



DEPARTMENT OF
HOUSING



CDBG-DR

**OCCUPATIONAL SAFETY & HEALTH POLICY
FOR ALL CDBG-DR PROGRAMS**

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PUERTO RICO DEPARTMENT OF HOUSING
CDBG-DR PROGRAM
OCCUPATIONAL SAFETY AND HEALTH POLICY FOR ALL CDBG DR PROGRAMS
VERSION CONTROL

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	June 9, 2020	Original version. This document supersedes the Occupational Safety & Health Policy for the R3 Program published in English on December 20, 2019 and in Spanish on January 29, 2020.
2	May 13, 2021	Edits provide clarification; addition of the most recent COVID-19 guidance. These are highlighted in gray for your convenience.

Table of Contents

1	Overview	6
1.1	Policy Objective	6
1.2	Policy Description	6
2	Definitions	7
3	PRDOH Responsibilities	10
4	General Responsibilities of the R3 Program	11
5	Safety Responsibilities of the R3 Program	11
5.1	R3 Program Manager Safety Officer	11
5.2	R3 Program Construction Manager, R3 Program General Contractor, and R3 Program CM Safety Officer	13
5.3	Construction Field Employees	16
5.4	Program Environmental Assessment Contractors	16
6	Orientation and Training Requirements	17
6.1	OSH Orientation Minimum Standards	18
6.2	Toolbox Talks	19
6.3	Recordkeeping for Orientation Material & Onsite Documents	20
6.4	Additional Standards	21
6.5	Employment and Safety of Minors	21
7	Documentation Requirements	22
7.1	Occupational Safety and Health Plan	23
7.2	Accident Response Plan	24
7.3	Emergency Action Plan	25
7.4	Evacuation Plan	25
7.5	Pandemic Disease Plan	26
7.6	OSHA Form 300A	28
7.7	Earthquake Plan	28
8	Job Hazard Analysis	28
9	Monthly Reporting	30
10	Noncompliance, Corrective Actions, and Penalties	31
11	Personal Protective Equipment	31
11.1	Use of Personal Protective Equipment	32
11.2	Eye and Face Protection	32

11.3	Head Protection	33
11.4	Hearing Protection	33
11.5	Foot Protection	33
11.6	Respiratory Protection	33
12	Elevated Work.....	36
12.1	Ladder	36
12.2	Fall Protection	37
12.3	Scaffolding	37
12.4	Aerial Lifts	37
13	Signage in the Work Area	38
14	Control of Hazardous Materials	38
15	Fire Protection	39
16	Housekeeping	39
17	Tools – Hand and Power.....	40
18	Welding and Cuttings.....	40
19	Excavations.....	40
20	Confined Spaces	42
21	Lockout and Tagging of Circuits	42
22	Electrical Safety Procedures.....	45
23	Rigging Plan	45
24	Beams and Columns	46
24.1	Double connections at columns and/or at beam webs over a column	46
25	Demolition and Cleanup	47
25.1	Completion of Preliminary Tasks	47
25.2	Wall and Masonry Removal	48
25.3	Mechanical Demolition	49
26	Silica, Crystalline.....	49
27	PRDOH CDBG-DR Authority to Monitor and Audit	50
28	Project Closeout	51

1 Overview

1.1 Policy Objective

This Occupational Safety and Health Policy (**OSH Policy**), has been developed for all the Community Development Block Grant Disaster Recovery (**CDBG-DR**) Programs, including, Housing, Multisector, Infrastructure, and Economic Development, where construction will be part of the program implementation. Each section below will make reference to the applicable Program Areas. This policy guide highlights Occupational Safety and Health standards for CDBG-DR program implementation.

Act No. 16 of August 15, 1975, as amended, 29 L.P.R.A. sec. 361, *et seq.*, known as the “Puerto Rico Occupational Safety and Health Act”, (Act 16), was adopted with the purpose of guaranteeing overall safety and health conditions in the workplace. Act 16 authorizes the Secretary of the Puerto Rico Department of Labor and Human Resources (Secretary of Labor) to adopt rules and regulations pertaining to health and safety conditions for employees in the workplace. As a result of the mandates of such act, the Secretary of Labor established the Puerto Rico Occupational Safety and Health Act of Puerto Rico (**PROSHA**) as a mechanism to ensure the objectives specified within Act 16 are achieved. PROSHA has ample jurisdiction, extending not only to the public sector but also has authority over private sector workplaces. Given the above, Program Subrecipients/Program Contractors are subject to the provisions of Act 16 and as such are responsible for complying with the requirements found thereunder.

It is the Puerto Rico Department of Housing's (**PRDOH's**) priority to ensure the provisions of this Policy are complied with through periodic oversight of all Program Areas with the applicable entities, subrecipients and contractors, safety officers and any subcontractors of either entity– collectively referred to as Program Subrecipients/Program Contractors, as defined below. While Program Subrecipients/Program Contractors shall comply with the standards of safety and health as contained in Act 16 and provisions under Part 1926 of the Code of Federal Regulations, regarding Safety and Health Regulations for Construction (29 C.F.R. §1926.1 *et seq.*), they must also comply with the requirements set forth in this Policy.

The PRDOH OSH Policy may not be interpreted or construed to supersede any of the regulations prescribed by PROSHA. The policy does not replace or exempt contractors from direct adherence to PROSHA regulation standards.

1.2 Policy Description

This OSH Policy establishes requirements and protocols that have the goal of preventing accidents in the construction work areas of CDBG-DR funded project sites. It also describes the processes for investigations, reporting, and correction of unsafe working conditions observed during inspections, as well as for responding to accidents and

emergencies when they occur. In order to achieve the objectives established in the OSH Policy, Program Subrecipients/Program Contractors **are expected to** work as a team to maintain safe and healthy work environments. For this reason, the Policy assigns specific roles and responsibilities to Program Subrecipients/Program Contractors.

2 Definitions

Accident Response Plan: A written document to address management of an unplanned, unexpected, and undersigned event that occurs suddenly and causes injury or loss of life to people, or damage to facilities, property, or equipment.

CM Lead Safety Manager: Refers to the Construction Manager that employees designated as Lead Safety Manager.

Construction Manager or CM: Refers to an entity contracted by the PRDOH for design and construction services.

CM Safety Officer: Refers to the Construction Manager employee designated as Safety Officer.

Competent Person: Refers to an individual who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are hazardous, unsanitary, or dangerous to employees, and who is authorized to take prompt corrective measures to eliminate these hazards and conditions.

Economic Development Programs: Refers to the Small Business Financing Program; Small Business Incubators and Accelerators Program; Construction and Commercial Revolving Loan Program; Tourism and Business Marketing Program; Workforce Training Program; Economic Development Investment Portfolio for Growth Program; and Re-Grow PR Urban-Rural Agriculture Program.

Emergency Action Plan: Written document required by Occupational Safety and Health Administration (**OSHA**) standards (including 29 C.F.R. §1910.38(a) and 29 C.F.R. §1926.35) to help facilitate and organize employer and employee actions during workplace emergencies.

Evacuation Plan: Written document containing details as to when an evacuation would be necessary, the chain of command and designation of key employees in the execution of the plan and evacuation procedures, including a system for accounting for employees following the evacuation, among other things.

General Contractors LIHTC: An entity contracted by Puerto Rico Housing Finance Authority (**PRHFA**) to manage the CDBG-DR Gap to Low Income Housing Tax Credits 9% Program through project developers according to the contract and the established Scope of Work as part of their contract. For additional details on their Scope of Work visit: <https://www.cdbg-dr.pr.gov/en/contracts/> (English) or <https://cdbg-dr.pr.gov/contratos/> (Spanish).

Hazard: A hazard is the potential for harm (physical or mental). A hazard often is associated with a condition or activity that, if left uncontrolled, can result in an injury or illness. Identifying hazards and eliminating or controlling them as early as possible will help prevent injuries and illnesses.¹

Housing Programs: Refers to the Home Repair, Reconstruction, or Relocation Program; Title Clearance Program; Rental Assistance Program; Social Interest Housing Program; Housing Counseling Program; CDBG-DR Gap to Low Income Housing Tax Credits Program; Community Energy and Water Resilience Installations Program; Homebuyer Assistance Program.

Infrastructure Programs: Refers to the Non-Federal Match Program; Critical Infrastructure Resilience Program; and Community Resilience Centers Program.

Job Hazard Analysis or JHA: A technique that focuses on job tasks as a way to identify hazards before they occur. It focuses on the relationship between the worker, the task, the tools, and the work environment. Ideally, after you identify uncontrolled hazards, you will take steps to eliminate or reduce them to an acceptable risk level.² JHAs should be completed per project as part of the PRDOH CDBG-DR OSH Policy requirements.³

Multisector Programs: Refers to the City Revitalization Program; and Puerto Rico by Design Program.

Pandemic Disease Plan: A Pandemic Disease Plan is a documented strategy for how an organization plans to provide essential services when there is a widespread outbreak of an infectious disease.

Planning Programs: Refers to Municipal Recovery Planning Program, Whole Community Resilience Planning Program; Home Resilience Innovation Competition Program; and the Puerto Rico Geospatial Framework (GeoFrame) Program.

Program Manager or PM: Refers to an entity contracted by the PRDOH to oversee and manage projects.

PM Safety Officer: Refers to the Project Manager employee designated as Safety Officer.

Program Subrecipients/Program Contractors: Refers to all PRDOH CDBG-DR Subrecipients and Contractors, as well as any of their Subcontractors and any employees of the subrecipient, contractors and subcontractor, including entities that have a contractual relationship with PRDOH to carry out a public purpose authorized by law.

Program Area Safety Officers: Refers to the Safety Officers which are assigned to a particular program or project.

¹ See <https://www.osha.gov/Publications/OSHA3071.pdf>

² Id.

³ Id.

PRDOH CDBG-DR OSH Safety Lead: A PRDOH CDBG-DR employee designated by the Secretary of the PRDOH to manage occupational safety and health matters and matters related to this policy pertaining to the CDBG-DR Program.

Project Inspector: An entity contracted by the PRHFA to manage the LIHTC program through general contractors according to the contract and the established Scope of Work as part of their contract. For additional details on their Scope of Work visit: <https://www.cdbg-dr.pr.gov/en/contracts/> (English) or <https://cdbg-dr.pr.gov/contratos/> (Spanish).

Rigging Plan: The plan developed by Construction Managers for lifting operations at all workplaces which addresses risks inherent in the planning of lifting activities and identifies mitigating actions.

R3 Program: Refers to the Home Repair, Reconstruction, or Relocation Program.

R3 Program Construction Manager: Refers to an entity contracted by the PRDOH for design and construction services to implement the R3 Program according to the contract and RFP Scope of Work as part of their contract with PRDOH. For additional details on their Scope of Work visit: <https://www.cdbg-dr.pr.gov/en/contracts/> (English) or <https://cdbg-dr.pr.gov/contratos/> (Spanish).

R3 Program Manager: An entity contracted by the PRDOH to oversee and manage the R3 Program according to the contract and the RFP Scope of Work as part of their contract with PRDOH. For additional details on their Scope of Work visit <https://www.cdbg-dr.pr.gov/en/contracts/> (English) or <https://cdbg-dr.pr.gov/contratos/> (Spanish).

