

**VOSH PROGRAM DIRECTIVE: 13-060**

**ISSUED:** 01 October 2016

**SUBJECT**                    **Building Excellence in Safety, Health and Training Program (Virginia BEST)**

**Purpose**                        This Directive memorializes a strategic partnership pilot program between the VOSH Program and the Associated General Contractors of Virginia, Inc. (AGCVA)

*This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**Scope**                        This Directive applies VOSH-wide.

**Reference**                    VOSH Directive 09-060 Virginia BEST Policies and Procedures Manual (01 October 2016)

**Cancellation**                Not Applicable

**Effective Date**              01 October 2016

**Expiration Date**            Not Applicable.

**Action**                        Directors and Managers shall ensure that policies and procedures established in this Directive are uniformly enforced and field personnel understand and comply with the requirements included in this Directive.

C. Ray Davenport  
Commissioner

Distribution:      Commissioner of Labor and Industry  
Assistant Commissioner  
VOSH Directors and Managers  
Legal Support & IMIS Staffs

Director of Cooperative Programs  
VOSH Compliance & Cooperative Programs Staffs  
OSHA Region III & OSHA Norfolk Area Offices VOSH

When the guidelines, as set forth in this Program Directive, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms if, and where they are used, shall be considered to read as below:

Federal Terms

VOSH Equivalent

OSHA

VOSH

Federal Agency

State Agency

Agency

Department

Regional Administrator

Assistant Commissioner

Area Director

Regional Director  
VOSH Program Director

Regional Solicitor

Attorney General or VOSH  
Division of Legal Support (DLS)

Office of Statistics

VOSH Research and Analysis

29 CFR

VOSH Standard

Compliance Safety and Health Officer (CSHO)

CSHO

**Definitions:**

**AGCVA:** Associated General Contractors of Virginia, Inc.

**BEST:** Building Excellence in Safety, Health and Training

**Competent person:** A person who, through training and experience, must be able to recognize hazards and has the authority to take prompt corrective action

**Construction Schedule:** A programmed construction inspection selected from a list of sites provided by the University of Tennessee. The Construction Schedule does not include VOSH Local and National Inspection Programs (e.g., trenching, fall protections, scaffolds, etc.)

**Designated safety and health personnel:** A person who, through training and experience, must be able to recognize safety and health hazards and has the authority to take prompt corrective action

**Field construction supervisory personnel:** Anyone in the field who is authorized to assign or make decisions about the work task

**Hazard recognition:** Identification of hazards in the workplace that, if unabated, could potentially cause bodily harm

**Incident:** An undesirable event that results from a failure to meet acceptable standards and causes harm to people, property or processes (e.g., in-patient hospitalization, amputation, loss of an eye)

**Key Subcontractor:** A participant's subcontractor identified by AGCVA and VOSH based on the following criteria:

1. Risk (the perceived risk level associated with the construction work activities/hazards scheduled to occur at the worksite – e.g., steel erection, roofing/siding, masonry work, scaffolding, fall protection hazards, electrical hazards)
2. Duration (30% to 70% scheduled completion)
3. Size (number of employees)

**Major worksite:** A construction site that is eligible for consideration for either the required VOSH Consultation onsite surveys required for Level One and Level Two applications; or the required AGCVA and VOSH onsite review for Level Three applications. Major worksite eligibility will be determined by the AGCVA and VOSH based on the following criteria:

1. Risk (the perceived risk level associated with the construction work activities/hazards scheduled to occur at the worksite – e.g., steel erection, roofing/siding, masonry work, scaffolding, fall protection hazards, electrical hazards)

2. Duration (30% to 70% scheduled completion)
3. Value (total project value; or the percent of gross revenue that the total project value represents to the applicant)

**Onsite review:** A team of AGCVA and VOSH representatives conducting a walkthrough/assessment of a project that will include an observation of how the employer responds to abating identified hazards, written programs, training records and all other items related to the applicable achievement level

**Private Industry Volunteer (PIV):** A private industry volunteer from a VPP or Virginia BEST Participant, knowledgeable in safety and health management system assessment, formally trained in the policies and procedures of Virginia BEST, and determined by VOSH to be qualified to perform as a team member on a Virginia BEST on-site evaluation.

**NAICS:** North American Industrial Classification System

**Near-hit Incident:** Hazard in the workplace that could potentially cause bodily harm where there is employee exposure (top rail of guardrail system is missing and employees are working in the area)

**Onsite Review:** A jobsite inspection to assess whether the employer's safety and health management system meets the requirements for the level of achievement the applicant is seeking

**Program Achievement Levels of Participation:**

**Level 1:** The basic achievement level in the Virginia BEST program for applicants that develop and implement an effective safety and health management system that meets current VOSH regulatory requirements

**Level 2:** The intermediate achievement level in the Virginia BEST program for applicants having an established safety and health management system that exceeds current VOSH regulatory requirements

**Level 3:** The highest achievement level in the Virginia BEST program for applicants having an exceptional safety and health management system that serves as a model for other construction employers

**Unprogrammed inspection:** An inspection performed in response to a report of imminent danger, a fatality, in-patient hospitalization, amputation, loss of an eye, referral or employee complaint

**VOSH:** Virginia Occupational Safety and Health Program of the Virginia Department of Labor and Industry.

**Virginia BEST: *Building Excellence in Safety, Health and Training***

A Strategic Partnership Pilot Program of the Associated General Contractors of Virginia (AGCVA) and the Virginia Occupational Safety and Health (VOSH) Program of the Virginia Department of Labor and Industry

**A. Background**

The Virginia BEST program is a strategic partnership of the VOSH Program and the AGCVA. It was established as a result of a series of meetings starting in 2012, where the AGCVA and the VOSH Program met to discuss a partnership that would mutually recognize the importance of providing a safe and healthful work environment in the construction industry. The parties agreed to pursue a cooperative relationship that encourages construction employers to develop exceptional safety and health management systems and recognize that achievement through the Virginia BEST program.

**B. Virginia BEST Strategic Partnership Pilot Program**

**1. Purpose**

To improve best practices, compliance efforts and injury and illness prevention on construction worksites in Virginia through recognizing the outstanding efforts of exemplary employers. The program will work with construction contractors who have demonstrated continual improvement in the area of occupational safety and health and who are willing to share resources, best practices and advise the construction industry at large in developing and implementing successful safety and health management systems.

**2. Scope**

The Virginia BEST program applies specifically to construction sites and does not apply to contractor yards, shops or administrative offices.

**3. Program Expectations**

This strategic partnership has been negotiated between AGCVA and the VOSH Program. Owners, association members and labor representatives are encouraged to endorse and participate in Virginia BEST.

a. Implementation of this program is expected to result in decreased serious injuries, illnesses and fatalities for participating contractors; and the improvement of existing safety and health management systems throughout the Commonwealth of Virginia.

- b. Virginia BEST provides for incentives to construction contractors that voluntarily participate in the program and demonstrate their achievement of effective and successful safety and health management systems.
- c. This program will not in any way affect the employer's or the employees' ability to exercise their rights under VOSH laws, standards and regulations, or the Occupational Safety and Health Act of 1970 (OSH Act).
- d. The number of employers who may be approved as participants will depend on the availability of AGCVA and VOSH resources.

#### **4. Specific Goals of the Partnership**

- a. To reduce by three (3) percent annually the number of injuries, illnesses and fatalities affecting participant employers, with a focus on eliminating injuries and fatalities resulting from those hazards that are the four leading causes of death on construction sites (falls, struck-by, caught in/or between, and electrocutions).
- b. To increase the number of construction contractors that implement effective safety and health management systems and provide proactive safety and health training for management, supervisors and employees.
- c. To recognize those contractors where managers and employees work together to develop safety and health management systems that meet and exceed basic compliance with all applicable VOSH laws, standards and regulations; and result in immediate and long-term prevention of job-related injuries and illnesses.
- d. To promote open lines of communication between VOSH and the construction industry in pursuit of improving safety and health protections for Virginia's construction employees and employers:
  - (1) To increase the overall safety and health awareness of all contractors and employees on the participant's work sites.
  - (2) To reduce the number of safety and health hazards on the participant's work sites.
  - (3) To establish a list of "leading indicators" that can be monitored and evaluated in order to achieve items i-ii above.
  - (4) To create ways to share expertise and other resources among participating companies and the construction industry as a whole (e.g., attend the Virginia Annual Safety and Health Conference, host Construction Safety Days, etc.).

(5) To recognize best practices that exceed VOSH/OSHA laws, standards and regulations at covered work sites.

#### **5. Responsibilities of Participants**

- a. Maintain safe and healthy work places for all employees and contractors.
- b. Assign a competent person to every worksite that will have the experience and education to identify safety and health hazards and the authority to supervise immediate correction of those hazards.
- c. Maintain all necessary safety and health management systems as required by the characteristics of the work site and the hazards present.
- d. Make steady improvement on all aspects of the overall program.
- e. Establish a system for self-inspection and evaluation.
- f. Establish a process for the correction of hazards identified by any means (self-inspections, program audits, onsite reviews, hazard assessments, incident investigations, etc.). The process will include the assigning of responsibility, time frames for correction, interim protection and follow-up to ensure abatement of hazards.
- g. Ensure that subcontractors on site adhere to all safety and health rules and regulations at all times.
- h. Ensure that subcontractors are properly licensed.
- i. Ensure that key subcontractors provide safety and health protection equal to that received by participant employees and follow Virginia BEST principles.
- j. Ensure employee involvement and participation in the program.
- k. Share resources, such as mentoring, training and best practices with all subcontractors on site.

#### **6. Benefits for Participants**

- a. A DOLI website page will be dedicated to this partnership with recognition for Level Two and Level Three participants.
- b. Acceptance in the program can be publicized by the participant to enhance its marketplace recognition.
- c. Participants will be recognized as industry leaders in construction safety and health.
- d. Access to specific targeted training sessions conducted by VOSH Consultative Services.
- e. Priority access to VOSH Consultative Services for briefings on new standards, regulations and emphasis programs.

- f. Potentially reduced costs in insurance rates, lost time and less lost or damaged materials resulting in greater profit margin.
- g. Improved employee morale and productivity, and the ability to attract the best workers based on the participant's enhanced reputation in the industry.
- h. Use of official logo, icons, devices and/or official program flag, etc.

## **7. Incentives**

Upon acceptance as a Virginia BEST participant, VOSH will provide certain incentives to participants.

### **a. Level One participants will:**

- (1) Receive a recognition letter from the AGCVA and the Virginia BEST Coordinator.
- (2) Receive priority access to Virginia BEST mentors and/or PIVs.
- (3) In the event of a VOSH inspection, will not receive a penalty assessment for citations related to other than serious violations, provided the hazards are abated within VOSH's prescribed abatement period.
- (4) In the event of a VOSH inspection, will be eligible for the minimum good faith penalty reductions (currently 15 percent) available under the existing VOSH penalty assessment policy.

### **b. Level Two participants will:**

- (1) Receive a certificate of recognition from the Commissioner.
- (2) Receive priority access to Virginia BEST mentors and/or PIVs.
- (3) Be recognized for the achievement on the Virginia BEST webpage.
- (4) In the event of a VOSH inspection, will not receive citations for other than serious violations, provided the hazards are abated during the inspection. If the other than serious violation is not abated during the inspection, the participant will not receive a penalty, provided the hazard is abated during VOSH's prescribed abatement period.
- (5) In the event of a VOSH inspection, will be eligible for the maximum good faith penalty reductions (currently 25 percent) available under the existing VOSH penalty assessment policy.

