "✓" in the Yes or No box. If a listed question is not applicable, place "NA" in the box.</p>			
<b>Inspection Items</b>	<b>Yes</b>	<b>No</b>	
<b>1. Contractor's Employee Conduct</b>			
Based on your observations during the inspection, are the contractor employees following the basic employee conduct rules?			
<b>2. Asbestos</b>			
<b>Is asbestos-containing building material (ACBM) affected by this project? (If "No," continue to 3. Barricades, Barriers, and Warnings.)</b>			
Has the contractor determined if ACBM will be disturbed?			
Is the contractor using proper work practices and engineering controls when working with ACBM?			
Have contractor employees been notified of the presence of asbestos before working on any ACBM?			
Have Postal Service employees working in the immediate area been notified by the contractor that work will affect ACBM?			
Have danger signs been posted around the regulated area?			
<b>3. Barricades, Barriers, and Warnings</b>			
<b>Does the project require the establishment of a contractor work area? (If "No," continue to 4. Confined Spaces.)</b>			
Have warning signs been placed around work areas and removed promptly upon project completion?			
Have floor and wall openings been adequately barricaded at all times?			
Have safety warning signs been posted at each entrance to job sites where special PPE must be worn? Example: "Caution — Hard Hat Area"			
Do barricades allow for immediate egress from the work site in the event of an emergency?			

Inspection Items (continued)	Yes	No
<b>4. Confined Spaces</b>		
<b>Does the project involve permit-required confined space entry? (If “No,” continue to 5. Electrical Safety.)</b>		
Is the contractor’s written confined space program available at the work site?		
Was a Confined Space Entry Permit completed and approved before entry was allowed to occur?		
Have lockout/tagout, air sampling and other safety procedures been implemented?		
Is an attendant dedicated to the constant observation and safety of the entrants?		
Are rescue services readily available?		
Has a designated Postal Service management representative reviewed and approved the entry?		
Is appropriate confined space entry and retrieval equipment readily available and being used?		
<b>5. Electrical Safety</b>		
<b>Are electric tools and equipment used on this project, and/or are electric wiring and equipment used in the project area? (If “No,” continue to 6. Elevated Work and Fall Protection.)</b>		
Has lockout/tagout of electrical equipment been performed before work has begun on energized systems?		
Are ground fault circuit interrupters (GFCIs) being used with all power tools and equipment? If not, does the contractor have an assured equipment-grounding program?		
Are all electrical cords inspected before use?		
Are cords protected from damage, and not run through holes in walls, ceilings, or floors or through doorways, windows, or similar openings unless they have been protected from damage?		
Are only qualified contractor employees performing work on or near energized equipment?		
If overhead lines are in work area, is equipment at least 10 feet away?		
<b>6. Elevated Work and Fall Protection</b>		
<b>Is the contractor working at heights above 6 feet (10 feet for scaffolds) above the working surface? (If “No,” continue to 7. Excavation.)</b>		
Is the contractor using an approved type of fall protection system?		
Is the scaffolding rated to support at least 4 times the maximum intended load?		
Is the scaffolding on base plates or other adequate firm foundation?		
Is there safe access to the scaffold working surface?		
Are employees on the scaffold when it is being moved?		
Are handrails, midrails, and toeboards present on scaffolds 10 feet or higher?		
<b>7. Excavation</b>		
<b>Does the project involve excavation? (If “No,” continue to 8. Fire Protection.)</b>		
Have the Postal Service COR and Dig Safe or the local equivalent been notified of digging, and does the contractor have documentation that these notifications were made before digging began?		
Is a “competent person” present during excavation activities, and is he/she making daily, documented inspections?		
Are excavations 4 feet in depth or greater properly shored or sloped?		
Does the excavation have an access and egress means?		
Is the excavation free from water accumulation?		
Has the stability of adjacent structures been maintained?		