R3 Program Environmental Assessment Contractor: An entity contracted by the PRDOH to oversee and manage the environmental assessments according to the contract and the RFP Scope of Work. For additional details on their Scope of Work visit <https://www.cdbg-dr.pr.gov/en/contracts/> (English) or <https://cdbg-dr.pr.gov/contratos/> (Spanish).

Request for Proposals (RFP): Solicitation method used under both the Competitive or Noncompetitive methods of procurement. Proposal evaluation and Contractor selection are based on the evaluation criteria and factors for award as stated in the RFP.

Safety Data Sheet or SDS: Refers to a sheet containing information on components of hazardous chemicals used in the construction work site and which provides guidance to workers who handle such chemicals.

Safety Vest: Refers to an article of personal protective equipment designed to have high visibility and reflectivity to be worn with the objective of making the worker more visible, thus, to minimize risks of injury.

3 PRDOH Responsibilities

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

PRDOH will exercise the following oversight responsibilities through the PRDOH CDBG-DR OSH Safety Lead in the implementation of safety oversight on programs:

- Train Program Manager Safety Officers on the requirements of the OSH Policy;
- Engage and coordinate with PROSHA as required;
- Require reporting for Program Areas to ensure they are following safety standards commensurate with this Policy's guidance and PROSHA;
- Perform compliance reviews related to occupational health and safety issues including:
 - Confirmation that the appropriate personnel at job sites have undergone the proper orientations;
 - Ensuring that safety policies and procedures are in place and are being followed by Program Subrecipients/Program Contractors;
 - Ensuring that Program Area Safety Officers are conducting their responsibilities in accordance with provisions contained herein and their contractual obligations; and,
 - Performing site visits to observe and document adherence to OSH Policy and other local and federal regulatory requirements.
- Oversee the reporting of an accident and any follow up investigation to its conclusion as required by PROSHA;
- Oversee the review and approval of the OSH Plan and site safety plans as needed;
- Assist in the development of forms and templates to perform activities required by this OSH Policy; and
- Require that Program Areas commit to ensuring that Program Subrecipients/Program Contractors with disabilities have effective means to communicate and that Program Areas effectively communicate with Program Subrecipients/Program Contractors with disabilities regarding PRDOH policies and procedures, including this OSH Policy. Notifications, including approvals or denials of requests for effective communication referenced in this Policy, will be provided in an alternate format, upon request.

This Policy does not replace or exempt contractors from direct compliance obligations with PROSHA. This Policy provides safety standards for compliance with PRDOH CDBG-DR funded projects.

4 General Responsibilities of the R3 Program

This section is for Program Subrecipients/Program Contractors responsible for implementing the construction work as part of the R3 Program which includes, but is not limited to, R3 Program Construction Managers, R3 Program Managers, and R3 Program Environmental Assessment Contractors working on the R3 Housing Program who are responsible for promoting and maintaining a safe work environment for their employees within their work areas.

Prevention of workplace accidents is to be given priority. Program Subrecipients/Program Contractors are required to identify possible risks before starting any task or project.

To conform with this OSH Policy, the R3 Program Construction Managers, R3 Program Managers, and R3 Program Environmental Assessment Contractors and their respective safety officers shall:

- Comply with delivering safety related documentation as requested by PRDOH;
- Comply with applicable policies and rules established by PROSHA as well as any applicable federal laws and regulations including but not limited to, those related to Safety and Health Regulations for Construction;
- Make available to necessary personnel appropriate personal protective equipment, job safety material, and first-aid equipment according to the assigned work;
- Conduct frequent inspections and prepare a written report documenting any findings;
- Provide safety orientations to personnel and subcontractors, and keep them updated on any change in policies;
- Submit reports and records as required by PROSHA and PRDOH in its designated forms; and
- Respond to and document any accidents following the established protocols in the company safety plan as approved by PRDOH or its Safety Officer.

5 Safety Responsibilities of the R3 Program

5.1 R3 Program Manager Safety Officer

The PM Safety Officer has the responsibility to:

- Develop, monitor, and implement health and safety policies and procedures to ensure programs and projects follow health and safety laws and regulations, and to reduce or prevent hazards, dangers, and accidents.
- Develop, implement, and maintain an OSH Plan and any other plans as detailed below, which may include the Evacuation Plan, Accident Response Plan and Pandemic Disease Plan.

- Conduct spot inspections at project sites to identify potential hazards, assess the risk, report on them, collaborate with construction managers, and enforce compliance with policies and regulations.
- Verify that information and posters as required by OSHA are posted at the entrance of each job site and available to applicable personnel.
- Work with Construction Managers and PRDOH to facilitate corrections of any safety violations that occur on the job sites. Flag serious or repetitive violations that may pose an imminent risk to a field employee to PRDOH immediately prior to taking disciplinary actions such as shutting down the job site.
- Program Managers may request CM's provide a report on why serious and/or repetitive safety violations are occurring on job sites.
- Provide orientations as per the guidance from PRDOH to applicable personnel on PRDOH's OSH Policy as well as safety policies and procedures developed by the PM Safety Officer.
- Develop the orientation and training material as part of the development of the OSH Policy which shall be approved by PRDOH CDBG-DR OSH Safety Lead.
- Conduct regularly scheduled safety orientation sessions to ensure orientation and training opportunities are available to new construction on site personnel working on the project. Under no circumstances will new personnel be allowed to commence work at a construction site as a field employee without completing safety training.
- Document the date of the safety orientation, copies of the orientation material, attendance sheet and any photos using the reporting forms from PRDOH.
- Develop safety policies that - after being approved by the PRDOH CDBG-DR OSH Safety Lead - will be disclosed to new construction personnel and other individuals accessing work sites as part of their safety orientation and training sessions. Assist PRDOH in the development and implementation of new safety policies as needed.
- Perform ongoing reviews of Job Hazard Analysis (JHA) as appropriate. The PM Safety Officer should provide feedback to the Construction Manager on their Job Hazard Analysis before the Construction Manager is able to start any approved Notice to Proceed (NTP) work.
- Ongoing suggestions for revisions or technical assistance should be included in the PM monthly report.
- Document safety violations, recommendations to address violations, use the noncompliance forms to document recommendations for corrective actions or escalate areas of noncompliance to the PRDOH team and maintain PRDOH informed about all worksite incidents or accidents including COVID-19 outbreaks and submit required safety-related documents and reports to PRDOH using the

OSH Incident Tracker Form at
<https://app.smartsheet.com/b/form/0ace62ddd53248c985bbe220fcc483c8> .

- Provide oversight and recommendations over Construction Manager personnel as it relates to safety requirements, deliverables, and practices.
- Before beginning any on-site work, there should be inspection of personal protective equipment (**PPE**), and verification that the selection, wear, and use of the PPE are appropriate for the task including work boots or work shoes with slip resistant and puncture-resistant soles.
- Complete corrective action notifications for the approval of PRDOH in the event of any noncompliance findings and to meet the protocols as identified in the Noncompliance, Corrective Actions, and Penalties section of this policy.
- Be proactive in identifying noncompliance and flagging potential areas of on-site noncompliance to the Construction Manager and work in collaboration with the CM to recommend corrections.
- Request a copy of the PROSHA findings and penalties from the Construction Manager.
- Proactively request a copy of the document evidencing the resolution of the findings and/or penalties.
- Perform a review and approval of the Safety Data Sheet of each chemical compound to be used on site.

5.2 R3 Program Construction Manager, R3 Program General Contractor, and R3 Program CM Safety Officer

The R3 Program CM Safety Officer shall be responsible for:

- Development, implementation, and **maintenance of the OSH Plan** and any other plan as detailed below, which may include the Evacuation Plan and Accident Response Plan.
- Development and enforcement of **safety protocols** related to occupational safety and health with construction field employees.
- Ensuring that required regulatory documentation related to occupational safety and health is accessible at the work site (whether via binder or other acceptable electronic format). Required regulatory documentation includes, but is not limited to, the OSHA Form 300A, accident report, safety data sheets (SDS), hazard communication, and warning labels.
- Ensuring the provision and condition of PPE for their on-site staff and their subcontractors' field staff before beginning any on-site work, and verifying that the selection, wear, and use of PPE are appropriate for the task.
- Analyzing the risk for **accidents/incidents, tracking accident/incident metrics, and taking remedial actions** to prevent future similar accidents/incidents.

- Preparing material for and conducting **safety orientations, and toolbox chats** with the group leaders of the safety compliance team and any supervisors responsible for the subcontractor teams to ensure the implementation of safety procedures and knowledge of the JHA.
- Assigning tasks to and managing the safety compliance team personnel.
- Evaluation of safety compliance team, safety staff, and day to day performance.
- Identifying and **allocating resources** to the occupational safety and health activities.
- Completing the **JHA prior to commencing the project** and submitting it to the assigned Program Manager for review, technical assistance or feedback to be incorporated.
- Confirming that any site risk analysis sheets and JHA are reviewed, discussed, and signed by each relevant employee before starting any work. The JHA's should be submitted to the assigned PM for review.
- Completing a **risk assessment of regulatory** and occupation safety issues by identifying risks and solutions for mitigation for each type of project.
- Recommending, advising, and correcting as the subject matter expert in the occupation safety and health issues.
- Owning and pursuing outstanding safety and health related issues, such as, but not limited to: submittals, rigging plans, protocols, high risk events, OSHA, PROSHA, personal protection equipment, and safety inspections.
- Coordinating and ensuring the **on-time delivery of safety compliance deliverables**, including, but not limited to, rigging plan, risk evaluation, safety reports, toolbox meetings, trainings, recordkeeping, reports, and certifications.
- Conducting toolbox talks with their foremen and supervisors to supplement the OSH orientations to maintain safety front and center in their field staff. These short pre-written safety meetings heighten employee awareness of workplace hazards and OSHA regulations.
- Ensuring that subcontractors are conducting toolbox talks with their foremen and supervisors to supplements the OSH orientations to maintain safety front and center in their field staff.
- Assisting with orientations and presentations for safety compliance activities.
- Promoting responsible safety and health practices during the abatement, demolition, construction, closeout, and warranty phases of the R3 Program projects.
- Assuming responsibility for the prevention, communication, and correction of safety and health issues during all phases of the R3 Program projects.
- When recommended by PRDOH, require staff or subcontractors to attend additional trainings or consultant services by PROSHA to ensure staff and subcontractor staff are able to effectively implement safety practices.