### **c. Level Three participants will:**

- (1) Receive a Governor's Proclamation and Flag raising ceremony.
- (2) Receive priority access to Virginia BEST mentors and/or PIVs.
- (3) Be recognized for the achievement on the Virginia BEST webpage.
- (4) Receive an exemption from Construction Schedule inspections for all company sites in

Virginia. Other inspections, such as complaint/referral investigations, incident investigations, local emphasis program inspections, etc., will still be conducted in accordance with the procedures in the VOSH Field Operations Manual (FOM).

(5) In the event of a VOSH inspection, will not receive citations for other than serious violations, provided the hazards are abated during the inspection. If the other than serious violation is not abated during the inspection, the participant will not receive a penalty provided the hazard is abated during the VOSH's prescribed abatement period.

(6) In the event of a VOSH inspection, be eligible for the maximum good faith penalty reductions (currently 25 percent) available under the existing VOSH penalty assessment policy.

### **C. Eligibility Requirements**

#### **1. The BEST Virginia program will be implemented in three levels:**

Level One      The employer has developed and implemented an effective safety and health management system that meets current VOSH regulatory requirements. (SEE ATTACHMENT A FOR LEVEL ONE REQUIREMENTS).

Level Two      The employer has an established safety and health management system that exceeds current VOSH regulatory requirements. (SEE ATTACHMENT B FOR LEVEL TWO REQUIREMENTS).

Level Three     The employer has an exceptional safety and health management system that serves as a model for other construction employers in the Commonwealth. (SEE ATTACHMENT C FOR LEVEL THREE REQUIREMENTS).

#### **2. Minimum Requirements for Participants**

All applicants must meet the following minimum requirements:

a. For the purpose of evaluating the implementation of safety and health management systems, the participant must be a member in good standing of the AGCVA; must allow the AGCVA and VOSH designated representative(s) access to project sites throughout Virginia, when requested. Coordination for visits will be made initially with the contractor's participant contact and, thereafter, with the project superintendent and/or foreman.

b. Assign at least one *trained employee* with responsibility for employee safety to administer the participant's safety and health management system. A *trained employee* is one who has completed a 30-hour construction training course or safety training equivalent to the 30-hour course within

the previous 12 months before applying to join Virginia BEST. For small contractors, documented ongoing use of a safety consultant or VOSH Workplace Safety Consultation may satisfy this requirement.

c. Provide for direct employee involvement in safety and health management systems. A safety committee, comprising company employees and management, or participation of employees in self-inspections, site inspections, job hazard analysis, safety and health program reviews, safety training and incident investigations would be acceptable.

d. Maintain a total case injury/illness incidence rate (three-year average) that is below the most current Bureau of Labor Statistics rate for the applicant's North American Industrial Classification System (NAICS) code.

e. Have no fatalities in-patient hospitalizations, amputations or loss of an eye that resulted in serious or willful citations related to the incident within the three years prior to application.

f. Have no willful, repeat or failure to abate violations that became final within the three years prior to application.

g. Develop, implement and maintain a prohibited substance policy and testing program that complies with applicable laws and regulations.

h. The existence of any of the following precludes the company's filing of an application with Virginia BEST:

- Open enforcement investigations,
- Pending or open contested citations or notices under appeal at the time of application, Whistleblower violations during the 36 months prior to application,
- Unresolved, outstanding enforcement actions, such as long term abatement agreements or contests.

### **3. Applications Process:**

Applications may be submitted at any time throughout the year. The process for new applicants is as follows:

a. Complete the Virginia BEST application form (ATTACHMENT D). The application requests data from the summary of the contractor's OSHA Form 300 Log of Work-Related Injuries and Illnesses.

b. Complete the Virginia BEST SHMS Self-Assessment form (ATTACHMENT E), which includes grading company performance (possible scores of 0, 1, 2 and 3) on the four major safety and health management system elements:

(1) Management Leadership and Employee Involvement

(2) Worksite Analysis

(3) Hazard Prevention and Control

(4) Safety and Health Training

c. Provide the documents specified for the Virginia BEST Application Level.

d. AGCVA will administer the initial application process, review the required program documents and approve or reject each Level One application. VOSH will serve in an advisory capacity on initial Level One applications. See below for application review procedures for Level Two and Level Three applications.

e. The initial determination on Level of Entry into the program is based on the applicant's score on the SHMS Self-Assessment worksheet and a review of safety and health management system documentation. To determine the contractor's level of eligibility, the contractor must provide AGCVA evidence of conformance with each requirement for each level.

f. Participation level determination:

(1) Level One participants must successfully complete a VOSH Consultation onsite survey on one major worksite in the year preceding application; receive a score of at least 33% on each of the four SHMS elements; and provide the required Level One Documentation. A copy of the VOSH Consultation onsite survey and results may be requested from the Applicant for inclusion in the Applicant's file (Consultation Surveys are not releaseable in response to a Freedom of Information Act (FOIA) request. See Va. Code §40.1-11 and 16VAC25-60-90.H (NOTE: Employers are not required to provide copies of Consultation surveys as part of the application process). A score of 33% indicates that the participant is meeting current VOSH regulatory requirements.

(2) Level Two participants must successfully complete a VOSH Consultation onsite survey on two major worksites in the year preceding application; receive a score of at least 67% on each of the four SHMS elements; and provide the required Level One and Level Two documentation. AGCVA will conduct an initial review of Level Two applications and may either reject or give conditional approval to the application. Rejected Level Two applications may be considered for approval as a Level One participant. Conditionally approved Level Two applications will be forwarded to VOSH for review. AGCVA and VOSH will jointly decide on final approval or

rejection of the application.

(3) Participation in Level Three will be open to those contractors that have achieved and participated at Level Two for at least one year. Level Three participants must receive a score of 100% on each of the four SHMS elements and provide the required Level One, Level Two and Level Three documentation. AGCVA will conduct an initial review of Level Three applications and may either reject or give conditional approval to the application. Rejected Level Three applications may be considered for approval as a Level Two participant. Conditionally approved Level Three applications will be forwarded to VOSH for review. AGCVA and VOSH will jointly decide on final approval or rejection of the application. As part of the final approval process, Level Three participants must successfully complete up to three separate onsite reviews at major construction sites by a team consisting of AGCVA and VOSH personnel (PIV personnel may also be used as part of the onsite review team).

g. The Level Three Onsite review will be conducted in accordance with the procedures contained in the Virginia BEST Policies and Procedures Manual.

h. Level Three Participants must be recertified every 36 to 48 months in accordance with the procedures contained in the Virginia BEST Policies and Procedures Manual. Level Three Participants are also subject to the Annual Eligibility Status Review procedures discussed below.

#### **4. Annual Report Submission and Review**

a. Participants will submit an annual report February 15<sup>th</sup> of each year in accordance with requirements in the Virginia BEST Policies and Procedure Manual.

b. The annual report includes assessments of the effectiveness of all elements and sub-elements of the Participant's safety and health management system. The report includes injury and illness data for all applicable key subcontractors, and success stories. VOSH uses the information to update records and statistics, to showcase successes related to implementation of the Virginia BEST requirements, and to demonstrate that Participants are committed to continuously improving worker safety and health at their facilities.

c. Annual Reports for each Participant must be reviewed every March/April by AGCVA and VOSH to assure that the Participant remains eligible to remain in the program. The review will focus primarily on any areas of concern identified in the report as well as new initiatives/best practices, and any VOSH enforcement activity that occurred at the Participant's worksites during the previous year. AGCVA and VOSH reserve the right to consider any other relevant information that may

impact the Participant's ability to meet the minimum requirements for the applicable participation level (e.g., change in ownership, continued membership in AGCVA).

d. AGCVA will have primary responsibility for reviewing Level One Participant reports with VOSH serving in an advisory capacity. If a concern arises, AGCVA will contact the Participant in writing and request corrective action as necessary.

e. AGCVA and VOSH will share joint responsibility for reviewing Level Two and Level Three reports. If a concern arises, VOSH and AGCVA will contact the Participant in writing and request corrective action as necessary.

f. If an unresolved serious problem is evident, AGCVA and VOSH will make arrangements with the Participant for an on-site assistance visit.

g. Where necessary, the procedures on Participant withdrawal and termination discussed below will be considered to address unresolved issues.

#### **5. Program Confidentiality**

Information submitted by contractors as part of the application or renewal process, as well as information obtained by virtue of the contractor's application or participation in the program, will be held in confidence within the confines of the Virginia BEST Strategic Partnership Pilot Program, and Va. Code §40.1-11. The information will be used only to measure the effectiveness of the program. However, in the event of a VOSH compliance inspection, information that is relevant to the investigation and normally available (such as company safety and health programs) will be provided to VOSH upon request. Results of self-assessments and self-inspections made by the applicant cannot be used for the purposes of issuing citations.

#### **6. Approval Presentation**

a. Successful Level One Applicants will receive a recognition letter signed by AGCVA and the Virginia BEST Coordinator and a joint press release will be issued by AGCVA and VOSH.

b. Successful Level Two applicants will receive a certificate of recognition signed by the Commissioner of Labor and Industry and the AGCVA, and presented at a meeting with company officials and employee representatives. A joint press release will be issued by AGCVA and VOSH, and the participant's accomplishment will be posted on the Virginia BEST webpage.

c. Successful Level Three applicants will receive a Governor's Proclamation and a Virginia BEST Flag at a flag raising celebration. A joint press release will be issued by AGCVA and VOSH, and the participant's accomplishment will be posted on the Virginia BEST webpage.

## **D. Program Oversight**

### **1. Oversight Committee**

- a. A committee consisting of VOSH personnel (2), AGCVA personnel (2), authorized representatives of employees (2), insurance carriers (1) and at least one representative from an independent third party such as ASSE, Virginia Occupational Health Nurses, National or Virginia Safety Council, etc., will be established to review the program and make recommendations to the Commissioner of DOLI and AGCVA. The committee will meet at least annually. It is anticipated that program changes may be needed early in the process to insure the success and effectiveness of the pilot program. After being briefed by the Committee, the Commissioner of DOLI will decide if changes to the program are needed and act accordingly.
- b. AGCVA and VOSH will review this partnership at least every third December (three years).
- c. Any party to the partnership may withdraw from Virginia BEST at any time after submitting its' written notification of intent to the other party.

### **2. Annual Evaluation**

An annual review and evaluation of the program, its policies and procedures, the overall effectiveness of the program and recommendations for improvement will be conducted by the Oversight Committee.

### **3. Virginia BEST Evaluation**

- a. It is the responsibility of each AGCVA designated representative to gather required participant data to evaluate the overall success of the pilot program.
- b. Virginia BEST will be evaluated annually to determine whether the annual goal of a three (3) percent reduction in the number of injuries, illnesses and fatalities has been met. AGCVA will be responsible for collating baseline and annual performance data upon which the program will be measured. This aggregated data will be reported to VOSH annually.
- c. Participant aggregate injury/illness incidence rates (total case rates) and fatality rates will be compared with BLS published data to determine whether goals have been met at the chapter and/or national level.
- d. Participant incidence of injuries from the hazards that are the four leading causes of death on construction sites (falls, struck-by, caught in/or between and electrocutions) will be measured and compared against a baseline established in the first year of Virginia BEST.

e. AGCVA and VOSH may revise criteria annually based on recommendations for continual improvement, including any "leading indicators" approved by the Oversight Committee.

#### **4. Participant Suspension**

A participant may be suspended from the program by the Commissioner of Labor and Industry during the investigation of a fatality or major incident at a covered worksite. A participant will be automatically suspended from the program during the pendency of a termination process initiated by either the AGCVA or VOSH under the procedures in paragraph D.5. below. The timing for reinstatement from the suspension will be at the sole discretion of the Commissioner. The Commissioner or AGCVA may also move to terminate the participant from the program as provided in paragraph D.5. below.