Inspection Items (continued)	Yes	No
Are personnel prohibited from working under elevated loads or digging equipment?		
Is barrier protection or other effective means used to prevent personnel on ground level from falling into the excavation?		
<b>8. Fire Protection</b>		
<b>Does this project involve the impairment of existing fire protection equipment, including extinguishers, and/or increase the potential of fire hazards due to the type of work performed by the contractor? (If “No,” continue to 9. Hazard Communication.)</b>		
Have fire protection piping, valves, and other equipment been protected from damage during contractor activities? This includes protection from freezing.		
Have sprinkler heads been protected from damage, including any type of residue that may adversely affect their function?		
Have temporary walls or barriers been installed to prevent the adverse performance of fire protection systems?		
Are Postal Service fire extinguishers immediately available?		
Do the contractor employees have their own fire extinguishers readily available for their use?		
<b>9. Hazard Communication</b>		
Does the contractor have a written hazard communication program?		
Are all containers of hazardous materials labeled with the name of the contents and their hazards?		
Are work site material safety data sheets readily available?		
Has the contractor informed the Postal Service before any chemicals are used? (Emphasize chemicals that may create hazards in the work area.)		
Has a routing, storage, and waste disposal plan been prepared if the project will be using substantial quantities of hazardous materials?		
<b>10. Hazardous Materials</b>		
<b>Is the contractor using any hazardous materials (as defined by OSHA in the Hazard Communication Standard) on Postal Service property? (If “No,” continue to 11. Hot Work.)</b>		
Are gas cylinders properly stored and protected from damage and falling over when not being used?		
Are all cylinders marked as to their contents as per DOT requirements?		
Are acetylene cylinders stored and used in their upright position, and is a wrench to shut off flow from the cylinder attached to the valve?		
Are flammable liquids stored only in approved containers?		
Are contract employees properly grounding and bonding flammable liquid containers when liquids are being transferred?		
Have ignition sources in the area been eliminated or controlled?		
Has the contractor provided secondary containment for all containers of hazardous material liquids that are over 5 gallons in capacity?		
Is the contractor taking adequate steps to avoid spills?		



Inspection Items (continued)	Yes	No
<b>11. Hot Work</b>		
<b>Has the project involved, or will it involve, any hot work, such as welding, grinding, or soldering? (If “No,” continue to 12. Ladders.)</b>		
Has a Hot Work Permit been completed (only valid for one shift), posted, and approved by the Postal Service?		
Have combustible materials been removed from or protected within 35 feet of the work area?		
Have special precautions been taken where hot slag can fall or spatter, or when heat can transfer through metal surfaces or into ducts or into conveyors?		
Has a fire watch been designated to monitor the hot work operation?		
<b>12. Ladders</b>		
<b>Is the contractor using any type of ladders on the project? (If “No,” continue to 13. Lead-Containing Material.)</b>		
Are ladders routinely inspected before use for defects such as loose rungs; weak treads; broken, bent, or stuck fittings; or any other unsafe condition?		
Are only nonconductive ladders used when working in the immediate vicinity of energized electrical wiring or equipment?		
If ladders are used to reach an upper landing of a structure, have side rails been extended at least 3 feet above the landing?		
Are ladders secured by either tying in place or stationing an employee at the base of the ladder?		
Is the area where the ladder is used barricaded to prevent contact with mobile equipment and employees?		
Are ladders designed and rated for their intended use?		
<b>13. Lead-Containing Material</b>		
<b>Is lead-containing material (LCM) affected by this project? (If “No,” continue to 14. Lockout/Tagout.)</b>		
Did the contractor determine whether LCM would be disturbed before any construction, alterations, and/or repair activities were begun?		
Have contractor employees been notified of the presence of lead before working on any LCM?		
Has the facility manager been notified concerning the disturbance of LCM?		
Have danger signs been posted around the regulated area?		
<b>14. Lockout/Tagout</b>		
<b>Is the contractor performing servicing or maintenance of energized (electrical, pneumatic, hydraulic, etc.) equipment or machinery? (If “No,” continue to 15. Personal Protective Equipment.)</b>		
Has the contractor provided a copy of contractor lockout/tagout procedures to the Postal Service?		
For multi-employer work sites, has the contractor received and reviewed the Postal Service lockout/tagout program?		
Does the contractor have adequate locks, tags, and other lockout/tagout equipment?		
Has lockout/tagout been implemented before work has begun on all energized or potentially energized equipment, including electrical services?		
Does each contractor employee’s lock have only one key? Have all contractor employees working on the equipment locked it out?		
Has a tag been placed on the lock that provides wording to prohibit the lock's removal and identifies the contractor and the contractor employee that applied it?		