- Verifying that employees and subcontractor employees are in compliance with the standards established by PROSHA and PRDOH CDBG-DR, including the proper use of required personal protection equipment (**PPE**).
- Ensure that project field staff including subcontractor field staff will make immediate corrections flagged by safety officers including the Program Managers.
- Be responsible for the scheduled inspection and maintenance of tools and equipment to be used during any work inside and outside the project site, and to verify that equipment is used in compliance with the required certifications.
- Ensure subcontractors implement corrective actions flagged by PROSHA, PRDOH, and Program Managers for applicable occupational safety and health requirements.
- Ensure that Accident Response Plan protocols are followed in the event of an accident, and that required documentation is completed and submitted to PROSHA and PRDOH.
- Verify that employees and subcontractor employees have the appropriate certifications and/or valid licenses for the work to be performed.
- Submit reports as required by PROSHA, and complete weekly reports for PRDOH via the OSH R3 Weekly Construction Manager Safety Report Submission Smartsheet Form at <https://app.smartsheet.com/b/form/db13b51a89574348adc94c56aa19257f>.
- Complete protocols as identified in the Noncompliance, Corrective Actions, and Penalties section of this Policy, in case of a noncompliance finding by the R3 Program PM Safety Officer, the R3 Program CM Safety Officer, or the PRDOH CDBG-DR OSH Safety Lead.
- The CM Safety Officer should inform, both PRDOH and the PM, and send a copy about the finding and/or the penalty, in the event PROSHA imposes any.
- Send the PM and PRDOH a copy of the documents evidencing the resolution of the finding and/or penalty, as soon as the decision is settled.
- Provide orientations as per the guidance of PRDOH to applicable personnel on PRDOH's CDBG-DR OSH Policy, as well as safety policies and procedures developed by the PRDOH CDBG-DR OSH Safety Lead and PM Safety Officer. Ensure that staff has been trained by the CM Lead Safety Officer and PM Safety Officer or representative on the safety policies and procedures established in the OSH Plan.
- Schedule regular safety orientation sessions to ensure orientation and training opportunities are available as necessary. Under no circumstances will new field personnel be allowed to commence work at a construction site without completing safety training in coordination with PM Safety Officer

- Document the date of the safety orientation, orientation training material, attendance sheet, and any photos using the reporting forms provided by PRDOH.
- Conduct the presentation; in the event they cannot be present, the PM Safety Officer can offer the training or, as a last resort, the PRDOH CDBG-DR OSH Safety Lead may provide assistance.

5.3 Construction Field Employees

Construction field employees must:

- Use appropriate personal protection equipment, as required;
- Comply with established safety and health standards;
- Perform work in a safe manner;
- Notify their supervisor immediately in the event of an accident;
- Identify risks in their work area before beginning any work, and notify their supervisor of any undocumented risks;
- Keep their work area clean and organized to prevent accidents;
- Obey the signs related to occupational health and safety; and
- Adhere to the minimum standards and general requirements described in the Orientation and Training Requirements section of this Policy.

5.4 Program Environmental Assessment Contractors

The Environmental Assessment Contractor Safety Officer has the responsibility to:

- Develop, monitor, and implement health and safety policies and procedures to ensure programs and projects follow health and safety laws and regulations, and to reduce or prevent hazards, dangers, and accidents.
- Develop, implement, and maintain an OSH Plan and any other plans which may include the Evacuation Plan, Accident Response Plan, and Pandemic Disease Plan, as applicable.
- Maintain safety protocols at project sites to identify potential hazards, assess the risk, report on them, and follow compliance with policies and regulations as identified by Construction and Program Managers.
- Ensure the correction of any safety violations that occur in coordination with Construction Managers and Program Managers, and complete any corrections as needed.
- Provide safety orientations as per the guidance from PRDOH to applicable personnel on PRDOH's OSH Policy as well as safety policies and procedures developed by the Safety Officer. The orientation and training material, at a minimum should be reviewed by a PM Safety Officer as part of the development of the safety policies and shall be approved by the PRDOH CDBG-DR OSH Safety Lead.

- Implement and inspect PPE, before beginning any on-site work, and verifying that the selection, wear, and use of PPE are appropriate for the task including work boots or work shoes with slip-resistant and puncture-resistant soles.
- Ensure staff are knowledgeable on field safety protocols.
- Document the date of the safety orientation and training provided to staff.
- Develop safety policies that -after being approved by the PRDOH CDBG-DR OSH Safety Lead- will be disclosed to new construction personnel and other individuals accessing work sites as part of their safety orientation and training sessions.
- Conduct regular scheduled safety orientations to ensure other individuals accessing work sites will be compliant with safety on-site protocols and appropriate PPE.
- Complete a JHA and maintain recordkeeping standards.
- Document safety violations, disciplinary actions, worksite accidents, and submit required safety-related documents to PRDOH.
- Respond to any corrective action letters in the event of any findings and to meet the protocols as identified in the Noncompliance, Corrective Actions, and Penalties section of this Policy.
- Be proactive in identifying any noncompliance and flagging to the Construction Manager potential areas of on-site noncompliance.

6 Orientation and Training Requirements

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Program Subrecipients/Program Contractors implementing the program should attend an initial safety orientation hosted by PRDOH prior to commencing work in their program to be briefed on their responsibilities for safety and how to implement this Policy. Anyone whose duties include regularly working on a construction project or accessing a construction project site will have to participate in a safety orientation.

The PRDOH CDBG-DR OSH Safety Lead will conduct the initial safety training. The appropriate safety personnel and program implementation team responsible for oversight of the program should be in attendance to become familiar with the requirements for their Program Area. In the event of additional or new staff, the Program Subrecipient/Program Contractor is responsible for ensuring new staff is flagged to PRDOH for the purpose of providing training.

The R3 Program foresees turnover of construction personnel through the duration of CDBG-DR Program construction activities. Therefore, the safety orientation and training sessions will be conducted on a regular basis to train new on-site field construction personnel. The PM Safety Officer and the CM Lead Safety Officer will hold regularly

scheduled safety orientation and training sessions to ensure training opportunities are available as necessary. Under no circumstances will new on-site field personnel working the project as full time staff be allowed to commence work at a construction site without completing the initial safety orientation. Jobsites are responsible for hosting any other additional ongoing orientations or toolbox chats thereafter.

Program Subrecipients/Program Contractors must also comply with 29 C.F.R. § 1926.21(b)(2) on safety training and education. The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury and be responsible for direct oversight of their employees and any of their subcontractor employees.

6.1 OSH Orientation Minimum Standards

OSH orientations are for staff in the field working on the day to day on the project. Safety orientations should cover, at a minimum, the following non-exhaustive general standards:

- Work must comply with the codes and standards as established by OSHA;
- Comply with the documentation required and requested by PRDOH;
- Maintain policies and procedures of how you will implement safety standards;
- Implement Safety Meetings on the construction site;
- Review security policies and procedures before beginning work;
- Discuss the JHA before beginning the construction phase and as specifically described in your Program Area;
- Personal protective equipment must be inspected before use and be used at all times as is appropriate for the work being performed;
- OSHA regulations forbid the use of mobile phones in construction sites, 29 C.F.R. §1926.1417(d), but the hazard exists across any dangerous equipment. Accordingly, active operation of mobile phones during the use of construction equipment should be strictly prohibited. Mobile phone use is prohibited in work areas, it shall only be allowed in designated areas;
- Smoking is prohibited in projects according to, Act. 66 of March 2, 2006, as amended, 24 L.P.R.A. §891 *et seq.*, known as the "Act to Regulate Smoking in Certain Public and Private Places", (Act 66);
- The use, possession, or distribution of drugs, alcohol and/or being under the influence is not allowed in the workplace;
- Firearms weapons are prohibited on the premises;
- When working at heights, workers need to use a safety harness to avoid injuries or accidents;
- The use of any jewelry or accessory that creates a danger in the work area is prohibited;

- Food consumption is only allowed in designated areas. That designated area must be separate from the construction area;
- The contractor will provide drinking water for its employees to drink. Supply disposable cups and garbage disposal to dispose of used cups. Please be mindful of the environment in your decision to opt for paper cups which are less harmful to the environment than Styrofoam;
- No one should drink directly from the water container nor use a common glass;
- Each workplace must be assigned a meeting point and it must be clearly indicated in its Safety Plan and Accident Response Plan;
- A fire extinguisher must be available in the work area;
- Comply with the OSHA annual inspection and any PRDOH inspections as well as reporting;
- Be sure to have additional PPE stored;
- Include the first aid kit in the work area; and
- In the event of an accident, any applicable immediate recipient, PRDOH, and your work team must be notified immediately.

Once staff has successfully completed the safety orientation, the Program/ Project Safety Officer will complete recordkeeping requirements and report in the PRDOH tracker, as well as share the orientation information with Program Managers. PRDOH has established a safety form for submission of Safety Orientation Reports, available at <https://app.smartsheet.com/b/form/57acdb8901394c1ca86339acae331e6b>.

Contractors are expected to use the online form to complete the data areas and attach the supporting documents.

Attendees who have been confirmed in attendance at orientations should receive a certificate for the orientation that can be verifiable in the field and by any other Construction Manager in the event the worker will be working with more than one Construction Manager.

6.2 Toolbox Talks

As part of your pre task planning techniques, toolbox talks should be conducted as a best practice at the discretion of the Program Contractor/Construction Manager to reinforce OSH initial orientations with foremen, supervisors and field staff to supplement the OSH orientations to maintain safety as a priority. These short (10-15 minute) pre-written safety meetings conducted by a competent person heighten employee awareness of workplace hazards and OSHA regulations. They may be conducted by a competent person such as a supervisor, engineer, and safety officers. Toolbox talks can include topics such as PPE, Fall Protection and Prevention, Fire Protection and Prevention, Lockout and Tagout, Scaffold Safety, Portable Tools and Equipment Safety, Ladder Safety, Electrical Safety, Hearing Protection, Chemical Warning Labels, Carbon

Monoxide, Forklifts, and more. OSHA provides a Publication Guide which may be used as reference: <https://www.osha.gov/Publications/osha3252.pdf>

Supporting documents related to these talks may be included in the weekly reports. However, the Program Contractor/Construction Manager will be responsible for providing these documents to PROSHA as needed.

6.3 Recordkeeping for Orientation Material & Onsite Documents

Program Subrecipients/Program Contractors shall retain documentation evidencing orientations in accordance with the record retention provisions of their respective agreements. Trained personnel will be provided with a certificate, sticker or other visual marker that is easily verifiable in the field.

Program Subrecipients/Program Contractors must provide PRDOH digital copies of:

- Orientation/Training materials prior to conducting the training with reasonable time for review by PRDOH (at least **three (3) business days** prior to the training date);
- RSVP List for the orientation/training (at least **one (1) business day** prior to the training date);
- Final attendance list with a final count of attendees who completed the orientation/training, were verified to have attended, and received a visual marker for their completion, if applicable (within **seven (7) business days** after the training date).

On-site documents to be found on the jobsites (via physical binder or digital option such as a QR code) should include:

- OSH Safety & Health Plan
- OSH Job Hazard Analysis
- OSH COVID-19 Plan
- OSH Accident/Incident Response Plan
- OSH Emergency & Evacuation Plan (Hurricane, Earthquake, Pandemic)
- OSH Safety Data Sheets
- OSH Demolition Plan (when applicable)
- OSH Electrical Safety Plan (when applicable)
- OSH Rigging Plan (when applicable)

Refer to requirements stated in the CDBG-DR Recordkeeping, Management, and Accessibility Policy (**RKMA Policy**), which applies to the various types of records generated across the grant files at the program level; whether they are part of an activity or program as described in PRDOH's Action Plan and subsequent amendments. You may access the CDBG-DR RKMA Policy and all CDBG-DR General Policies, in English or Spanish,

at <https://cdbg-dr.pr.gov/en/resources/policies/general-policies/> and <https://cdbg-dr.pr.gov/recursos/politicas/politicas-generales/>.