#### **5. Participant Withdrawal/Termination**

- a. Any participant may withdraw from participation in the program at any time.
- b. A participant will be terminated by AGCVA and VOSH if one or more of the following occurs:
  - (1) An inspection by AGCVA or VOSH reveals a significant deviation from program requirements (e.g., a pattern of serious violations and/or unabated hazards is identified and verified).
  - (2) The participant has falsified information on the application or supporting records.
  - (3) The participant refuses to cooperate with onsite reviews, or requests for prompt abatement of hazards.
  - (4) The participant's total case injury/illness incidence rate rises above criteria set in paragraph B.4. above (in certain cases, when agreed upon by both AGCVA and VOSH, the contractor may be reclassified to a lower level).
  - (5) A willful violation or failure to abate violation is issued by VOSH.
  - (6) The participant engages in a pattern of participating in or allowing misclassification of employees.
  - (7) The contractor takes other such actions that may be determined to be grounds for termination by AGCVA and/or VOSH.
  - (8) The contractor is no longer a member in good standing with AGCVA.
- c. Prior to final termination of a participant's status, the following will occur:
  - (1) The contractor will be notified in writing of the intent to terminate.
  - (2) The notice will include an explanation of the reasons for termination.

(3) The contractor will have an opportunity to reply to the written notice within a period of 30 days and appeal the decision.

(4) The contractor will have the right to appeal before AGCVA and the Commissioner. AGC of VA will conduct an initial review of the appeal and either reject or give conditional approval. For rejected appeals, the decision of the AGCVA is final. Conditionally approved appeals will be forward to VOSH for review. The Commissioner’s decision to approve or reject the appeal will be final.

d. Any participant may reapply for participation no earlier than one year after termination.

### **ATTACHMENTS**

#### **ATTACHMENT A:**

Level One Requirements      The employer has developed and implemented an effective safety and health management system that meets current VOSH regulatory requirements.

#### **ATTACHMENT B:**

Level Two Requirements      The employer has an established safety and health management system that exceeds current VOSH regulatory requirements.

#### **ATTACHMENT C:**

Level Three Requirements      The employer has an exceptional safety and health management system that serves as a model for other construction employers in the Commonwealth.

#### **ATTACHMENT D:**

Virginia BEST Application Form

#### **ATTACHMENT E:**

Virginia BEST SHMS Self-Assessment Form

**ATTACHMENT F:**

Level One Guidance

The employer has developed and implemented an effective safety and health management system that meets current VOSH regulatory requirements.

**ATTACHMENT G:**

Level Two Guidance

The employer has an established safety and health management system that exceeds current VOSH regulatory requirements.

**ATTACHMENT H:**

Level Three Guidance

The employer has an exceptional safety and health management system that serves as a model for other construction employers in the Commonwealth.

**ATTACHMENT A:**

Level One Requirements

The employer has developed and implemented an effective safety and health management system that meets current VOSH regulatory requirements.

## Management Leadership and Employee Involvement

### Management Commitment

#### Desired Outcomes

1. Senior management has developed and communicated an acceptable Safety and Health Vision Statement.
2. Senior management has developed and communicated an acceptable Safety and Health Mission Statement.
3. Senior management demonstrates visible safety and health leadership.
4. Management has committed adequate resources to the safety and health program.
5. Management has developed and communicated annual safety and health objectives that are clear, attainable, and measurable. Management has clearly identified every employee's responsibility for safety and health.
6. Management has clarified lines of communication and encourages workers to contact senior level management on unresolved safety and health issues.
7. Company has established accountability for safety and health that includes:
  - a. Safety and health responsibilities and accountability are in the job descriptions and performance plans of managers, mid-level supervisors, and designated safety and health staff.
  - b. Authority provided to all persons for achieving safety and health targets.
8. Company has established a disciplinary plan.

### Employee Involvement

#### Desired Outcomes

1. Company has conducted a Safety and Health Perception Survey of all company employees on safety and health culture and practices. Company develops plan to assure that key subcontractors conduct a similar Safety and Health Perception Survey of their employees.
2. Company has reviewed the results of the survey, established an action plan to address the issues, and has begun to make changes in response to the findings.
3. Company has informed all company and subcontractor employees working onsite of their rights and responsibilities under VOSH laws, standards and regulations, of the company's participation in BEST and of the fundamental principles of BEST.
4. Company has established teams that represent different sectors of the company's staff. Teams have established targets and missions that will effectively contribute to safety and health, such as addressing a particular trend, spreading the word about BEST, acting as one avenue to accept employee reports of hazards, etc. Establish a policy/requirement that key subcontractors will participate in company teams, or establish teams in an equivalent manner.

## Subcontractor Worker Coverage

### Desired Outcomes

1. Company requires that subcontractors provide safety and health protection equal to that received by company employees.
2. Company has established a process for selection of subcontractors.
3. Company has required all subcontractors to adhere to the company's safety and health rules.
4. Subcontractors have systems and processes to identify, correct, and track uncontrolled hazards in their work areas on a timely basis.

## Worksite Analysis

### Initial Safety and Industrial Hygiene Hazard Analysis

#### Desired Outcomes

1. Company has conducted an initial Safety and Health Hazard Analysis.
2. Company has conducted a follow-up study if justified by significant change (*e.g.*, changes in processes, equipment, hazard controls, etc.).

### Hazard Analysis of Routine Jobs, Tasks, and Processes

#### Desired Outcomes

1. Company has conducted an initial study for all routine tasks.

### Hazard Analysis of Significant Change

#### Desired Outcomes

1. Company has an effective system for analyzing safety and health hazards including significant changes such as change in tools, equipment, materials, or processes.

### Pre-use Analysis

#### Desired Outcomes

1. Company has an effective system for analyzing safety and health hazards of new equipment, materials and processes.

### Routine Self-Inspections

#### Desired Outcomes

1. Company has an established routine self-inspection program that ensures that safety and health inspections are performed as often as necessary by a competent person.
2. Company employees are trained in the recognition and avoidance of hazards applicable to their work environment and share in the responsibility of routinely inspecting their work area, materials, and equipment for hazards.

## BEST Level 1 Requirements

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### Incident Investigations

#### Desired Outcomes

1. Company has developed and begun implementing a documented system and procedures for incident investigations with key subcontractor involvement.

### Hazard Reporting System for Employees

#### Desired Outcomes

1. Company has begun to develop a system for employees to report hazards.

### Trend Analysis

#### Desired Outcomes

1. Company has conducted a review of injury and illness history for previous three complete calendar years and developed a trend analysis.
2. Company has begun developing a plan for conducting additional trend analyses of other safety and health related information.

## Hazard Prevention and Control

### Hazard Elimination and Control Methods

#### Desired Outcomes

1. Company has begun selecting the most appropriate hazard elimination and control methods for identified hazards.

### Hazard Control Programs

#### Desired Outcomes

1. Company has met all minimum requirements regarding the establishment of hazard control programs required by VOSH standards.
2. Hazard controls follow the hierarchy of controls ( Engineering, Administrative, Work practice, and Personal Protective Equipment).
3. Company has established other hazard controls programs necessary to protect workers from hazards of work.

### Occupational Health Care Program

#### Desired Outcomes

1. Company has conducted thorough review of OSHA 300 logs, insurance claims, and incident investigations and ensures that all records are complete.
2. Company employees have access to health care services based on results of the initial survey and health analysis including physician and emergency medical care.

## Preventive Maintenance of Equipment

### Desired Outcomes

1. The company will ensure that equipment is maintained in accordance with the manufacturer's preventive maintenance requirements and require that subcontractors implement an equivalent system.

## Tracking of Hazard Correction

### Desired Outcomes

1. Company has developed and established a hazard tracking system and required that subcontractors implement an equivalent system.

## Emergency Preparedness and Response

### Desired Outcomes

1. If necessary, company has provided emergency physician and medical care.
2. Company has established and communicated written emergency procedures.
3. Company provides first aid and CPR or an equally effective alternative.
4. Subcontractors have been required to adopt the company emergency procedures, and participate in company emergency drills and activities, if appropriate for the jobsite.

## Safety and Health Training

### Desired Outcomes

1. Safety and health training as required.
2. Company managers, supervisors, and non-supervisory employees are:
  - a. Aware of their rights and responsibilities under VOSH laws, standards and regulations, what BEST is about, and fundamental BEST principles. Able to recognize unsafe conditions and are familiar with the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.
  - b. Familiar with emergency evacuation procedures and their specific responsibilities for each type of emergency.
3. Company and subcontractor managers and supervisors have specific knowledge of their safety and health roles and responsibilities including knowledge of ways they can improve safety and health conditions for their workplaces.
4. Company has designated staff who have assigned safety and health responsibilities and have the knowledge and skills they need to perform the tasks assigned to them

**Documentation**

**Minimum Required Documentation**

1. Mission statement
2. The most recent annual safety and health objectives
3. Accountability plan
4. Budget documents showing allocated resources for safety and health
5. Disciplinary Plan
6. Contract selection requirements
7. Accurate and up to date records of injury and illness for the previous three calendar years including:
  - OSHA 300 logs
  - Insurance claim forms
  - Incident reports
8. Initial hazard analysis results
9. Written hazard control programs
10. Incident investigation forms and reports
11. Written subcontractor policies for this level
12. Safety and Health Perception Survey form
13. Results of Safety and Health Perception Survey and plan for addressing changes
14. Trend analysis results
15. Incident investigation procedures
16. Hazard correction plan
17. Hazard correction tracking system
18. Preventive maintenance program
19. Written emergency procedures
20. Training records

**ATTACHMENT B:**

**ATTACHMENT B:**

Level Two Requirements

The employer has an established safety and health management system that exceeds current VOSH regulatory requirements.

## Management Leadership and Employee Involvement

### Management Commitment

#### Desired Outcomes

1. Company employees are aware of and support the Safety and Health Vision Statement.
2. In addition to senior management, all key subcontractor managers and supervisors are also demonstrating visible safety and health leadership.
3. Management has committed adequate resources to the safety and health program.
4. Management continues to improve and strengthen the integration of safety and health into existing planning processes.
5. Management, in conjunction with the employees, continues to develop and communicate annual safety and health objectives that are clear and attainable.
6. Employees are communicating with management more openly on safety and health issues.
7. Managers, supervisors, and non-supervisory employees clearly understand their responsibilities and accountability for safety and health.
8. Persons identified as being accountable for meeting safety and health objectives believe they have adequate authority and support to do their job. Other workers recognize these persons' authority and are beginning to support them.
9. Managers, supervisors, and specific safety and health staff are monitored and evaluated on their safety and health performance.
10. Safety and health responsibilities and accountability are included in performance plans of managers, mid-level supervisors, and designated safety and health staff.
11. Company is implementing a disciplinary plan for non-supervisory employees and key subcontractor employees.
12. Company is developing the written plans necessary for performing effective annual safety and health evaluations.

### Employee Involvement

#### Desired Outcomes

1. The company can demonstrate significant improvement in its safety and health practices in terms of employee involvement, attitudes, and hazard-reporting, their compliance with rules and standards, and their acceptance of safety and health roles and responsibilities.
2. Safety and health teams are active and additional teams are formed as needed.
3. More employees participate in safety and health activities together with designated safety and health staff.
4. Company has incorporated into its orientation training for new employees all the information that is required to be shared with employees.

## Subcontractor Worker Coverage

### Desired Outcomes

1. Company routinely uses safety and health factors, such as written safety and health management systems, injury and illness rates, in selecting and overseeing subcontractors.
2. Company and key subcontractors can demonstrate an improvement in timely identification, correction, and tracking of uncontrolled hazards in key subcontractors' work areas.
3. Company has an established process to monitor subcontractor compliance and to remove subcontractors for safety or health violations and has made subcontractors aware of this process.