Inspection Items (continued)	Yes	No
Have point of operation guards been placed back on the machines before they have been reenergized?		
Have power transmission apparatus guards been placed back on the machines before they have been reenergized?		
<b>15. Personal Protective Equipment</b>		
<b>Are hazards potentially present that may require the use of personal protective equipment (PPE)? (If “No,” continue to 16. Powered Industrial Trucks.)</b>		
If eye hazards are present, are Z-87 safety glasses with side shields being worn?		
Is foot protection appropriate for the worksite being worn?		
Are hard hats worn when overhead hazards exist?		
If noise levels are above 90 dBA, are contractor employees wearing hearing protection?		
Are all personnel in the hazard area wearing the appropriate PPE?		
<b>16. Powered Industrial Trucks</b>		
<b>Is the contractor using powered industrial equipment, such as fork lifts? (If “No,” continue to 17. Regulated and Prohibited Materials.)</b>		
Are powered vehicles properly used and parked to not obstruct aisles, exit doors, passageways, fire equipment, electrical panels, and other facility equipment and pathways?		
Are only authorized personnel permitted to operate powered vehicles?		
Are all traffic rules of the Postal Service facility followed?		
Is the contractor performing daily inspections of the equipment?		
Are seat belts and other required protective equipment used?		
<b>17. Regulated and Prohibited Materials</b>		
<b>Is the contractor using any hazardous materials on this project? (If “No,” continue to 18. Walking and Working Surfaces.)</b>		
Are only allowable materials being used by the contractor?		
If the contractor is servicing CFC-containing refrigerants, are the contractor employees certified?		
Are any pesticides being used by the contractor? (Postal Service approval is required.)		
Is the contractor aware that contract employees are not allowed to use the 17 EPA-prohibited chemicals without approval?		
<b>18. Walking and Working Surfaces</b>		
Are all floor and wall openings protected from falling and tripping hazards?		
Are means of egress for Postal Service employees and contractor personnel maintained?		
Does the project involve the modification of the existing means of egress?		
If means of egress are modified, has the Postal Service been informed and have egress plans been modified?		
<b>19. Emergency Procedures</b>		
Does the contractor have emergency telephone numbers readily available?		
Does the contractor have emergency medical services available?		
Does the contractor know how to safely exit the building and perform a headcount of contractor employees?		
Does the contractor have an accident investigation procedure and know that a written report needs to be provided to the COR within 24 hours of an accident?		
Has the contractor provided emergency telephone numbers to the designated Postal Service representative?		

<b>Additional Inspection Comments</b>
<b>Specific Comments</b>
Please reference the above subject number and add specific comments. Attach additional sheets of paper if necessary.
Item No. _____
Item No. _____
Item No. _____
<b>General</b>
Please provide all general safety and health observations in this section of the checklist.
<b>Recommendations</b>
Note the recommendations that were made based on the areas that need to be improved noted during the inspection. Provide the inspection subject number for reference purposes. Attach additional sheets of paper if necessary.
<b>Completed Report</b>
Send a copy of the completed report to:
<input type="checkbox"/> <b>Facility representative.</b>
<input type="checkbox"/> <b>Project COR.</b>
<input type="checkbox"/> <b>Other.</b>