6.4 Additional Standards

Program Subrecipients/Program Contractors are required to contact PROSHA within **sixty (60) days** of signing the Contract with PRDOH, to request training regarding the occupational safety and health standards which must be implemented during the course of the Construction Project. Program Subrecipients/Program Contractors are legally bound to comply with and maintain state and federal requirements and shall provide PRDOH evidence of compliance with the above within **thirty (30) days** of having their **field** workers complete training.

6.5 Employment and Safety of Minors

The Puerto Rico Employment of Minors Act, Act No. 230 of May 12, 1942, 29 L.P.R.A. § 431 *et seq.*, establishes, among other things, the days and hours that minors between the ages of fourteen (14) years and less than eighteen (18) years of age may work, be employed, permitted or tolerated to work in or for any lucrative occupation. The Act also details the pertinent periods of continuous work and meal time. Employers must have a special permit or an employment certification issued by the Puerto Rico Department of Labor and Human Resources for every minor it employs between the ages of fourteen (14) and eighteen (18) years.⁴ This Act also states various occupations in which a minor may not be employed. Furthermore, the employer must have a list in a visible area of the work area of the minors it has employed, their work schedule, the maximum hours that the minors can work in a day, and the schedule for the meal period. The Act defines penalties for any employer that violates any of its provisions.

The child labor provisions of the Fair Labor Standards Act of 1938 (FLSA), as amended, 29 U.S.C. § 201, *et seq.*, 29 C.F.R. § 570.1-142, are administered by the Wage and Hour Division (WHD). To protect young workers from hazardous employment, the FLSA provides for a minimum age of eighteen (18) years in occupations found and declared by the U.S. Secretary of Labor to be particularly hazardous or detrimental to the health or well-being for minors sixteen (16) and seventeen (17) years of age. Hazardous occupations orders are the means through which occupations are declared to be particularly hazardous for minors. Since 1995, the promulgation and amendment of the hazardous occupations orders have been effectuated under the Administrative Procedure Act (APA), 5 U.S.C. 551 *et seq.* The effect of these orders is to raise the minimum age for employment to eighteen (18) years in the occupations covered.

Seventeen orders, published in 29 C.F.R. § 570.50-68, have thus far been issued under **the FLSA** and are listed below. 29 C.F.R. §570.120.

⁴ See 29 C.F.R. § 570.5 for federal guidance on Certificates of age and their effect.

§ 570.50	General
§ 570.51	Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components (Order 1).
§ 570.52	Occupations of motor-vehicle driver and outside helper (Order 2).
§ 570.53	Coal-mine occupations (Order 3).
§ 570.54	Forest fire fighting and forest fire prevention occupations, timber tract occupations, forestry service occupations, logging occupations, and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill (Order 4).
§ 570.55	Occupations involved in the operation of power-driven woodworking machines (Order 5).
§ 570.57	Exposure to radioactive substances and to ionizing radiations (Order 6).
§ 570.58	Occupations involved in the operation of power-driven hoisting apparatus (Order 7).
§ 570.59	Occupations involved in the operation of power-driven metal forming, punching, and shearing machines (Order 8).
§ 570.60	Occupations in connection with mining, other than coal (Order 9).
§ 570.61	Occupations in the operation of power-driven meat-processing machines and occupations involving slaughtering, meat and poultry packing, processing, or rendering (Order 10).
§ 570.62	Occupations involved in the operation of bakery machines (Order 11).
§ 570.63	Occupations involved in the operation of balers, compactors, and paper-products machines (Order 12).
§ 570.64	Occupations involved in the manufacture of brick, tile, and kindred products (Order 13).
§ 570.65	Occupations involving the operation of circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs (Order 14).
§ 570.66	Occupations involved in wrecking, demolition, and shipbreaking operations (Order 15).
§ 570.67	Occupations in roofing operations and on or about a roof (Order 16).
§ 570.68	Occupations in excavation operations (Order 17).

7 Documentation Requirements

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

7.1 Occupational Safety and Health Plan

Projects are required to have an OSH Plan and ensure that its policies and procedures are compiled with in work areas.

Initial documents are to be provided for jobsites. These Initial documents include:

- OSH Safety & Health Plan
- OSH Job Hazard Analysis
- Copies of Safety Officer Certifications
- OSHA 300A
- OSH COVID-19 Plan
- OSH Accident/Incident Response Plan
- OSH Emergency Plan (Hurricane, Earthquake, Pandemic)
- OSH Evacuation Plan
- OSH Safety Data Sheets
- OSH Demolition Plan (when applicable)
- OSH Electrical Safety Plan (when applicable)
- OSH Rigging Plan (when applicable)

Contractors should submit the following information using the PRDOH OSH Initial & Amended Safety Documents Submission Form, available at <https://app.smartsheet.com/b/form/c74fa7aa2e1648f294b0e6cffae86bc1>, and when documents are amended, provide copies of those amended documents through the form.

The OSH Plan of each project must comply with the rules and regulations established by law and PROSHA, as well as follow the guidance and requirements in this OSH Policy.

The following are the minimum components that an OSH Plan shall have:

- Company safety policy
- Responsibilities of the work team
- Objectives of the plan
- Personnel orientation protocols
- Use of personal protection equipment
- Signs in the work areas
- Safety talks
- Safety inspection
- Drug-Free Workplace Policy
- Control of hazardous materials and use of Safety Data Sheet
- Fire Safety
- First Aid procedure
- Environmental protection

- Concrete work
- Work team certifications
- Use of platforms and scaffolding
- Ladder management
- Electrical safety
- Lock-Out/Tag-Out (**LOTO**)
- Excavations and trenches
- Health and personal hygiene
- Workplace organization and cleaning

7.2 Accident Response Plan

Projects shall have an Accident Response Plan in place with protocols for how they will respond to any injuries, fatalities, or damage caused. The Accident Response Plan will detail the manner in which an accident will be investigated, documented, and how required information and documentation will be conveyed to PRDOH or its representative.

The Accident Response Plan shall capture the steps and actions Program Subrecipients/Program Contractors and their personnel will take in the event of an accident including, but not limited to:

- Notifying the Supervisor or PM immediately;
- Coordinating medical attention, if necessary, to address any injuries;
- If the accident is serious, coordinating injured person(s) transfer to a medical facility;
- Notifying the injured person(s) emergency contact on file with the company;
- Notifying the PRDOH CDBG-DR OSH Safety Lead as soon as possible and no later than **four (4) hours** after the accident;
- Every employer must notify the Secretary of Labor or the person designated by them when a serious or fatal accident takes place within **eight (8) hours** following the accident. The Secretary of Labor shall determine the method of notification. See Section 6(d) of Act No. 16, 29 L.P.R.A. § 361e;
- Determining the causes of the accident and evaluating potential corrective actions;
- Sending a digital copy of the accident report within **eight (8) hours** after the accident to the PRDOH CDBG-DR OSH Safety Lead or as soon as its feasibly possible;
- Report shall include insurance policies including state, local, and contractor and subcontractor's insurance policy as required; and
- Communicating to the employees about the accident and taking corrective actions to mitigate related hazards.

PRDOH has established a safety form, available at <https://app.smartsheet.com/b/form/0ace62ddd53248c985bbe220fcc483c8>, to provide the digital copy of the accident/incident report and relevant supporting documents. Contractors are expected to notify the PRDOH safety team via cell phone, provide an update email and complete the submission of the report within the guidelines provided above.

7.3 Emergency Action Plan

Program Subrecipients/Program Contractors shall have an Emergency Action Plan approved by the PRDOH CDBG-DR OSH Safety Lead. The Emergency Action Plan will cover actions to take in the event of a natural disaster, accounting for employees during an emergency, rescue, and medical duties, procedures for reporting emergencies and contingency plans to continue work as soon possible.

All employees should be informed of this Emergency Action Plan during orientation and training. The Emergency Action Plan shall also include critical contact information for emergency services, emergency personnel designated as emergency staff, resources and tools available during the active response of an emergency. The Emergency Action Plan should contain a risk assessment, exit maps and outline public resources available for assistance. Program Subrecipients/Program Contractors shall maintain records of the Emergency Action Plan orientation and training provided to employees.

7.4 Evacuation Plan

Program Subrecipients/Program Contractors shall have in place an Evacuation Plan approved by PRDOH, with procedures to be followed in case of a major emergency or disaster. An acceptable Evacuation Plan ensures the minimization of injuries and property damage by having a clear, effective set of procedures that can be efficiently coordinated and executed.

PRDOH notes that delegation of responsibilities is key to an effective evacuation plan. Employees, managers, supervisors, and other personnel who are routinely on site should be trained on such plan. Tasks should be delegated to responsible individuals and other employees should be made aware and trained of such delegation.

The following minimum requirements must be met in a compliant evacuation plan:

- Education and training of the Evacuation Plan. Individuals shall be delegated responsibilities in writing and be known to employees.
- When appropriate, a meeting place shall be established that is sufficiently distant from the work area to protect employees from injury. A head count shall be performed at the meeting place to account for employees.
- An alert system, such as a bullhorn, public-address system, or radio shall be used to effectively communicate to personnel on site in the event of an emergency.

- Emergency contact information shall be readily available, and a delegated employee on site shall be responsible for contacting the appropriate emergency services to respond to the emergency and any injuries.
- Site supervisors are responsible for ensuring employees are accounted for after evacuating a site.

7.5 Pandemic Disease Plan

Due to the rise of infectious diseases, including but not limited to influenza, mycoplasma, and the Coronavirus Disease 2019 (COVID-19), entities implementing CDBG-DR programs should follow the guidance offered in the official website of the U.S. Department of Homeland Security regarding preventive measures to implement prior to and during an outbreak, epidemic and/or pandemic, as well as guidance on associated content. For more information visit <https://www.ready.gov/pandemic> (English) or <https://www.ready.gov/es/pandemic> (Spanish).

7.5.1 Coronavirus Disease 2019 (COVID-19)

Due to the recent COVID-19 pandemic, the Government of Puerto Rico set forth -and keeps- various Executive Orders to provide guidance on managing the pandemic and how to mitigate the contagion. These Executive Orders apply to CDBG-DR Program Areas including, but not limited to, Subrecipients and Contractors working within programs. The first Executive Order enacted is listed below.

OE-2020-020 March 12, 2020	Executive Order of the Governor of Puerto Rico, Hon. Wanda Vázquez-Garced, to Declare a State of Emergency in View of the Imminent Impact of CORONAVIRUS (COVID-19) on the Island.
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On May 1st, 2020, Governor Wanda Vázquez Garced enacted Executive Order **OE-2020-038** to reactivate Puerto Rico's economy.⁵ Reopening will be carried out in phases according to the guidance provided in the Executive Order. Due to its minimum contagion risk indicator, the construction sector will resume operations as of **May 11th, 2020**, as long as safety measures are adopted to mitigate the risk of contagion and protect health according to the guidance within the executive order.

Contractors should regularly consult new executive orders to understand and implement impacts of new executive orders and other regulatory statutes that impact the Occupational Safety and Health implementation within the CDBG-DR funded projects.