## Worksite Analysis

### Health Initial Hazard Analysis

#### Desired Outcomes

1. Key Subcontractors are performing and submitting initial health hazard analysis of the work they are contracted to perform based on their previous work and exposures.

### Hazard Analysis of Routine Jobs, Tasks, and Processes

#### Desired Outcomes

1. Company has conducted hazard analysis of routine jobs, tasks, and processes. Key subcontractors are beginning to perform hazard analysis of routine jobs, tasks, and processes.

### Hazard Analysis of Significant Changes

#### Desired Outcomes

1. Company uses an effective system for analyzing the potential hazards of significant changes.

### Pre-Use Analysis

#### Desired Outcomes

1. Company has an effective system for analyzing safety and health hazards of new equipment, materials and processes.

### Health Program

#### Desired Outcomes

1. Company has developed a written health program. Key subcontractors implement equivalent program for the work they are contracted to perform
2. Company and key subcontractors have begun implementing controls for hazards identified in the initial study.
3. Company and key subcontractors have established and implemented sampling methodology and strategies.

## BEST Level 2 Requirements

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4. Company has conducted and Key Subcontractors have begun conducting the necessary health surveys.

### Routine Self-inspections

#### Desired Outcomes

1. Company has developed a documented routine self-inspection system.
2. Acceptable routine self-inspections have been conducted, as often as necessary but no less than once a week.
3. The entire worksite, including subcontractor work areas, is inspected as often as necessary, but no less than weekly.
4. Subcontractors have begun performing frequent and regular inspections of the work activities in areas they are responsible for.

### Hazard Reporting System for Employees

#### Desired Outcomes

1. Company has developed and begun implementing a documented hazard-reporting system.
2. Key subcontractors have begun implementing a documented employee hazard reporting system for the work activities and areas they are contracted to perform.

### Investigation of Incidents and Near-Hit Incidents

#### Desired Outcomes

1. Company and key subcontractors have expanded the system and process developed in Level 1 for incident investigation to include near-hit incidents.
2. If applicable, company and key subcontractors have conducted acceptable investigations of incidents and near-hit incidents.

### Trend Analysis

#### Desired Outcomes

1. Company conducts a trend analysis of injuries and illnesses at least annually.
2. Company has conducts a trend analysis of the other safety and health information in addition to injury and illness history.
3. Key subcontractors are beginning to trend injury and illness information and other safety and health performance information.

## Hazard Prevention and Control

### Hazard Elimination and Control Methods

## BEST Level 2 Requirements

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### Desired Outcomes

1. Company and subcontractors have begun selecting the most appropriate hazard elimination and control methods for identified hazards.
2. Hazard controls follow the hierarchy of controls (engineering, administrative, work practice, and PPE).
3. Top priority hazards are controlled before progressing to Level 3. For hazards requiring long-term abatement projects, interim protection is acceptable.

### Hazard Control Programs

#### Desired Outcomes

1. Company and subcontractors continue to implement and improve hazard control programs required by VOSH standards.
2. Company and subcontractors continue to train workers on these programs as needed.

### Tracking of Hazard Correction

#### Desired Outcomes

1. Company continues to implement and improve the hazard tracking system.

### Preventive Maintenance of Equipment

#### Desired Outcomes

1. The company will ensure that equipment is maintained in accordance with the manufacturer's preventive maintenance requirements and require that key subcontractors implement an equivalent system.

### Occupational Health Care Program

#### Desired Outcomes

1. Company and subcontractor employees have access to health care services based on results of the initial survey and health analysis including physician and emergency medical care.

### Emergency Preparedness and Response

#### Desired Outcomes

1. Company and subcontractors continue to communicate the written procedures for responding to emergencies.
2. Dependent upon project size or complexity, conduct at least one evacuation drill and assess how well the procedures worked.
3. Company and subcontractors have established emergency response procedures.
4. Company and subcontractors provide first aid and CPR, or an alternative at least as effective.

## Safety and Health Training

### Desired Outcomes

1. Continue to meet outcomes specified in Level One.

## Documentation

### Minimum Required Documentation

1. All documentation required in Level 1.
2. Job Hazard Analysis forms and records.
3. Routine self-inspection forms and records.
4. Employee hazard reporting procedure and forms.
5. Documentation of activities by safety and health teams.
6. Subcontractor program documentation is updated to include additional policies established in this level.
7. Trend analysis procedure and reports.
8. Written health program and any sampling results since the initial survey.
9. Documentation showing implementation of hazard controls and their effectiveness (*i.e.*, ventilation studies, PPE purchases, machine guarding purchases).
10. Preventive maintenance schedule from manufacturer or as developed by the employer.
11. Emergency procedures updated since Level 1.
12. Training records.
13. Revised safety and health objectives.
14. Annual self-evaluation procedure.
15. Policy on subcontractor removal.
16. Key subcontractor documentation:
  - a. Safety and health program
  - b. Inspection reports
  - c. Incident reports
  - d. Correction tracking reports

**ATTACHMENT C:**

Level Three Requirements      The employer has an exceptional safety and health management system that serves as a model for other construction employers in the Commonwealth.

## Management Leadership and Employee Involvement

### Management Commitment

#### Desired Outcomes

1. All employees are aware of the company's Safety and Health Vision Statement.
2. Senior management accepts ultimate responsibility for safety and health in the organization even if safety and health functions are delegated to others.
3. Individuals assigned responsibility for safety and health have the authority to ensure that hazards are corrected or necessary changes to the safety and health management system are made.
4. Management promotes the use of dedicated resources for safety and health.
5. The company's written safety and health management system addresses the scope and complexity of the hazards.
6. Safety and health responsibilities and accountability are included in the performance plans of managers, mid-level supervisors, designated safety and health staff, and non-supervisory employees. The performance of these responsibilities is routinely measured in the scheduled individual performance appraisal.
7. Key subcontractors have consistently and equitably implemented disciplinary plans.
8. Key subcontractors have acceptable plans for conducting an annual evaluation of their safety and health management system.

### Employee Involvement

#### Desired Outcomes

1. Employees support the company's participation in the BEST process.
2. Employees feel free to participate in the safety and health management system without fear of discrimination or reprisal.
3. Employees have access to results of self-inspections, incident investigations, their personal medical records, and personal sampling data upon request.
4. Employees are involved in the safety and health management system in at least three meaningful, constructive ways in addition to the exercise of their right to report a hazard.

### Subcontractor Worker Coverage

#### Desired Outcomes

1. Company and key subcontractors can demonstrate a significant rise in the quality of safety and health protection given to key subcontractor workers, as reported in employee interviews.
2. Company and key subcontractors can demonstrate a significant rise in the level of compliance by key subcontractor workers with the company's safety and health rules.
3. Key subcontractors support the company's participation in the BEST process.
4. The company's subcontractor program covers the prompt correction and control of hazards in the event that the subcontractor fails to correct or control such hazards.

## BEST Level 3 Requirements

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5. The subcontractor oversight includes:
  - a. Safety and health protection provided to subcontractor employees.
  - b. Rise in the level of compliance by subcontractor workers with the company's safety and health rules.
  - c. Safety and health performance included in the subcontractor selection process.
  - d. Monitoring and correction of hazards in subcontractor's work areas.
  - e. Enforcement of penalties including removal for safety and health violations if necessary.

## Worksite Analysis

### Initial Safety and Health Hazard Analysis

#### Desired Outcomes

1. Company and key subcontractors conduct safety and health hazard analyses, as needed.
2. Company and key subcontractors have been effective in the following:
  - a. Identifying and documenting the common safety and health hazards associated with the work contracted
  - b. Hazard analysis system in place for routine operations, non-routine operations, and significant changes.
  - c. Performing safety and health inspections.
  - d. Conducting incident investigations, including near-hit incidents.
  - e. A system for employees to report hazards and have these hazards addressed.
  - f. A means for identifying and assessing trends.

## Hazard Prevention and Control

### Hazard Elimination and Control Methods

#### Desired Outcomes

1. Company and key subcontractors have implemented controls to prevent exposing employees to hazards.
2. Company and key subcontractors have implemented a tracking system that results in hazards being controlled.
3. Company and key subcontractors have implemented written procedures for emergencies.

## BEST Level 3 Requirements

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### Safety and Health Training

#### Desired Outcomes

1. Training provided complies with established safety and health standards.
2. Company and subcontractors provide effective training to educate employees regarding the known hazards of the work.

### Documentation

#### Minimum Required Documentation

1. All documentation from Levels 1 and 2 completed and updated.
2. Hazard analysis form showing analysis of tasks and significant changes.
3. Pre-use analysis forms and results.
4. Annual self-evaluation of the company's safety and health management system.
5. Follow up safety and health perception survey and results.

**ATTACHMENT D:**

Virginia BEST Application Form

**Virginia BEST AGC of VA/VOSH Partnership  
Candidate Application Package Instructions**

**Included in this spreadsheet are:**

Tab 2. Candidate Information Form

Tab 3. OSHA 300 Baseline Information Form [Must provide at least 1 year of data]

Tab 4. Optional Data (e.g., productivity rate, turnover rate, absenteeism rate)

Instructions for completing each of these are provided below.

**Tab 3. OSHA 300 Baseline Information**

Please enter the OSHA 300 data from your most recent complete calendar year:

- Enter the year for which the data is being provided
- Enter the data for columns G through M:5 from the OSHA 300 form
- Enter the total hours worked in the space provided.

The spreadsheet will automatically calculate the TCIR and DART based on the information provided. Do not manually enter the TCIR/DART rates.

While not required, the worksheet allows for entry of OSHA 300 data from each of the two preceding years. If you are willing to provide this information, please enter the data in the assigned fields, just as was done with the top section.

If data from all three years has been entered, the spreadsheet will automatically calculate the 3-year average for the TCIR and DART. Do not manually enter the 3-year average for the TCIR/DART rates.

To access these documents, please click on the tabs at the bottom of this form.

Virginia BEST- Application

Virginia BEST AGC of VA/VOSH Partnership		
<b>Section 1. Candidate Information</b>		
Establishment Name		
Mailing Address		
<b>Section 2. Candidate Contact Information</b>		
Contact Name		
Contact Title		
Contact Phone Number		
Contact Fax Number		
Contact E-mail Address		
<b>Section 3. Collective Bargaining Representative</b>		
Union Name and Local #		
Agent's Name		
Agent's Address		
Agent's Phone Number		
Agent's Fax Number		
Agent's E-mail Address		
<b>Section 4. Employees</b>		
Number of Employees		
Number of Contract Employees		
<b>Section 5. Type of Work and Products/Services</b>		
<i>Please provide a comprehensive description of the work performed at your site, the type of product produced, and/or services provided, and the typical hazards associated with your industry. Also provide your SIC and NAICS.</i>		
<b>Description</b>	<b>SIC</b>	<b>NAICS</b>

**Virginia BEST AGC of VA/VOSH Partnership  
OSHA 300 Baseline Information\***

Establishment Name

**REQUIRED DATA**

Most Recent Complete Calendar Year of Data

G	H	I	J	K	L	M:1	M:2	M:3	M:4	M:5
Total Hours Worked						TCIR	#VALUE!	DART		#VALUE!

**OPTIONAL DATA**

Previous Year's Data

G	H	I	J	K	L	M:1	M:2	M:3	M:4	M:5
Total Hours Worked						TCIR	#VALUE!	DART		#VALUE!

Data from Two (2) Years Previous

G	H	I	J	K	L	M:1	M:2	M:3	M:4	M:5
Total Hours Worked						TCIR	#VALUE!	DART		#VALUE!

3-Year Average			TCIR	#VALUE!	DART	#VALUE!
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\* - VOSH will use this information to track the progress of Virginia BEST Candidates. It will NOT be used for enforcement purposes.

Virginia BEST

<b>Virginia BEST AGC of VA/VOSH Partnership Optional Data</b>
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Please provide data for your most recent calendar year, where possible.

Establishment Name	
--------------------	--

	Year
Absenteeism Rate	
Turnover Rate	
Productivity Rate	
Other Data*	
Other Data*	
<b>Worker's Compensation Data</b>	
Fees	
Direct Costs	
EMR	
Loss Run Data	

\* - Other data provided by Virginia BEST Participant that may be useful for tracking purposes.

**ATTACHMENT E:**

Virginia BEST SHMS Self-Assessment Form

**Virginia BEST AGC of VA/VOSH Partnership  
SHMS Self-Assessment Form Instructions**

*This form is to be completed by Virginia BEST Partnership applicants.*

Included in this workbook are:

**Tab 1. SHMS Self Audit Form**

**Tab 2. Participant Status Summary**

To access these worksheets, please click on the tabs at the bottom of this form.

1. Complete the Participant information required at the top of the SHMS Self Audit Form  
(Name, Report Period Date)
2. For each element on the Self Audit Form, assess which of the 3 desired outcomes has been completed in your organization. (Listed under 3 columns labeled "1", "2", or "3")
3. Based on your assessment choose the equivalent Evaluation Code from the drop down box for each element.
4. The Summary worksheet will automatically populate.



Participant Name

**Virginia BEST**

SHMS Elements	Total Score	% of Maximum
Management Leadership and Employee Involvement	0	0%
Worksite Analysis	0	0%
Hazard Prevention and Control	0	0%
Safety and Health Training	0	0%
Documentation	0	0%

Virginia BEST Levels are determined by the % of Maximum Score.

Level 1 completion requires a score of at least 33% on all 4 SHMS Elements plus all of the Column 1 Documentation.

Level 2 completion requires a score of at least 67% on all 4 SHMS Elements plus all of the Column 1 and Column 2 Documentation.

Level 3 completion requires a score of 100% on all 4 SHMS Elements plus all of the Column 1, 2, and 3 Documentation.

Participant Name				Date	
Virginia BEST					
Management Leadership and Employee Involvement					Evaluation Code
Element	1	2	3		
<b>1. Management Commitment</b>					
<b>M1</b>	Vision and Mission Statements	Develop, issue, and communicate safety and health vision statement and safety and health mission statement.	Communicate vision and mission statements to all company and subcontractor employees; incorporate into new employee/subcontractor orientation.	Take proactive steps to ensure company and subcontractor employees understand the safety and health vision and mission statements.	
			Include the vision and mission statements in bid packages.	Ensure policies becomes an integral part of routine activities and decision making during all phases of construction	
<b>M2</b>	Leadership	Establish a policy requiring company executives, managers, and supervisors to participate and demonstrate leadership in safety and health activities	Continue participation by top executives and managers.	Continue to ensure total involvement in safety and health of all company and key subcontractor senior management, supervisors and lead persons.	
			Require key subcontractors to adopt and begin implementing leadership policies and increase frequency of management participation in safety and health activities.		
<b>M3</b>	Resources	Develop safety and health budget and commit and ensure utilization of adequate resources.	Provide additional resources for safety and health activities, including access to certified safety and health professionals, if necessary, and licensed health care professionals, and improve integration of safety and health into other planning activities.	Continue committing and ensuring the utilization of adequate resources by company and key subcontractors.	
		Establish and implement a policy that integrates safety and health into the overall company management planning and		Ensure integration of safety and health in all company and key subcontractor planning and budget	

		budgeting process.		processes in the company.	
<b>M4</b>	Targets and Objectives	Set and communicate annual safety and health targets and objectives based on findings from initial hazard and trend analyses, and safety and health perception survey results.	Review progress towards achievement of safety and health objectives; establish & communicate new objectives as appropriate.	Company and key subcontractors review, revise, and communicate safety and health objectives	
			Require key subcontractors to develop objectives consistent with BEST participation.	Ensure safety and health objectives are routinely considered in company's and key subcontractor's activities and programs.	
<b>M5</b>	Communication	Establish clear lines of communication throughout all aspects of company operations.	Maintain clear lines of communication with company and subcontractor employees involving safety and health issues.	Continue open dialogue between company and subcontractor management staff and employees.	
		Provide reasonable access to senior management on safety and health issues.			
<b>M6</b>	Roles, Responsibilities, Authorities, and Accountability	Develop a safety and health accountability plan for managers/supervisors and non-supervisory employees.	Communicate and implement accountability plan.	Fully implement accountability system for all company and key subcontractor workers, including incorporating safety and health responsibilities into job descriptions and performance plans.	
			Assign additional responsibilities to non-supervisory employees as appropriate.	Begin measuring performance of safety and health responsibilities in annual performance appraisal processes	
			Encourage subcontractors to adopt and begin implementing similar accountability plan or establish equivalent process.		
<b>M7</b>	Discipline	Establish a company disciplinary policy for all employees re: compliance with safety and health regulations, rules, procedures,	Continue to implement disciplinary plan with an implementation schedule for managers and employees.	Ensure discipline is equally enforced for company and subcontractor employees.	

		etc.	Require key subcontractors, if applicable, to adopt company disciplinary policy or establish equivalent policies.		
<b>M8</b>	Annual Self-Evaluation	Develop and implement a written plan/procedure for conducting annual self evaluations.	Develop a written plan/procedure for conducting annual self evaluations and other evaluations, including a requirement for narrative reports.	Company and key subcontractors implement systems and written procedures to annually evaluate the safety and health management systems.	
			Encourage key subcontractors to adopt a similar policy or establish an equivalent process.	Company and key subcontractors complete at least one annual self-evaluation of the safety and health management system.	
<b>2. Employee Involvement</b>					<b>Evaluation Code</b>
<b>Element</b>	<b>1</b>	<b>2</b>	<b>3</b>		
<b>M9</b>	Safety and Health Perception Survey	Conduct a safety and health perception survey for employees and key subcontractor employees, if applicable.	Review and respond to survey findings and conclusions.	Conduct follow-up safety and health perception survey to identify further needed improvements.	
<b>M10</b>	Safety and Health Perception Survey Change Plan	Develop an action plan to address findings from the safety and health perception survey.	Implement steps defined in the company's action plan to improve safety and health culture.	Continue implementing action plan	
			Require key subcontractors to develop action plan to address findings related to them.		
<b>M11</b>	Employee Notification	Notify all employees and subcontractor employees of their safety and health rights under VOSH laws, standards and regulations and inform them of the company's participation in Virginia BEST.	Notify new employees of their safety and health rights and the company's participation in BEST.	Inform all employees annually of worker rights and include elements in company/project site orientation for new employees and subcontractors	

		Encourage the reporting of hazardous conditions	Incorporate into new employee/subcontractor orientation.		
			Require the reporting of hazards.	Reinforce as appropriate.	
<b>M12</b>	Employee Involvement	Develop a plan and implementation schedule for involving employees in developing a company safety and health program (e.g. S&H teams) and begin involving employees in safety and health activities (e.g. safety audits)	Increase participation on teams, and/or form additional teams.	All teams are functioning and meaningfully contributing to safety and health.	
			Involve employees in safety and health activities (e.g., incident/near-hit incident investigations).	Ensure teams are routinely conducting audits, incident investigations, self-inspections, and job hazard analyses.	
			Require key subcontractors to adopt and begin implementing company policy, participate in company activities, or equivalent processes.	Utilize team input to improve and continue the company's hazard reporting system.	
				Encourage more active and open key subcontractor participation.	
<b>3. Subcontractor Worker Coverage</b>					<b>Evaluation Code</b>
<b>Element</b>		<b>1</b>	<b>2</b>	<b>3</b>	
<b>M13</b>	Equal Safety and Health Protection	Develop and begin implementing a plan for how subcontractors will provide their employees with equal safety and health protection	Work with subcontractors to improve and continue implementing subcontractor program.	Work with subcontractors to improve and continue implementing the subcontractor program	
<b>M14</b>	Adherence to Rules	Require subcontractors and their employees to comply with VOSH and company safety and health rules. Inform all subcontractor employees of this requirement before work begins.	Develop a system to handle safety and health violations of subcontractor employees working on-site.	Improve and continue to enforce company policy for safety and health violations.	

<b>M15</b>	Subcontractor Hazard Correction	Establish a requirement that subcontractors promptly correct hazards involving their work activities.	Formalize and begin implementing methods to ensure that hazards are identified, corrected, & tracked in key subcontractors' work areas including assignment of responsibility.	Ensure key subcontractors effectively implement systems to identify and correct hazards in their work areas and include responsibility for hazard correction in writing.	
<b>M16</b>	Subcontractor Selection	Require in bid documents to include subcontractor injury and illness records for past three years (if available), and copies of their written safety and health program.	Implement policy and process for addressing safety and health performance of potential bidders.	Continue to encourage and reinforce the importance for key subcontractors to develop and implement good effective safety and health management systems.	
		Consider the above information in when selecting subcontractors for work.			
<b>M17</b>	Removal Policy	No action required.	Establish and communicate a formal policy on subcontractor safety and health violations, including removal and possible financial penalties.	Hold subcontractors responsible for correcting hazards created by their work and ensure any penalty policies are understood by all subcontractors and tier contractors described in their contracts.	
			Include policy in the company contract requirements.		
<b>Worksite Analysis</b>					<b>Evaluation Code</b>
<b>Element</b>	<b>1</b>	<b>2</b>	<b>3</b>		
<b>W1</b>	Initial Safety and Health Hazard Analysis, including Industrial Hygiene (IH) Surveys	Conduct a safety and health initial analysis including a review of previous incidents, injuries, and illnesses; complaints; previous studies; etc.	Require key subcontractors to perform initial analysis as necessary in accordance with VOSH and company requirements and share pertinent information with the general contractor, or other subcontractors.	Repeat initial surveys, if warranted, by significant changes in tasks, equipment, or processes.	