To view issued executive orders, you may access: <https://www.estado.pr.gov/en/executive-orders/> or <http://www.lexjuris.com/Ordenes/Index.htm>.

⁵ <http://www.lexjuris.com/Ordenes/OE-2020-038-Eng.pdf>

PRDOH additionally recommends that Program Subrecipients/Program Contractors refer to the Puerto Rico Builders Association Recommendations regarding Construction Jobsite Safety and the COVID-19 Outbreak available in English at <https://www.constructorespr.com/wp-content/uploads/2020/05/COVID-19-Construction-Jobsite-Safety-Rev-3-5-1-2020-f.pdf>.

Likewise, PRDOH recommends that parties working to implement the R3 Program refer to the guidance provided by OSHA regarding:

- Preparing Workplaces for COVID-19 available in English and in Spanish at: <https://www.osha.gov/Publications/OSHA3990.pdf> and <https://www.osha.gov/Publications/OSHA3992.pdf>.
- Preventing Worker Exposure to COVID-19 available in English and Spanish at: <https://www.osha.gov/Publications/OSHA3989.pdf> and <https://www.osha.gov/Publications/OSHA3991.pdf>.
- COVID-19 Guidance for the Construction Workforce available in English and Spanish at: <https://www.osha.gov/Publications/OSHA4000.pdf> and <https://www.osha.gov/Publications/OSHA4001.pdf>.

Additional guidance for non-construction industry sectors can be accessed, in English and Spanish, at: <https://www.osha.gov/SLTC/covid-19/> and <https://www.osha.gov/coronavirus>. The Puerto Rico Department of Labor and Human Resources⁶ will publish protocols or plans for risk mitigation.

Recipients of CDBG-DR funding and contractors should refer to the guidance above and continue to follow instructions provided through Executive Orders or other applicable regulations and coordinate with their safety officers and the PRDOH CDBG-DR OSH Safety Lead as well as Program Area staff for guidance. Program Areas may also provide additional guidance specifically related to the implementation and updates of COVID-19 Plans.

Contractors that operate businesses exempt from closure or are going to reinstate their operations have to comply with parameters established by the Government of Puerto Rico, including submission of COVID-19 Plan, Department of Labor and Human Resources Self Certification and copy of email to PROSHA. Consequently, these documents have to be submitted to PRDOH through the established safety form, available at <https://app.smartsheet.com/b/form/dccf9fcf0bd24616927fb6c0837cea8e>.

Additionally, before operations begin, workers should receive trainings, orientations, certifications and continuous supervision on the new safety measures, all in accordance with governmental dispositions and requirements as notified and amended through

⁶ <https://www.trabajo.pr.gov/covid19.asp>

Executive Orders. Copies of those initial safety orientations and certifications are to be provided to the PRDOH CDBG-DR OSH Safety Lead via the smartsheet available at <https://app.smartsheet.com/b/form/57acdb8901394c1ca86339acae331e6b>.

Data and information related to COVID-19 is subject to change. Contractors are responsible for staying up to date on evolving measures and requirements for site safety and should take a proactive approach in updating their COVID-19 Plans and sharing the latest version with PRDOH.

7.6 OSHA Form 300A

OSHA requires that every employer complete a 300A Form at the end of each calendar year, regardless of whether or not a work-related injury or illness has occurred. The OSHA Form 300A is used to summarize work-related injuries and illnesses and must be completed and certified by a company executive as correct and complete and posted in the workplace where notices to workers are usually posted. It must be posted for **three (3) months**, from February 1st until April 30th of the current year. PRDOH will request the submission of the OSHA Form 300A sheet of the last **three (3) years** of the company, to carry effective documentation to validate if the company meets the requirements.

Refer to 29 C.F.R. Part 1904.35, which provides additional information regarding OSHA's recordkeeping rule.

7.7 Earthquake Plan

The island of Puerto Rico was affected by a swarm of earthquakes from December 29, 2019 through January 17, 2020 that battered the Island's southern coast and caused tremors felt Island-wide. The Island's geological characteristics makes it susceptible to this natural disaster, which could strike again at any time. Therefore, it is important for PRDOH, as grantee of CDBG-DR funds, to have an established plan that allows for an effective response in the event of future earthquakes. This applies to CDBG-DR Program Subrecipients/Program Contractors as well. The Plan should aim to mitigate the effects and damages caused by natural disasters, prepare the necessary measures to save lives and prevent damages, respond before, during, and after emergencies, and establish a system that allows for recovery and the execution of a contingency plan within a reasonable timeframe.

8 Job Hazard Analysis

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

For additional information on how this specifically applies to the R3 Program, see section above on Safety Responsibilities of the R3 Programs regarding the R3 Program Manager,

R3 Program Construction Manager, and the R3 Program Environmental Assessment Responsibilities.

Before starting a project, a Job Hazard Analysis (JHA) shall be performed by the Program Contractors/Construction Managers. The JHA should describe the work being performed, the possible risks identified, and mitigating actions to be taken to minimize these risks. To make your JHA useful, document the answers to the following questions in a consistent manner:

- What can go wrong?
- What are the consequences?
- How could it arise?
- What are other contributing factors?
- How likely is it that the hazard will occur?

Describing a hazard in this way helps to ensure that your efforts to eliminate the hazard and implement hazard controls help target the most important contributors to the hazard. Good hazard scenarios describe:

- Where it is happening (environment),
- Who or what it is happening to (exposure),
- What precipitates the hazard (trigger),
- The outcome that would occur should it happen (consequence), and
- Any other contributing factors.

The document shall be reviewed by the Program Manager and/or Project Safety Officer before starting contracted work that has been provided a Notice to Proceed (NTP).

Supervisors can use the findings of a JHA to eliminate and prevent hazards in their workplaces. This is likely to result in fewer worker injuries and illnesses; safer, more effective work methods; reduced workers' compensation costs; and increased worker productivity. The analysis also can be a valuable tool for training new employees in the steps required to perform their jobs safely. For a job hazard analysis to be effective, management must demonstrate its commitment to safety and health and follow through to correct any uncontrolled hazards identified. Otherwise, management will lose credibility and employees may hesitate to go to management when dangerous conditions threaten them.

A copy of the approved JHA should be available on site for review. If any significant changes occur in the project that may affect a possible risk, the JHA should be updated to reflect the new process and the most recent copy made available on site.

Discuss with your employees the hazards they know exist in their current work and surroundings. Brainstorm with them for ideas to eliminate or control those hazards. **If any**

hazards exist that pose an immediate danger to an employee’s life or health, take immediate action to protect the worker. Any problems that can be corrected easily should be corrected as soon as possible.

Refer to the following link for more detailed information about JHA:
<https://www.osha.gov/Publications/osha3071.pdf>.

9 Monthly Reporting

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Entities working on CDBG-DR funded projects will be required to complete monthly reports which will be requested by PRDOH.

The monthly reports will request a summary of observations for all areas identified in this OSH Policy and compliance oversight of areas as part of PROSHA checking.

The monthly report is broken into areas requesting verification of documents to be reviewed, observations from on-site reviews, orientation, training, and technical assistance and reporting any accidents or incidents during that time period.

Due to the different nature of each program, the table below outlines reporting obligations established for each program area.

Table 1: Reporting Obligations by Program Area

Program Area	Responsible Entity	Reporting Status
Housing R3 Program	R3 Program Managers	These monthly reports will be due the first Friday of every month for the month prior. Monthly reports should be submitted using the smartsheet for the R3 Program. ⁷
Housing LIHTC Program	Construction Managers	These monthly reports will be due the first Friday of every month for the month prior. Monthly reports should be submitted using the smartsheet for the LIHTC program. ⁸
Community Energy and Water Resilience Installation Program	Subrecipients, Entities, Municipalities, and any Contractors	These monthly reports will be due the 15 th of every month for the month prior.

⁷ The smartsheet is available at <https://app.smartsheet.com/b/form/a9a9b18cbc7d4c8aadd9c0ebed4e6935>.

⁸ The smartsheet is available at <https://app.smartsheet.com/b/form/8f84f2b82a6d47dba39ccb757877dd6b>.

	implementing the programs.	
Economic Development Programs	Subrecipients, Entities, Municipalities, and any Contractors implementing the programs.	Should there be construction within this portfolio of programs: These monthly reports will be due the 15 th of every month for the month prior.
Infrastructure Programs	Subrecipients, Entities, Municipalities, and any Contractors implementing the programs.	These monthly reports will be due the 30 th of every month for the month prior.
Multisector Programs	Subrecipients, Entities, Municipalities, and any Contractors implementing the programs.	These monthly reports will be due the 30 th of every month for the month prior.

10 Noncompliance, Corrective Actions, and Penalties

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

In the event a project exhibits a serious safety deficiency or imminent safety noncompliance violation, a noncompliance notification can be provided by PRDOH requesting that the repeated or imminent noncompliance be corrected immediately. PRDOH reserves the right to flag the noncompliance with the Legal Division for any additional actions.

PRDOH may impose corrective actions, conduct on-site spot checks, and/or impose penalties as stated in the executed contractual documents.

11 Personal Protective Equipment

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

While all of PRDOH's CDBG-DR Program Subrecipients/Program Contractors are required to comply with applicable state and federal occupational safety and health rules and regulations, the following are the most common federal requirements under Chapter 29,

Part 1926 Safety and Health Regulations for Construction of the Code of Federal Regulations (29 C.F.R. § 1926). Subpart E, Personal Protective and Life Saving Equipment, of the above referenced part of the Code of Federal Regulations (29 C.F.R. § 1926.95-1926.107), establishes the requirements related to protective and lifesaving equipment in construction work sites.

Personal protective equipment is required for employees involved with construction work. It is imperative to use the equipment required to help prevent injury or illness. Personal protective equipment for eyes, face, head, and extremities includes protective or specialty clothing, respiratory devices, shields, face masks and eyeglasses. Personal protective equipment necessary based on the type of work shall be provided, used, and maintained in good working condition. Equipment found not to be in safe working condition shall be immediately removed from the worksite and disposed of accordingly.

11.1 Use of Personal Protective Equipment

- It is the Program Subrecipients/Program Contractors responsibility, as applicable, to provide personal protective equipment to all employees at no cost.
- It is the responsibility of the contractor to ensure that all personal protection equipment provided and in use is in good working order.
- It is the responsibility of all employees to wear personal protection equipment when required. Employees should notify their supervisor when equipment is missing or defective.
- Gloves should be used generally for all tasks on a job site to protect employees from these common injuries.
- Both the employee and supervisor are responsible for ensuring that the appropriate type of glove is used for a given task.
- Appropriate gloves shall be worn for welding work. Employees must wear Safety Vests. Employees without Safety Vests will not be allowed onto a job site.
- Employees wearing shorts, sleeveless shirts, or are without appropriate work shoes will not be allowed on a jobsite as per 29 C.F.R. § 1926 Subpart E.

11.2 Eye and Face Protection

Eye and Face Protection provisions under 29 C.F.R. § 1926.102, establish the following:

- Eye and face protection shall be used for tasks that present risks to these areas of the body as identified in the risk analysis.
- If an employee wears prescription lenses, the Contractor is responsible for providing eye protection that incorporates the prescription in its design or eye protection that can be worn over the employee's prescription lenses.
- For exterior work only, it is permitted to use safety glasses with dark lenses.
- For welding work, the employee shall use a welding mask with the appropriate level of tint.