<b>W2</b>	Hazard Analysis of Routine Jobs, Tasks, and Processes	Review routine tasks to ensure compliance with local, state, and federal safety and health regulations	Conduct hazard analysis for work and recommend controls for routine jobs, tasks, & processes that have potential to cause an injuries/illnesses or significant incidents; are perceived as high-hazard; or are required by a regulation or standard.	Conduct hazard analysis and recommend controls for routine jobs, tasks, and processes that have written procedures, have been recommended for more in-depth analysis, or are determined by the BEST participant to warrant hazard analysis	
		Begin to formalize system to ensure employees are properly trained on routine jobs, tasks, and processes	Update the company hazard analysis, as appropriate.	Ensure key subcontractors continue implementing similar processes.	
			Require key subcontractors to perform initial analysis as necessary in accordance with VOSH and company requirements and share pertinent information with the general contractor, or other subcontractors.		
<b>W3</b>	Hazard Analysis of Significant Changes	Establish and begin implementing systems for identification and documentation of safety and health hazards of significant changes, new processes, and changes in design/engineering plans.	Continue conducting hazard analysis for significant changes (e.g., non-routine tasks or new processes, materials, equipment and facilities/project site) and recommend controls prior to the activity or use per company requirements and VOSH regulations.	Continue conducting and documenting hazard analysis for significant changes (e.g., non-routine tasks or new processes, materials, equipment and facilities/project sites) and recommend controls prior to the activity or use.	
		Require key subcontractors, if applicable, to adopt and begin implementing similar systems.	Subcontractors implement a policy and begin identify and document hazards of significant changes.		
<b>W4</b>	Pre-use Analysis	Establish and begin implementing a pre-use analysis of new equipment, chemicals, facilities/project sites, or significantly different operations or procedures and recommend controls prior to the activity or use.	Continue conducting pre-use analysis of new equipment, chemicals, facilities/project sites, or significantly different operations or procedures and recommend controls prior to the activity or use.	Continue pre-task hazard analysis of new equipment, chemicals, facilities/project sites, or significantly different operations or procedures and recommend controls prior to the activity or use.	
		Require key subcontractors to develop and	Key subcontractors begin performing pre-task analysis of work they are contracted		

		implement similar systems.	to perform.		
<b>W5</b>	Industrial Hygiene (IH) Program	No action required.	Establish, document, & implement future sampling schedule, strategy, and rationale, e.g., develop a formal written IH program.	Continue implementing the written IH programs taking proactive steps to improve control of health hazards to prevent occupational disease.	
			Follow-up on results of initial IH study.		
			Conduct more in-depth analysis if warranted to determine actual employee exposures.		
			Require subcontractors to participate in the company IH program where necessary.		
			Follow-up on results of subcontractor initial IH study, if applicable, and conduct more in-depth analysis, if warranted.		
<b>W6</b>	Routine Self-inspections	Establish a routine self-inspection program that ensures safety and health inspections are performed as often as necessary	Develop a system for scheduling routine self-inspections of the workplace; conduct inspections with safety and health staff. The entire site must be self-inspected as often as necessary, but never less than weekly.	Conduct routine self-inspections covering entire worksite as often as necessary, but at least weekly.	
		Train company employees in the recognition and avoidance of hazards in their work area	Require key subcontractors to adopt similar policies.		
<b>W7</b>	Hazard Reporting System for Employees	Use data collected from incident reports and other sources to determine areas to concentrate on	Develop and begin implementing hazard-reporting system for employees (maybe anonymous), requiring timely responses back to employees.	Continue implementing hazard reporting systems and encouraging more active reporting by both company and key subcontractor employees; ensure timely investigations of the hazard reported, ensure regular feedback, using different media, to all employees on status of hazards	
		Obtain supervisor and employee input for suggested plan of action in developing a hazard reporting system	Require key subcontractors to participate in the company process or establish equivalent processes.		

				reported.	
<b>W8</b>	Investigation of Incidents and Near-Hit Incidents	Develop and implement requirements to report and investigate incidents.	Company and key subcontractors expand investigation activities to include near-hit incidents and make findings available to employees.	Continue reporting and investigating incidents and near-hit incidents.	
		Investigate incidents and prepare and maintain written reports of investigations.			
		Involve employees in the investigations.			
		Require key subcontractors, if applicable, to adopt and begin implementing similar systems.			
<b>W9</b>	Trend Analysis	Conduct initial trend analysis of 3 previous years' injury & illness rates and begin developing a plan for conducting analysis of other safety and health related information.	Conduct trend analysis of other safety and health information not yet studied; conduct one of injury and illness history if a year has gone by since initial analysis.	Conducts trend analysis regularly (at least annually) of company and key subcontractor safety and health information and use results in setting future targets to address trends.	
			Require key subcontractors to develop and implement similar systems.		
<b>Hazard Prevention &amp; Control</b>					<b>Evaluation Code</b>
<b>Element</b>	<b>1</b>	<b>2</b>	<b>3</b>		
<b>H1</b>	Certified Professional Resources	Ensure outside sources are available as needed to conduct initial hazard analysis.	Ensure adequate resources (e.g., access to certified S&H professionals, licensed health care professionals)	Continue to provide necessary resources (e.g., Certified Safety Professionals, Certified Industrial Hygienists).	
			Key subcontractors ensure adequate resources		

<b>H2</b>	Hazard Elimination & Control Methods	Establish systems to prioritize and implement controls for identified hazards, through the initial safety and health study, trend analysis of OSHA logs, and incident investigations.	Develop an action plan to prioritize and implement controls for hazards identified through self-inspections, employee reports of hazards, and near-hit incident investigations.	Complete long term abatement projects from Level II.	
		Identify options and select most appropriate option or combination for hazard elimination and control	Selects most appropriate control methods.	Continue to identify, prioritize, and implement control for hazards identified through all means (hazard analysis, trend analysis, incident and near-hit incident investigations, self-inspections, employee reports of hazards, pre-use analysis, etc.) so that there is a continuous loop of hazard identification and control.	
		Require key subcontractors to adopt company hazard elimination and control system or implement equivalent	Implement hazard controls (or interim protection) for top priority hazards before moving onto Level III.		
			Key subcontractors implement equivalent systems for hazard elimination and control methods.		
<b>H3</b>	Hazard Control Programs	Inventory existing hazard control programs required by VOSH regulations. Develop missing programs or modify if necessary.	Continue to implement hazard control programs developed or modified in Level I and train all workers on these programs.	Continue to maintain hazard control programs required by VOSH regulations, and other rules and regulations.	
		Develop appropriate company safety and health rules, standards, manuals, etc.	Key subcontractors implement effective hazard control programs, standards, rules, etc.	Review hazard control programs annually and update them as new processes, jobs, and tasks are begun.	
		Require key subcontractors, if applicable, to develop and implement similar effective programs.			
<b>H4</b>	Tracking of Hazard Correction	Develop and begin implementing a hazard tracking system for hazards identified through the initial hazard analysis, trend analysis of OSHA logs, and incident investigations.	Continue implementing and improving tracking system	Company and key subcontractor tracking systems are fully functioning and include hazards identified through all methods.	
		Require key subcontractors to adopt and implement company tracking system or establish equivalent.	Key subcontractors implement effective systems to track hazard identified in initial hazard analysis, trend analysis, and self-inspections.	Communicate with workers throughout the process on the status of hazards until they are abated.	

<b>H5</b>	Preventive Maintenance of Equipment	Conduct an inventory of equipment and machinery requiring preventive maintenance (PM).	Review equipment inventory. Establish and implement a preventive maintenance schedule.	Continue to perform preventive maintenance as scheduled.	
		Require key subcontractors, if applicable, to develop a similar PM program.	Key subcontractors implement preventive maintenance program to ensure the safe upkeep of equipment operating the project site.	Schedule is routinely observed and preventive maintenance is regularly conducted.	
				Key subcontractors have preventive maintenance inventory and schedule and it is being conducted.	
<b>H6</b>	Occupational Health Care Program	Conduct thorough review of injury/illness records.	Continue to provide access to licensed health care providers, health services, physician care, and emergency medical care as needed. Arrange for services based on the outcomes of the initial S&H analysis.	Continue providing services listed in Levels I and II.	
		Compare with insurance claims loss runs to ensure records are in order.	Subcontractors determine how licensed health care providers, health services, physician care, and emergency medical care will be provided for their employees working on-site and communicate this information to their employees.	Consider seeking health care providers to visit the site/project, and assist in identifying causes and symptoms of injury/illness.	
		Utilize licensed health care professionals if needed.		Care provided is within the scope of contracts, licensure, and standard operating procedures.	
		Require subcontractors to provide access to health care services based on initial safety and health analysis, including physician and emergency medical care or an equally effective alternative.			
<b>H7</b>	Emergency Preparedness and Response	Establish and communicate to company and subcontractor employees written procedures for responding to all types of emergencies.	Continue communicating emergency procedures and providing emergency medical services.	Continue to improve written emergency procedures for responding to emergencies on all shifts.	
			Company and subcontractors provide first aid and CPR, or an alternative at least as	Review results of previous drills and conduct an annual drill.	

			effective.		
		Make emergency services available on all shifts such as emergency transportation, EMT's, emergency clinics, or hospital emergency rooms.	Conduct at least one drill with company and subcontractor employees and assess its effectiveness and follow-up on recommendations to improve emergency evacuation drills.	Establish one operational emergency response team for each shift.	
		Ensure at least one employee trained in first aid & CPR for each shift.			
		Require subcontractors to adopt the company emergency procedures or equivalent.			
<b>Safety and Health Training</b>					<b>Evaluation Code</b>
<b>Element</b>	<b>1</b>	<b>2</b>	<b>3</b>		
<b>S1</b>	General Guidelines	Observe BEST guidelines in providing training for required programs.	Continue observing BEST guidelines in providing training.	Continue observing BEST guidelines in providing training	
<b>S2</b>	Training for All Workers	Provide training to all workers on their safety and health rights, BEST principles, hazards in the workplace, PPE, emergency evacuation procedures, and individual emergency responsibilities.	Continue providing training to all workers, including new workers, on their safety and health rights, BEST fundamental principles, hazards in the workplace, PPE, emergency evacuation procedures, and individual emergency responsibilities	Continuously improve safety and health training to workers.	
		Ensure training is recorded.			
		Maintain a record of training conducted.	Ensure subcontractors are fulfilling their obligations to train their employees to recognize hazards in the workplace.		
<b>S3</b>	Training for Specific Groups of Workers	Provide specific training to managers and supervisors, to designated safety and health staff and others with safety and health	Expand specific training to all selected employees, managers and supervisors, and designated safety and health staff.	Take proactive steps to provide specific training to their employees and share the knowledge & skills	

		responsibilities, and provide them with knowledge & skills needed to perform their safety and health responsibilities. (i.e., hazard recognition, incident investigation and root cause analysis, hazard controls, VOSH regulations, and BEST requirements).	Subcontractors provide specialized training to their employees on how to perform their assigned and contracted work and control/eliminate its hazards.	and lessons learned.	
<b>Documentation</b>					<b>Evaluation Code</b>
<b>Element</b>	<b>1</b>	<b>2</b>	<b>3</b>		
<b>D1</b>	Minimum Required Documentation	Vision and Mission Statements			
<b>D2</b>		Most Recent Annual Safety and Health Objectives	Revised Safety and Health Objectives		
<b>D3</b>		Accountability Plan			
<b>D4</b>		Budget documents showing allocated resources for Safety and Health			
<b>D5</b>		Disciplinary Plan			
<b>D6</b>		Contract Selection Requirements			
<b>D7</b>		Accurate and up to date records of injury and illness for the previous 3 calendar years (OSHA 300 Logs)			
<b>D8</b>		Insurance Claim Forms			
<b>D9</b>		Incident Reports			
<b>D10</b>		Initial Hazard Analysis results, including IH reports	Written IH Program including any sampling results since the initial survey		

<b>D11</b>		Written Hazard Control Programs			
<b>D12</b>		Incident investigation forms and reports			
<b>D13</b>		Written subcontractor policies for this level	Key subcontractor Program Documentation- Safety and Health Program, Inspection Reports, Correction Tracking Reports, Incident Reports		
<b>D14</b>		Safety and Health Perception Survey form		Follow up Safety and Health Perception Survey and results	
<b>D15</b>		Results of Safety and Health Perception Survey and plan for addressing changes	Documentation of activities by safety and health teams.		
<b>D16</b>		Trend Analysis results	Trend Analysis Procedures and Reports		
<b>D17</b>		Incident Investigation Procedure			
<b>D18</b>		Hazard Correction Plan			
<b>D19</b>		Hazard Correction Tracking System			
<b>D20</b>		Preventative Maintenance Program	Written Preventative Maintenance schedule and System		
<b>D21</b>		Written Emergency Procedures	Emergency Procedures- additional updates		
<b>D22</b>		Training Records	Training Matrix and Records		
<b>D23</b>			Job Hazard Analysis forms and records		
<b>D24</b>			Routing Self- Inspection forms and records		
<b>D25</b>			Employee hazard reporting procedures and forms		
<b>D26</b>			Minutes, Charters, Mission Statements of Safety and Health teams		

<b>D27</b>			Documentation showing implementation of hazard controls and their effectiveness (i.e. ventilation studies, PPE purchases, machine guarding purchases)		
<b>D28</b>			Annual Self Evaluation Procedure	Annual Self Evaluation of the company's Safety and Health Management System	
<b>D29</b>			Policy on Subcontractor removal		
<b>D30</b>				Hazard Analysis showing analysis of non-routine tasks or significant changes	
<b>D31</b>				Pre-use analysis forms and results	

**ATTACHMENT F:**

Level One Guidance

The employer has developed and implemented an effective safety and health management system that meets current VOSH regulatory requirements.