- Before beginning any on-site work, there should be inspection of PPE, and verification that the selection, wear and use of the PPE are appropriate for the task.

11.3 Head Protection

Head Protection provisions under 29 C.F.R. §1926.100, require the use of safety hard helmets at all times while on the construction work site.

11.4 Hearing Protection

Provisions under 29 C.F.R. §1926.101, establish the requirements related to hearing protection in construction work sites. In areas of work where high noise levels are generated above permissible noise exposures established under 29 C.F.R. §1926.52, hearing protection shall be worn. A table of these permissible noise exposures is below.

Table 2: Permissible Noise Exposure at Construction Work Sites

Duration per day, hours	Sound level DBA slow response
8	90
6	92
4	95
3	97
2	100
1 ½	102
1	105
½	110
¼ or less	115

11.5 Foot Protection

Occupation Foot Protection provisions under 29 C.F.R. §1926.96, require the use of steel-toed work shoes or boots with slip-resistant and puncture-resistant soles by employees and other personnel while present on a jobsite.⁹

11.6 Respiratory Protection

Respiratory Protection provisions under 29 C.F.R. §1926.103 and 29 C.F.R. §1910.134, should be adhered to, including but, not limited to the following:

- **1910.134(a)(1):** In the control of those occupational diseases caused by breathing air contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors, the primary objective shall be to prevent atmospheric contamination. This shall be accomplished as far as feasible by accepted engineering control measures (for example, enclosure or confinement of the operation, general and

⁹ See <https://www.osha.gov/Publications/OSHA3252.pdf>

local ventilation, and substitution of less toxic materials). When effective engineering controls are not feasible, or while they are being instituted, appropriate respirators shall be used pursuant to this section.

- **1910.134(a)(2):** A respirator shall be provided to each employee when such equipment is necessary to protect the health of such employee. The employer shall provide the respirators which are applicable and suitable for the purpose intended. The employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements outlined in 29 C.F.R. §1910.134(c). The program shall cover each employee required by this section to use a respirator.
- **1910.134(c)(4):** The employer shall provide respirators, training, and medical evaluations at no cost to the employee.
- **1910.134(d)(1)(i):** The employer shall select and provide an appropriate respirator based on the respiratory hazard(s) to which the worker is exposed to and workplace and user factors that affect respirator performance and reliability.
- **1910.134(d)(1)(ii):** The employer shall select a National Institute for Occupational Health and Safety (NIOSH) certified respirator. The respirator shall be used in compliance with the conditions of its certification.
- **1910.134(d)(1)(iii):** The employer shall identify and evaluate the respiratory hazard(s) in the workplace; this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer cannot identify or reasonably estimate the employee exposure, the employer shall consider the atmosphere to be immediately dangerous to human life or health (**IDLH**).
- **1910.134(d)(1)(iv):** The employer shall select respirators from a sufficient number of respirator models and sizes so that the respirator is acceptable to, and correctly fits, the user. Masks shall comply with the NIOSH¹⁰.
- **1910.134(d)(3)(i)(A): Assigned Protection Factors (APFs):** Employers must use the assigned protection factors listed in Table 3 to select a respirator that meets or exceeds the required level of employee protection. When using a combination respirator (e.g., airline respirators with an air-purifying filter), employers must ensure

¹⁰The National Institute for Occupational Health and Safety is the federal agency responsible for conducting research and recommendations for the prevention of work-related illnesses and injuries.

that the assigned protection factor is appropriate to the mode of operation in which the respirator is being used.

Table 3: Assigned Protection Factors⁵

Type of respirator ^{1, 2}	Quarter mask	Half mask	Full facepiece	Helmet/hood	Loose-fitting facepiece
1. Air-Purifying Respirator	5	³ 10	50	.....	.....
2. Powered Air-Purifying Respirator (PAPR)	.....	50	1,000	⁴ 25/1,000	25
3. Supplied-Air Respirator (SAR) or Airline Respirator					
• Demand mode	.....	10	50	.....	.....
• Continuous flow mode	.....	50	1,000	⁴ 25/1,000	25
• Pressure-demand or other positive-pressure mode	.....	50	1,000	.....	.....
4. Self-Contained Breathing Apparatus (SCBA)					
• Demand mode	.....	10	50	50	.....
• Pressure-demand or other positive-pressure mode (e.g., open/closed circuit)	.....	.....	10,000	10,000	.....
Type of respirator^{1, 2}	Quarter mask	Half mask	Full facepiece	Helmet/hood	Loose-fitting facepiece
3. Supplied-Air Respirator (SAR) or Airline Respirator					
• Demand mode	.....	10	50	.....	.....
• Continuous flow mode	.....	50	1,000	⁴ 25/1,000	25
• Pressure-demand or other positive-pressure mode	.....	50	1,000	.....	.....
4. Self-Contained Breathing Apparatus (SCBA)					
• Demand mode	.....	10	50	50	.....
• Pressure-demand or other positive-pressure mode (e.g., open/closed circuit)	.....	.....	10,000	10,000	.....

Notes:

¹ Employers may select respirators assigned for use in higher workplace concentrations of a hazardous substance for use at lower concentrations of that substance, or when required respirator use is independent of concentration.

² The assigned protection factors in Table 3 are only effective when the employer implements a continuing, effective respirator program as required by this section (29 C.F.R. 1910.134), including training, fit testing, maintenance, and use requirements.

³ This APF category includes filtering facepieces, and half masks with elastomeric face pieces.

⁴ The employer must have evidence provided by the respirator manufacturer that testing of these respirators demonstrates performance at a level of protection of 1,000 or greater to receive an APF of 1,000. This level of performance can best be demonstrated by performing a Workplace Protection Factor (WPF) or Simulated Workplace Protection Factor (SWPF) study or equivalent testing. Absence of such testing, all other PAPRs and SARs with helmets/hoods are to be treated as loose-fitting facepiece respirators, and receive an APF of 25

⁵These APFs do not apply to respirators used solely for escape. For escape respirators used in association with specific substances covered by 29 C.F.R. 1910 subpart Z, employers must refer to the appropriate substance-specific standards in that subpart. Escape respirators for other IDLH atmospheres are specified by 29 C.F.R. 1910.134 (d)(2)(ii).

- **1910.134(d)(3)(iv)(C):** For contaminants consisting primarily of particles with mass median aerodynamic diameters (MMAD) of at least **two micrometers (2 µm)**, an air-purifying respirator equipped with any filter certified for particulates by NIOSH.

Table 4: Assigned Protection Factors

Altitude (ft.)	Oxygen deficient Atmospheres (% O ₂) for which the employer atmosphere-may rely on supplying respirators
Less than 3,001	16.0-19.5
3,001-4,000	16.4-19.5
4,001-5,000	17.1-19.5
5,001-6,000	17.8-19.5
6,001-7,000	18.5-19.5
7,001-8,000 ¹	19.3-19.5.

¹Above 8,000 feet the exception does not apply. Oxygen- enriched breathing air must be supplied above 14,000 feet.

12 Elevated Work

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Many injuries and fatalities in construction job sites occur through the unsafe use of ladders, scaffolding, or elevated platforms due to failure to use proper fall protection equipment.

12.1 Ladder

Ladder safety provisions under 29 C.F.R. §1926.1053, establish the following:

- If a ladder is defective, a label may be placed on it indicating that shall not be used and removed from the job site as soon as possible.
- All ladders shall be kept in good condition.
- All ladders shall be inspected before each use.
- No employee is permitted to use the last top rung of the ladder.
- If extension ladders shall be used to perform tasks on rooftops, it is required to extend at least **three (3) feet** above the roof.
- If an extension ladder is used, it shall be secured, so that it can be kept fixed.
- The use of fiberglass ladders is required over metal or aluminum ladders.
- Ladders shall comply with OSHA standards and PRDOH CDBG-DR OSH Policy.
- To cover or remove safety information on ladders is prohibited.

- Employees shall comply with all specifications and safety notices on the ladders (i.e. maximum load, height, etc.).

12.2 Fall Protection

Subpart M, Fall Protection (29 C.F.R. § 1926. 500 - § 1926. 503), establishes the requirements related to fall protection in construction work sites.

- Fall protection equipment shall be used correctly according to the manufacturer specifications.
- Employees working in residential construction activities more than over **six (6') feet** or more above the next closest floor or ground below them shall be protected by guardrail, safety net and/or personal fall arrest system.
- Employees are responsible for notifying their supervisor if the equipment is found to be defective, or if an accident occurs.
- If using anchor points, they are required to hold no less than **five thousand (5,000 lb.)** pounds per each person connected to it.
- Fall protection equipment shall be visually inspected daily before being used.
- The equipment shall be inspected by a certified professional annually.

12.3 Scaffolding

Subpart L, Scaffolds (29 C.F.R. § 1926.451 - § 1926.454), establishes the requirements related to scaffolding in construction work sites.

- For scaffolds that are more than **six (6') feet** high, the installation shall be performed by a qualified professional.
- The scaffold shall be inspected daily before use and the inspection card will be signed and dated by the person performing the inspection.
- The scaffolding shall comply with the OSHA standards
- Scaffolds shall have guardrails at all times
- Scaffolding alterations will not be allowed.
- At the time of installation or removal, additional security measures must be taken to ensure the surroundings of the scaffolding are secure.

12.4 Aerial Lifts

Air Lifts provisions under 29 C.F.R. § 1926.453, establish the following:

- The employee shall be trained on the safe use of aerial platform equipment.
- The operator shall have their current operator certification with them at all times.
- Aerial platforms shall be inspected before use, per manufacturer specifications.
- Equipment shall be maintained and operated in accordance with the manufacturer's instructions.
- Elevated platforms shall have their safety manual and fire extinguisher available at all times.

- If using a raised platform, employees shall use fall protection equipment as required.
- If the platform is in an inclined area, the employee shall use the brakes and shocks.
- Do not exceed the maximum load limits of the equipment listed in the manufacturer specifications.

13 Signage in the Work Area

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart G, Signage in the Work Area (29 C.F.R. §1926.200 - §1926.203), establishes the requirements related to signage in construction work sites. Signage in the work area has the purpose of maintaining order around the work area, as well as notifying employees and visitors of the hazards that exist in the area so that they may take necessary precautions.

The following, is a list of the minimum signage required to be displayed in the work area:

- General project information at the main entrance.
- A list of the personal protection equipment required in the workplace.
- Signage indicating hazard areas or situations, such as:
 - Fall Hazards
 - Debris Hazards
 - Hazardous Material
 - Fall Hazards
 - Heavy Equipment Use Areas
 - Flammable materials

In addition to the aforementioned signage, the Construction Manager shall ensure that signage required by PROSHA are clearly and visibly displayed at the project site.

14 Control of Hazardous Materials

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

The Contract Manager is responsible for the safe handling and storage of hazardous materials on the job site. Employees shall be oriented on the safe handling, management and disposal of hazardous materials. A Safety Data Sheet (**SDS**) of each chemical compound to be used on site is to be submitted for approval to the appropriate oversight manager before making use of it.

Additional controls shall be implemented per the Puerto Rico Environmental Quality Board, the Department of Natural and Environmental Resources of Puerto Rico, rules and regulations under the Puerto Rico Solid Waste Authority, 29 C.F.R. §1926 Subpart Z, and other applicable regulations.

15 Fire Protection

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart F, Fire Protection (29 C.F.R. §1926.150-1926.155), establishes the requirements related to fire protection in construction work sites. Before starting work, the Construction Manager is responsible for ensuring the fire protection equipment is operable and all employees know how to use it.

The following requirements shall be met:

- Fire equipment shall be maintained in optimal conditions;
- Shall have the certification about the current inspection;
- Shall be located properly and must be visible;
- Label the location of the equipment; and
- Access to the fire extinguisher cannot be blocked.

16 Housekeeping

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Provisions under 29 C.F.R. §1926.25 establish the requirements related to housekeeping in construction work sites. During the construction, effective housekeeping is the key to control or eliminate workplace hazards.

The following requirements shall be met:

- Alteration, or repairs, form, and scrap lumber with protruding nails, and all other debris shall be kept cleared from work areas, passageways, and stairs, inside and around buildings or other structures.
- Combustible scrap and debris shall be removed at regular intervals during the course of construction.
- Safe means shall be provided to facilitate such removal.
- Containers shall be provided for the collection and separation of waste, trash, oil, etc.
- Containers used for garbage and other oily, flammable, or hazardous wastes, such as caustics, acids, harmful dusts, etc. shall be equipped with covers.

- Garbage and other waste shall be disposed of at frequent and regular intervals.

17 Tools – Hand and Power

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart I, Tools – Hand and Power (29 C.F.R. §1926.300 - §1926.307), establishes the requirements related to hand and power tool usage in construction work sites.

- Hand and power tools and similar equipment, whether furnished by the employer or the employee, shall be maintained in a safe condition.
- When power operated tools are designed to accommodate guards, they shall be operated with such guards when in use.

18 Welding and Cuttings

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart J, Welding and Cuttings (29 C.F.R. §1926.350 - §1926.354), establishes the requirements related to welding and cuttings in construction work sites. The tasks and jobs that involve welding and cutting can present several hazards to the health and safety of the employee. Safety risks, such as fire, could result in fatalities, serious injuries and/or property damage. Health hazards are due to the possible inhalation of toxic fumes and vapors that could cause illnesses to employees. In an effort to eliminate or reduce risks associated with tasks and work welds and cuts, contractors must train their employees.

19 Excavations

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart P, Excavations (29 C.F.R. §1926.650 - §1926.652), establishes the requirements related to excavations and trenching operations in construction work sites. Excavation and trenching are among the most hazardous construction operations. This part highlights key elements of the standards and describes safe work practices that can protect workers from cave-ins and other hazards. Trenches **five (5') feet (1.5 meters)** deep or greater require a protective system unless the excavation is made entirely in stable rock. If trenches are less than **five (5') feet** deep, a competent person may determine that a protective system is not required. Trenches **twenty (20') feet (6.1 meters)** deep or greater require that the protective system be designed by a registered professional

engineer or be based on tabulated data prepared and/or approved by a registered professional engineer in accordance with 1926.652(b) and (c).¹¹

Before starting your project, you should establish the safety requirements to perform excavation work and be protected from cave-ins by an adequate protection system in all projects. To prevent cave-ins you should slope or bench trench walls, shore trench walls with supports, or shield trench walls with trench boxes.

There are different types of protective systems. Benching means a method of protecting workers from cave-ins by excavating the sides of an excavation to form one or a series of horizontal levels or steps, usually with vertical or nearvertical surfaces between levels. Benching cannot be done in Type C soil. Sloping involves cutting back the trench wall at an angle inclined away from the excavation. Shoring requires installing aluminum hydraulic or other types of supports to prevent soil movement and cave-ins. Shielding protects workers by using trench boxes or other types of supports to prevent soil cave-ins. Designing a protective system can be complex because you must consider many factors including: soil classification, depth of cut, water content of soil, changes caused by weather or climate, surcharge loads (e.g., spoil, other materials to be used in the trench) and other operations in the vicinity.

Additionally the following additional requirements should be noted and implemented such as:

- Know where underground utilities are located before digging.
- Keep excavated soil (spoils) and other materials at least **two (2) feet** (0.61 meters) from trench edges.
- Keep heavy equipment away from trench edges.
- Identify any equipment or activities that could affect trench stability.
- Test for atmospheric hazards such as low oxygen, hazardous fumes, and toxic gases when workers are more than **four (4) feet** deep.
- Inspect trenches at the start of each shift.
- Inspect trenches following a rainstorm or other water intrusion.
- Inspect trenches after any occurrence that could have changed conditions in the trench.
- Do not work under suspended or raised loads and materials.
- Ensure that personnel wear high-visibility or other suitable clothing when exposed to vehicular traffic.

For more resources on additional hazards and solutions related to trenching and excavation see: <https://www.osha.gov/trenching-excavation>,

¹¹ See https://www.osha.gov/OshDoc/data_Hurricane_Facts/trench_excavation_fs.pdf

https://www.osha.gov/OshDoc/data_Hurricane_Facts/trench_excavation_fs.pdf and
<https://www.osha.gov/sites/default/files/publications/osha2226.pdf>.

20 Confined Spaces

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart AA, Confined Spaces (29 C.F.R. §1926.1200 - §1926.1213), establishes the requirements related to confined spaces in construction work sites. To manage the risks associated with working in confined spaces, the Contractor Manager must develop and implement a confined space hazard assessment and control program, specific for the work being conducted and should be installed in each and every confined space.

A confined space hazard assessment and control program should include the following:

- Description of roles and responsibilities of each person or party (e.g., employer, supervisor, workers, attendants, and emergency response team);
- Advice on how to identify confined spaces;
- The identification and assessment of potential hazards that may exist at the beginning of the work as well as those that may develop because of the work activities;
- A plan to eliminate or control identified hazards;
- Written work procedures;
- Training program for the workers that will enter into the confined spaces;
- The establishment of an entry permit system for each entry into a confined space;
- Development of an Emergency Plan and to train the employees;
- An emergency response system;
- Reporting and investigating accidents related to work in confined spaces;
- Record and documentation control; and
- Program review whenever there is a change in circumstances or at least annually, to identify program weaknesses and make any necessary changes to the program.

21 Lockout and Tagging of Circuits

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Provisions under 29 C.F.R. §1926.417 establish the requirements related to lockout and tagging of circuits in construction work sites. Contractor Managers must establish a

program consisting of written lockout/tagout procedures, employee training, and periodic inspections.

The lockout/tagout (control of hazardous energy) program covers any work, servicing, or maintenance of machines and equipment in which the unexpected start up or energization of the machine or equipment, or the release of stored energy, could cause injury or death. Examples of such energy include electrical, air pressure, hydraulic pressure, chemical, thermal, or springs under tension. If an energy control switch/valve can be locked out, then lockout procedures must be used. Otherwise, a tagout system must be used.

This program does not apply to cord and plug connected equipment if the plug is unplugged and controlled by the employee performing the maintenance, or to hot tap work. Also, normal production operations are not covered unless a guard/safety device is removed, or the employee is exposed to a point-of-operation hazard.

The following requirements shall be met:

- Written lockout/tagout procedures for controlling hazardous energy must be developed and used (See exemption below). These procedures must clearly outline the scope, purpose, authorization, rules, techniques to be utilized, and means to enforce compliance, for the lockout/tagout procedure. They must be specific for each affected machine/equipment and outline specific procedural steps for shutting down and/or isolating the machine from its energy source, specific steps for applying and removing the lock(s) or tag(s), and specific steps for verifying the effectiveness of the isolating measures. Inherent to these procedures is identifying the sources of energy.
- Employees must be trained to ensure they understand the purpose and function of the program, that they can recognize applicable lockout/tagout situations, and that they have acquired the knowledge and skills required for applying, using, and removing the lock(s) and tag(s).

There are industry best practices recommended where contractors can adopt following these best practices for controlling energy when deemed necessary.

STEP 1: Develop and document an energy control program with written procedures.

A written lockout policy is the starting point. With respect to who is responsible for providing written procedures on a construction site, it depends upon how the project contract is written. It could be the general contractor, construction manager or electrical contractor. If the electrical contractor has to verify successful isolation and/or control of the hazardous electrical energy, that party is usually the only one who can perform the lockout. (It's generally standard operating procedure to have the electrical contractor

perform the lockout.) The procedures to be followed and the person responsible for implementing safety measures should be determined at the preconstruction conference.

After determining who is responsible for writing an energy control program, begin by documenting the program. Continue with machine-specific procedure development, training and periodic inspections. OSHA has a Lockout/Tagout Tutorial on its website¹², to provide additional advice. Reviewing a sample energy control policy can serve as a guide as you develop your own comprehensive energy control program. You should create and manage clear and easy-to-follow visual, machine-specific procedures for electrical equipment.

STEP 2: Identify and mark all energy control points.

Locate and mark all energy control points, including valves, switches, breakers, and plugs, with permanently placed labels or tags. It is important to use labels and tags made of durable materials to withstand exposure to the elements on a construction site. Cross-reference each label and tag with the corresponding step number in the posted energy control procedure for that equipment. Include information about the magnitude and purpose of the control point as stipulated by OSHA for electrical disconnects and recommended by the American National Standards Institute (ANSI) for all isolating devices.

STEP 3: Train employees, communicate procedures and conduct periodic inspections.

Construction Managers and General Contractors should consider implementing formal training programs for each of the three categories of employees for lockout: "Authorized," "Affected" and "Other" employees. OSHA provides advice on how to train for electrical safety. Employers must verify that their orientations are up to date and use a variety of mediums needed to impact field employees.

STEP 4: Equip employees with the proper lockout tools and warning devices.

Ultimately, it's the proper and consistent application of the lockout hardware per established procedures that makes a successful lockout program. In achieving this it's important to know and document specifically what devices are acceptable for use at each and every lockout point. There is a tremendous range of sizes and shapes of valve operating handles, circuit breaker switches and various other energy control means. Because a construction site is more of an uncontrolled environment than an occupied building or plant, there is a greater safety risk for both authorized and unauthorized personnel. Using heavy-duty padlocks to lock all equipment when not in use and

¹² See <https://www.osha.gov/dts/osta/lototraining/tutorial/tu-overvw.html>.

displaying visual warning signs that communicate hazards to workers and the general public will also help to reduce accidents.

Consistently following the four steps listed above will help contractors adhere to best practices for compliance with OSHA safety regulations regarding energy control on a construction site.

22 Electrical Safety Procedures

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Subpart K, Electrical (29 C.F.R. § 1926.400 through § 1926.449), establishes the requirements related to electrical safety procedures for construction work sites. PRDOH recognizes its obligation to manage risks regarding health and safety associated with electrical hazards at the workplace and to make sure that, so far as is reasonably practicable, persons at work are safe from the risk of death, electrical shock or other injury caused indirectly or directly by electricity or fire caused by an electrical fault.