## Management Leadership and Employee<sup>1</sup> Involvement

Begin demonstrating visible, serious, and committed safety and health leadership by publicly accepting ultimate responsibility for safety and health in the total company and taking other appropriate actions to begin developing a culture, creating systems, and establishing policies and procedures that support safe and healthy work environments on all work sites.

### Management Commitment

#### Actions to Achieve Desired Outcomes

1. **Safety and Health Vision Statement.** Develop, issue, and communicate a Safety and Health Vision Statement (*i.e.*, defining where the company wants to be). This Vision statement should address the company's desire to participate in BEST and ultimately, to achieve BEST performance and approval. This process may include involving permanent employees in the development of these documents.
2. **Safety and Health Mission Statement.** Develop, issue, and communicate a Safety and Health Mission Statement (*i.e.*, what the company commits to doing).
3. **Leadership.** Company establishes a policy requiring managers to participate and demonstrate leadership in safety and health program activities. Managers set an example and behaviors that demonstrate a commitment to safety and health, such as attending training, participating in planning meetings, wearing personal protective equipment, encouraging employees to report hazards, injuries and illnesses, enforcing the "if it's not safe, we're not doing it" principle, and performing other safety and health-related actions that are required of employees.
4. **Adequate resources and safety and health integration.** Company commits adequate resources for all safety and health requirements, including a plan for covering typical safety and health expenditures, as well as unusual, high risk, or emergency expenditures such as requirements for prompt correction of uncontrolled hazards (*i.e.*, uncontrolled hazards include those that cannot be immediately corrected, such as industrial hygiene, ergonomic, etc., issues). Commit and ensure utilization of adequate resources to achieve at least the minimum outcomes specified for this BEST Level. Take management action to begin integrating safety and health into other aspects of planning, such as planning for new equipment, processes, building materials, etc. Company establishes a policy/requirement that safety and health will be integrated into the overall planning and budgeting processes.
5. **Safety and health targets and objectives.** Establish, document, and communicate to employees the annual safety and health targets and objectives that are clear, attainable, measurable, and relevant to bringing about a safe and healthy work environment, as well as the policies and procedures that will help achieve these targets and objectives. Targets should be based on outcome of an initial survey and a trend analysis. Establish a policy/requirement that key subcontractors will develop their targets and objectives supportive of the company targets in an equivalent manner.
6. **Clear lines of communication with employees and employee access.** Take action to establish clear lines of communication with employees and ensure that they have reasonable access to senior management with regard to safety and health issues. Address issues of worker language barriers by providing safety and health information in languages spoken and understood by workers.

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<sup>1</sup> The term "employee" is used in this document to refer to all types of employees, including managers, supervisors, and non-supervisory employees, whether full-time, part-time, permanent, or temporary.

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7. **Clear responsibilities, authority, and accountability for safety and health.** Clarify the safety and health responsibilities of each company employee.
  - a. Identify who will be responsible for achieving safety and health targets and objectives.
  - b. Identify specific persons to be accountable for meeting safety and health targets, including, at a minimum, managers, supervisors, and specific safety and health staff; assign adequate authority, as appropriate to their level of responsibility; and explain their accountability and authority to all employees.
  - c. Develop a safety and health accountability plan to hold managers, supervisors, and non-supervisory employees accountable for meeting their responsibilities through a documented performance standards and appraisal system.
  - d. Establish a policy/requirement that key subcontractors will adopt the company process for accountability plans and defining responsibilities or establish equivalent processes.
8. **Disciplinary plan.** Establish a company policy/requirement for all employees that disciplinary action will be taken against any employee that does not comply with company rules, regulations, etc.
9. **Annual Self-evaluation.** No action required at this level for evaluation of the company's safety and health management system.

### Employee Involvement

#### Actions to Achieve Desired Outcomes

1. **Safety and Health Perception Survey.** Company evaluates the current safety and health perceptions and practices and establishes a baseline in the following areas for each of the following categories of personnel – managers, supervisors, non-supervisory employees.
  - a. Levels of involvement in the safety and health program.
  - b. Values regarding the importance of worker safety and health.
  - c. Perceptions of the effectiveness of the total company's safety and health management system.
  - d. Perceptions of how well the culture encourages and supports reporting on hazards, incidents, and injuries.
  - e. Compliance with safety and health requirements.
  - f. Perceptions regarding their roles, responsibilities, and accountability in ensuring safety and health wherever they are working.
2. **Safety and Health Perception Survey Action Plan.** Develop an action plan to address the findings from the survey and begin implementation of the plan.
3. **Employee notification.** Notify company and subcontractor employees as follows:
  - a. Inform managers, supervisors, non-supervisory employees of their rights and responsibilities under the Occupational Safety and Health Act. Take steps to encourage them to freely exercise their rights and responsibilities, especially that of freely reporting hazards in the workplace.
  - b. Inform current employees and new hires as part of new employee orientation, of the company's participation in BEST and of the fundamental principles of BEST.
4. **Employee involvement.** Develop a plan, including an implementation schedule, for how to bring about the meaningful involvement of all managers, supervisors, and non-supervisory employees through participation in various safety and health related activities. Specifically, for this BEST Level:

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- a. Establishment of teams (*e.g.*, a safety and health planning team, BEST Team, etc.) representing different sectors of the company's staff, to bring about meaningful change.
- b. Begin to involve some employees in safety and health activities such as incident investigations. Note: ensure that proper training is provided before employees conduct such activities.
- c. Establish a policy/requirement that key subcontractors will adopt the company processes for employee involvement, participate in company activities, or establish equivalent processes.

### Subcontractor Worker Coverage

#### Actions to Achieve Desired Outcomes

1. **Subcontractor oversight and management system.** Develop, document, and begin implementing the following basic elements of an oversight and management system covering subcontractors:
  - a. **Equal safety and health protection.** Develop and begin implementing a plan for how subcontractors will provide their employees with safety and health protection equal in quality to that provided to company employees.
  - b. **Adherence to safety and health rules.** Inform all subcontractors and their employees that they are required to adhere to all of the company's safety and health rules, regardless of their status or the length of time they perform work on the site/project.
  - c. **Hazards in subcontractor work areas.** Establish a requirement that subcontractors provide timely identification, correction, and tracking of uncontrolled hazards in their work areas (*i.e.*, uncontrolled hazards include those that cannot be immediately corrected, such as industrial hygiene, ergonomic, etc., issues).
2. **Subcontractor Selection Criteria.** Establish and begin implementing a policy/requirement defining the company's subcontractor selection criteria that includes as a minimum, review of the previous three years of injury and illness records, and review of written safety and health management program
3. **Removal policy** – No action required at this level.

### Worksite Analysis

Begin to develop a system for identifying basic and unforeseen safety and health hazards, evaluating their risks, prioritizing them, and recommending methods to eliminate or control hazards to an acceptable level of risk.

### Initial Safety and Industrial Hygiene Hazard Analysis

#### Actions to Achieve Desired Outcomes

1. Conduct an initial safety and industrial hygiene hazard analysis to establish initial levels of company and key subcontractor employee exposure for comparison to future levels, so that changes can be recognized. This study should include a review of previous incidents, injuries, and illnesses; complaints of workplace hazards; previous studies, etc.

2. Ensure that the initial survey accomplishes the following:
  - a. Identifies and documents common safety hazards on the project/site and how they are controlled.
  - b. Identifies and documents common health hazards on the project/site and determine if further sampling is required.
  - c. Identifies and documents safety and health hazards that need further study.
  - d. Ensures that initial surveys adequately cover the entire work site and indicates who conducted the survey, and when it was completed.
3. Repeat the initial survey only if warranted by significant changes (*e.g.*, changes in processes, equipment, and hazard controls).

## Hazard Analysis of Routine Jobs, Tasks, and Processes

### Actions to Achieve Desired Results

1. Review and ensure that programs developed and/or implemented are in compliance with local, state, and Federal safety and health regulations based on routine tasks performed.
2. Begin to formalize a system to ensure employees are properly trained in the procedures implemented.

## Hazard Analysis of Significant Change

### Actions to Achieve Desired Results

1. Company has established and has begun implementing a policy/requirement to identify and document safety and health hazards of significant changes, new processes, and significant changes in design or engineering plans, materials, equipment and facilities to identify uncontrolled hazards prior to the activity or use and recommend adequate hazard controls.
2. Establish a policy/requirement that key subcontractors will adopt the company process for hazard analysis of significant changes, participate in company hazard analysis activities, or establish equivalent processes.

## Pre-use Analysis

### Actions to Achieve Desired Results

1. If the company is considering new equipment, chemicals, facilities, or significantly different operations or procedures, conduct a pre-use analysis to review the potential safety and health impact on the workers.
2. Develop and begin implementing a plan for how to integrate this practice into the procurement/design phase to maximize the opportunity for proactive hazard control.
3. Take proactive steps to ensure pre-use analysis continues to be integrated into the procurement/design phases.
4. Establish a policy/requirement that key subcontractors adopt the company process for pre-use analysis, participate in company activities, or establish equivalent processes.

## Industrial Hygiene (IH) Program

### Actions to Achieve Desired Outcomes

1. No action required at this level.

## Routine Self-Inspections

### Actions to Achieve Desired Outcomes

1. Establish a routine self-inspection program and perform safety and health inspections on a regular basis.
2. Train company employees in the recognition and avoidance of hazards in their work environment and begin having them routinely inspect their work areas, materials, and equipment on a regular basis.

## Incident Investigations

### Actions to Achieve Desired Outcomes

1. Company establishes a documented policy/requirement on reporting and investigating incidents.
2. Company investigates incidents and maintains written reports of the investigations. Investigations should follow the following guidelines:
  - a. Identify all contributing factors.
  - b. Document the entire sequence of relevant events.
  - c. Recommend actions to prevent recurrence.
  - d. Assign timeframes and responsibility for implementing recommended controls.
3. Establish a policy/requirement that key subcontractors adopt the company process for incident investigation, or establish equivalent processes.

## Hazard Reporting System for Employees

### Actions to Achieve Desired Outcomes

1. Use data collected on incident reports (e.g., Employers First Report of Injury), insurance loss runs, etc. to determine the areas that should be concentrated on.
2. Share information and seek supervisor and employee input for a suggested plan of action for developing a hazard reporting system, using model programs (e.g., from insurance carriers, peer groups, BEST Coordinator) for guidance.

## Trend Analysis

### Actions to Achieve Desired Outcomes

1. Conduct an initial trend analysis of previous three complete calendar years' injury and illness history, based on a thorough review of OSHA 300 logs, workers compensation claim forms, and incident reports.
2. Begin developing a plan for conducting an analysis of other safety and health-related information (e.g., hazards identified during inspections, employee reports of hazards, incidents, near-hit incidents, etc.) for the purpose of establishing or detecting trends, planning, and setting targets.

## Hazard Prevention and Control

Begin to develop systems to prevent and control hazards on all worksites.