The electrical safety procedure aims to:

- Eliminate risks associated with electrical installations, equipment, and work.
- Identify reasonably foreseeable electrical hazards at the workplace and eliminate risks so far as is reasonably practicable, or where that is not reasonably practicable, minimize risks by implementing the Job Hazard Analysis;
- Ensure that electrical installations and electrical equipment are maintained in good condition, inspected and tested; and
- Require that the electrical work performed on an electrical installation or electrical equipment be carried out by a competent person. This task applies to workers who manage, supervise or undertake activities that involve electricity, electrical installation or electrical equipment.

23 Rigging Plan

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Provisions under 29 C.F.R. § 1926.251 and § 1926.753, establish the requirements related to hoisting and rigging in construction work sites. Planning is an essential component in every lifting operation at all workplaces. The risks inherent in the planning of lifting activities are required to be addressed, with mitigating actions identified and implemented. Additionally, accidents are often a result of either poor planning or lack of communication between or among stakeholders.

The following requirements shall be met:

- Ensure the underground search has been conducted.
- Document any overhead encumbrances or hazards.
- Ground shall be evaluated for crane and load support.
- If action is required, indicate who is going to take the appropriate action.

Contract Managers must also comply with the following documentation:

- Operator's License
- Riggers Card
- Annual Crane Inspection
- Rigging Plan

24 Beams and Columns

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Solid web structural members as diagonal bracing shall be secured by at least one bolt per connection drawn up wrench-tight or the equivalent as specified by the project structural engineer of record.

24.1 Double connections at columns and/or at beam webs over a column

When two structural members on opposite sides of a column web, or a beam web over a column, are connected sharing common connection holes, at least one bolt with its wrench-tight nut shall remain connected to the first member unless a shop-attached or field-attached seat or equivalent connection device is supplied with the member to secure the first member and prevent the column from being displaced (See Appendix H to Subpart R of Part 1926- Double Connections: Illustration of a Clipped End Connection and a Staggered Connection: Mandatory Guidelines for Complying with §1926.756(c)(1)).

Each column splice shall be designed to resist a minimum eccentric gravity load of **three hundred (300) pounds** (136.2 kg) located **eighteen (18) inches** (.46 m) from the extreme outer face of the column in each direction at the top of the column shaft.

Perimeter columns shall not be erected unless the perimeter columns extend a minimum of **forty-eight (48) inches** (1.2 m) above the finished floor to permit installation of perimeter safety cables prior to erection of the next tier, except where constructability does not allow.

Additional details and guidance from 29 C.F.R. § 1926 Subpart R, Appendix F and H should also be adhered to where applicable. In addition to the above, Program

Subrecipients/Program Contractors shall adhere to additional details and guidance found under Appendix F to Subpart R of Part 1926- Perimeter Columns: Non-Mandatory Guidelines for Complying with §1926.756(e) to Protect the Unprotected Side or Edge of a Walking/Working Surface and such guidance included under the above referenced Appendix H.

25 Demolition and Cleanup

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Primary Demolition Standards can be referenced in Subpart T, Demolition (29 C.F.R. §1926.850 - §1926.860), establishes the requirements related to demolition and cleanup works in construction work sites. Demolition poses additional hazards due to unknown factors such as: deviations from the structure's original design, approved or unapproved modifications that altered the original design, materials hidden within structural members, and unknown strengths or weaknesses of damaged materials. To prepare and address these unknowns, personnel involved in a demolition project need to be fully aware of these types of hazards and the safety precautions available to control these hazards. Related construction standards and letters of interpretation that should be adhered to can be located here: <https://www.osha.gov/doc/topics/demolition/standards.html>.

25.1 Completion of Preliminary Tasks

PRDOH requires that CDBG-DR Program Subrecipients/Program Contractors implement preparatory operations which involve the overall planning of the demolition job including, the methods to be used to bring the structure down, the equipment necessary to do the job, and the measures to be taken to safely perform the work. Before beginning any demolition work, there should be an inspection of PPE, and verification that the selection, wear, and use of the PPE are appropriate for the task.

Furthermore, a written engineering survey must be performed on each structure being considered for demolition to determine the condition of the framing, floors, and walls, and to assess the possibility of an unplanned collapse of any portion of the structure. Brace or shore the walls and floors of structures which have been damaged and which employees must enter. Program Subrecipients/Program Contractors are expected to inspect and maintain stairs, passageways, and ladders and properly illuminate stairways.

Additionally, they should shut off or cap all electric, gas, water, steam, sewer, and other service lines outside the building and notify the appropriate utility companies. If needed, there should be temporary relocation and protection of any essential power, water, or other utilities.

Program Subrecipients/Program Contractors are expected to determine the types of hazardous chemicals, gases, explosives, and flammable materials which have been used in any pipes, tanks, or other equipment on the property. They should test and purge the hazardous chemicals, gases, explosives, or flammable materials and survey for asbestos or other hazardous materials.

Wall openings should be guarded to a height of **forty-two (42) inches**. All floor openings should be covered and secured with material able to withstand the loads likely to be imposed. Debris dropped through holes on the floor without the use of chutes must be completely enclosed with barricades not less than **forty-two (42) inches** high and not less than **six (6) feet** back from the projected edge of the opening above. Floor openings used for material disposal must not be more than **twenty-five percent (25%)** of the total floor area. Use enclosed chutes with gates on the discharge end to drop material to the ground. Design and construct chutes that will withstand the loads likely to be imposed without failing.

The appropriate signage should be present at each level of structures, warning of the hazard of falling materials. Entrances to multi-story structures should be protected with sidewalk sheds or canopies for a minimum of **eight (8) feet**. Storage of material and debris must not exceed the allowable floor load.

25.2 Wall and Masonry Removal

Provisions under 29 C.F.R. §1926.854-§1926.856 establish the requirements related to wall, floor, and masonry removal in construction work sites. Demolition of exterior walls and floors must begin at the top of the structure and proceed downward. Masonry walls must not be permitted to fall on the floors of a building in masses that would exceed the safe carrying capacities of the floors.

No wall section, one story in height or higher, should be permitted to stand alone without lateral bracing, unless such a wall was originally designed and constructed to stand without such lateral support, and is safe enough to be self-supporting. Walls must be left in a stable condition at the end of each work shift. Employees shall not work on the top of a wall when weather conditions create a hazard.

Structural or load-supporting members on any floor must not be cut or removed until all stories above such a floor have been removed. In buildings whose frame consist of steel or have a "skeleton-steel" construction, the steel framing may be left in place during the demolition of masonry. Walkways or ladders must be provided to enable workers to safely reach or leave any scaffold or wall. Walls, which serve as retaining walls to support earth or adjoining structures, must not be demolished until the supporting earth has been properly braced or until adjoining structures have been properly underpinned. Walls, which will serve as retaining walls against which debris will be piled, must not be used

unless they are capable of supporting the imposed load. Steel construction should be dismantled by column length, and tier by tier.

25.3 Mechanical Demolition

Provisions under 29 C.F.R. §1926.859 establish the requirements related to mechanical demolitions in construction work sites. When using a demolition ball, it must not exceed 50 percent of the crane's rated load. The crane boom and load line must be as short as possible. The ball must be attached to the load line with a swivel-type connection to prevent twisting of the load line, and it must be attached by positive means in such a manner that the weight cannot become accidentally disconnected. Only those workers necessary to perform such operations must be permitted in this work area at any time.

When pulling over walls or portions thereof, all steel members affected must have previously been cut free. All roof cornices or other such ornamental stonework must be removed prior to pulling walls over. During demolition, continuing inspections by a competent person shall be made as the work progresses to detect hazards resulting from weakened or deteriorated floors, or walls, or loosened material. No employee shall be permitted to work where such hazards exist until they are corrected by shoring, bracing, or other effective means.

26 Silica, Crystalline

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

Crystalline silica is a common mineral found in the earth's crust. Materials like sand, stone, concrete, and mortar contain crystalline silica. It is also used to make products such as glass, pottery, ceramics, bricks, and artificial stone.

Breathable crystalline silica – very small particles at least one hundred (100) times smaller than ordinary sand you might find on beaches and playgrounds – is created when cutting, sawing, grinding, drilling, and crushing stone, rock, concrete, brick, block, and mortar. Activities such as abrasive blasting with sand; sawing brick or concrete; sanding or drilling into concrete walls; grinding mortar; manufacturing brick, concrete blocks, stone countertops, or ceramic products; and cutting or crushing stone result in worker exposures to breathable crystalline silica dust. Industrial sand used in certain operations, such as foundry work and hydraulic fracturing (fracking), is also a source of breathable crystalline silica exposure. On average about 2.3 million people in the U.S. are exposed to silica at work.

Workers who inhale these very small crystalline silica particles are at increased risk of developing serious silica-related diseases, including but not limited to:

- Silicosis, an incurable lung disease that can lead to disability and death;
- Lung cancer;
- Chronic obstructive pulmonary disease (COPD); and
- Kidney disease.

Silica should not be treated as just simply dust. The following non exhaustive list of protective measures should be implemented for employers and employees to protect against crystalline silica exposures:

- Replace crystalline silica materials with safe substances, when possible;
- Provide engineering and administration controls, as much as possible, such as ventilation in the area and containers for abrasive cleaning. Where it is required to reduce exposures to levels below the permissible exposure limit, use personal protective equipment or other measures of protection;
- Use available work practices to control exposures to dust, such as water sprinklers;
- Use only a N95 certified respirator NIOSH, if respiratory protection is required.
- The respirator must not be modified. It is not practical to use a tight respirator with a beard or with a mustache that prevents a good fit between the respirator and the face;
- Use only a powered respirator of air for abrasive cleaning of type "Type CE" for abrasive cleaning;
- Wear work clothes that can be thrown away or washed and shower if showers are available. Use a vacuum cleaner to dust clothes or put on clean clothes before leaving the place of work;
- Participate in training, supervision of exhibition and analysis and surveillance programs in order to monitor any negative effects on health due to crystalline silica exposures;
- Become aware of the operations and tasks that create exposures to crystalline silica in the workplace and learn how to protect yourself;
- Become aware of the associated health hazards with exposures to crystalline silica. The fact that smoking worsens lung damage caused by exposures to silica; and
- Do not eat, drink, smoke, or use products or cosmetics in areas where crystalline silica dust exists. Clean your hands and face out of areas that contain dust before performing any of these tasks.

27 PRDOH CDBG-DR Authority to Monitor and Audit

This Section applies to all CDBG-DR Program areas: Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

The PRDOH, as grantee, has the discretion to perform ongoing monitoring and on-site audits of Program Subrecipients/Program Contractors performance in compliance with the requirements contained herein and audit at any time to ascertain compliance with this Policy and applicable local, OSHA, and federal rules and regulations. Notice of monitoring and auditing efforts will be given to the Program Subrecipients/Program Contractors with reasonable time.

28 Project Closeout

This Section applies to all CDBG-DR Program areas Housing, Multisector, Infrastructure, and Economic Development where construction will be part of the program implementation.

The PRDOH will perform a file review of safety reports, submitted documents, and other documents required to be on file prior to project closeout. Program Subrecipients/Program Contractors implementing the CDBG-DR Program are responsible for complying with the requirements contained in this Policy and providing documentation as requested throughout the program implementation and before project closeout.

END OF POLICY.