### Certified Professional Resources

#### Actions to Achieve Desired Outcomes

1. Ensure that outside sources are available if needed to conduct an initial hazard analysis, and that they are qualified to perform the survey pertinent to the work activity involved.

### Hazard Elimination and Control Methods

#### Actions to Achieve Desired Outcomes

1. Company establishes and implements a system that prioritizes hazards identified in this level based on the potential seriousness of injury, illness, property loss, frequency of exposure, and long-term effects so that the highest hazard items are addressed first. Establish an action plan for correction.
2. Identify options and select the most appropriate option or combination of options for hazard elimination and control methods, including engineering controls, administrative controls, work practices, and personal protective equipment (PPE).
3. Take steps to ensure that the selected controls are appropriate to the project/site's hazard(s); understood and followed by all affected parties; equitably enforced through the disciplinary system; written, implemented, and updated as needed; used by employees; and incorporated into training, positive reinforcement, and correction programs.
4. Require key subcontractors to adopt company hazard elimination and control system or implement an equivalent system.

### Hazard Control Programs

#### Actions to Achieve Desired Outcomes

1. Conduct an inventory of existing hazard control programs required by VOSH standards (*e.g.*, PPE, Hazard Communication, Respiratory Protection, Lockout/Tagout, Confined Space Entry, Process Safety Management, or Bloodborne Pathogens).
2. Review existing programs to identify what is missing or unsatisfactory.
3. Develop missing programs and modify existing programs, as needed, to meet all VOSH guidelines, including training requirements.
4. Develop and distribute to employees appropriate company safety and health rules, requirements, procedures, manuals, etc., necessary to define and communicate company hazard control programs.
5. Require key subcontractors to adopt and implement company hazard control programs or establish equivalent programs.

## Occupational Health Care Program

### Actions to Achieve Desired Outcomes

1. **Records Review:** Conduct a thorough review of injury/illness records (see above) and ensure they are in order.
2. **Licensed health care professionals.** Provide resources to utilize certified safety professionals (CSP), or certified industrial hygienist (CIH) and licensed health care professionals if needed based on the safety and health analysis. Provide emergency services as listed above.
3. **Subcontractor Health Care.** Require subcontractors to provide access to health care services, as required, based on results of the initial safety and health analysis including physician and emergency medical care.

## Preventive Maintenance of Equipment

### Actions to Achieve Desired Outcomes

1. Company will perform preventive maintenance as required by manufacturer.
2. Require subcontractors to perform preventive maintenance as required by manufacturer.

## Tracking of Hazard Correction

### Actions to Achieve Desired Outcomes

1. Develop and begin using a documented system to record hazards identified in this Level through the initial study, trend analysis, and incident investigations. The system must document priority, assign responsibility for correction, establish timeframes for correction, and follow up to ensure total abatement.
2. Require key subcontractors to adopt and implement the company tracking system or establish an equivalent system.

## Emergency Preparedness and Response

### Actions to Achieve Desired Outcomes

1. Establish and communicate company written procedures to company and subcontractor employees for responding during all shifts to all types of emergencies (fire, chemical spill, incident, terrorist threat, natural disaster, etc.).
2. Dependent upon project size and/or complexity, conduct at least one evacuation drill and assess how well the procedures worked.
3. Make available and explain to all employees emergency procedures and services, including provisions for physician care and emergency medical care, ambulances, emergency medical technicians, emergency clinics, or hospital emergency rooms, available for all shifts within a reasonable time and distance.
4. Ensure that there is at least one trained employee for each shift trained in first aid and CPR.
5. Require subcontractors to adopt the company emergency procedures or equivalent procedures, and participate in company emergency drills and activities listed above.

## Safety and Health Training

Begin to provide training to safety and health and other staff to help them acquire the knowledge and skills they need to perform their safety and health responsibilities on all worksites.

### Actions to Achieve Desired Outcomes

1. Provide training to company managers, supervisors, and non-supervisory employees following the general guidelines below:
  - a. Ensure VOSH required training is performed, documented and up-to-date.
  - b. Document attendance.
  - c. Ensure that training is conducted by persons who have specific subject matter knowledge or expertise.
  - d. Use findings of the various worksite analysis activities (*e.g.*, initial study, hazard analysis of routine jobs, tasks, and processes, etc.) to develop training that is relevant to the company.
2. At a minimum, provide the following types of training to current or new managers, supervisors, and non-supervisory employees:
  - a. Their rights and responsibilities under the VOSH laws, standards and regulations.
  - b. BEST fundamentals.
  - c. Hazards in the workplace; how to recognize hazardous conditions; signs and symptoms of workplace-related illnesses; protective measures; safe work procedures.
  - d. What is required personal protective equipment (PPE), why it is required, its limitations, how to use and maintain it.
  - e. Specific responsibilities for each type of emergency.
  - f. Emergency procedures as required.
3. At a minimum, provide the following types of training to managers and supervisors:
  - a. Specific safety and health responsibilities and how to carry them out effectively.
  - b. Methods for changing workplace safety and health attitudes and practices.
  - c. Virginia BEST fundamental principles.
  - d. Requirements for Virginia BEST Level 1.
4. At a minimum, provide an orientation program for subcontractor employees:
  - a. Their rights and responsibilities under VOSH laws, standards, and regulations.
  - b. Virginia BEST fundamental principles.
  - c. Hazards in the workplace.
  - d. Personal protective equipment (PPE) required on the job.
  - e. Specific responsibilities for each type of emergency.
  - f. Emergency procedures.

**ATTACHMENT G:**

Level Two Guidance

The employer has an established safety and health management system that exceeds current VOSH regulatory requirements.

## Management Leadership and Employee<sup>1</sup> Involvement

Continue demonstrating serious and committed safety and health leadership by taking additional steps to improve the culture, systems, policies, and procedures that support a safe and healthy work environment.

### Management Commitment

#### Actions to Achieve Desired Outcomes

1. **Safety and Health Vision and Mission Statements.** Continue to communicate the company's Safety and Health Vision and Mission Statements to company and subcontractor employees. Incorporate appropriate information about the Safety and Health Vision and Mission Statement into the company's orientation training for new employees and subcontractors. Include the company's safety and health vision and mission statement in contract bid documents.
2. **Leadership.** Company managers continue setting an example through behaviors that demonstrate total commitment to safety and health. Ensure increased participation by top executives and managers in safety and health related activities, including examples of activities established in Level 1. Require key subcontractors to begin implementing a policy/requirement on leadership and participation or follow established policies and requirements of the key subcontractor.
3. **Adequate resources and safety and health integration.** Company continues committing and ensuring the utilization of adequate resources to support safety and health activities and programs including certified safety and health and licensed health care professionals. Improve the integration of safety and health into other planning and budgeting processes.
4. **Safety and health targets and objectives.** Review progress towards achievement of the company safety and health targets and objectives, as well as the policies and procedures to meet them; revise and communicate new annual targets and objectives, as appropriate. Require that key subcontractors develop targets and objectives that are consistent with and supportive of the Company's overall targets related to BEST participation and BEST performance. Key subcontractors begin implementing requirement.
5. **Clear lines of communication with employees and employee access.** Continue to take necessary action to clarify lines of communication with Company and subcontractor employees and ensure access to senior management regarding safety and health issues.
6. **Clear responsibilities, authority, and accountability for safety and health.** Continue clarifying safety and health expectations for each company and subcontractor employees.
  - a. Begin implementing the accountability plan for company managers, supervisors, and safety and health staff; incorporate performance, responsibilities and standards for safety and health, as well as the consequences for meeting or failing to meet expectations.
  - b. Communicate management expectations regarding everyone's safety and health responsibilities.
  - c. Support the authority of designated staff members who are accountable for safety and health targets.
  - d. Communicate which company personnel are responsible for achieving safety and health targets and objectives, with no unassigned areas, so that each employee and key subcontractor employee worker understands his/her responsibility for safety and health (See item M6 on Virginia Best Self-Assessment Form).

<sup>1</sup> The term "employee" is used in this document to refer to all types of employees, including managers, supervisors, and non-supervisory employees, whether full-time, part-time, permanent, or temporary.

## BEST Level 2 Guidance

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- e. Monitor the performance of all company managers, supervisors, and specific safety and health staff members; giving them specific and timely feedback on performance; requiring corrective action plans if needed; conducting performance appraisals; providing commensurate rewards and recognition for good performance; and implementing consequences for poor performance.
  - f. Require that key subcontractors adopt and begin implementing the company accountability planning process or establish an equivalent process.
7. **Continue development and begin implementing disciplinary plan.** Continue to develop policy, procedures, and consequences with an implementation schedule. Ensure equitable enforcement among all non-supervisory employees, as well across levels (e.g., management staff should not get better treatment than non-supervisory employees). Demonstrate that employees will be held accountable for non-compliance with rules and requirements. Require that key subcontractors adopt and begin implementing the company procedure or establish equivalent processes.
8. **Annual self-evaluation of safety and health management system.** Develop a written company procedure defining how annual self evaluations and other evaluations will be performed, including the requirement for written narrative reports. Require that key subcontractors adopt company procedures or establish an equivalent process.

### Employee Involvement

#### Actions to Achieve Desired Outcomes

1. **Safety and Health Perceptions Survey.** Review and respond to the findings and conclusions of the Safety and Health Perceptions Survey conducted in Level 1.
2. **Safety and Health Perceptions Survey Change Plan.** Implement the company's Safety and Health Perception Survey Change Plan developed in Level 1. Require key subcontractors to develop an action plan that addresses findings related to them.
3. **Employee notification.** Notify new Company managers, supervisors, and non-supervisory employees of their rights and responsibilities under VOSH laws, standards and regulations; of the company's participation in BEST; and of the fundamental principles of BEST, and any other pertinent information. Incorporate this information into the company's orientation training for new employees and subcontractors.
4. **Employee involvement.** Implement the company employee involvement plan, developed in Level 1, such as:
  - a. The formation of new and/or greater participation in, safety and health teams to meet the company's needs at this level.
  - b. Increase employee participation as part of safety and health teams that conduct incident/near-hit investigations, self-inspections, and job hazard analyses.
  - c. Require key subcontractors to adopt and begin implementing the company employee involvement plan, participate in activities per contract and/or agreement, or establish equivalent plans.

### Subcontractor Worker Coverage

#### Actions to Achieve Desired Outcomes

1. **Subcontractor oversight and management system.** Company improves and fully implements the following basic elements of an oversight and management system covering subcontractors:

## BEST Level 2 Guidance

- a. **Equal safety and health protection.** Work with subcontractors to improve and continue implementing the key subcontractor program begun in Level 1 to the point that provides protections equal to company programs.
- b. **Adherence to safety and health rules.** Improve process for requiring subcontractor workers who work onsite, whether regular or temporary to adhere to all of the company's safety and health rules, regardless of their status or the length of time they perform work onsite. The process must include advising subcontractor workers that disciplinary action will be taken against employees that do not follow company rules and requirements.
- c. **Hazards in subcontractor work areas.** Ensure subcontractors improve and formalize their own processes for the timely identification, correction, and tracking of uncontrolled hazards in their work areas and operations (*i.e.*, uncontrolled hazards include those that cannot be immediately corrected, such as industrial hygiene, ergonomic, etc., issues).
- d. **Subcontractor selection and oversight.** Implement a policy and process for addressing safety and health performance of potential bidders including the review of written safety and health plan and injury and illness rates, in subcontractor selection and oversight.
- e. **Removal of subcontractor for violations.** Company establishes and implements a penalty policy and process, for safety or health violations in subcontractor work areas including removal and/or financial penalties.

### Worksite Analysis

Continue developing a system for identifying basic and unforeseen safety and health hazards, evaluating their risks, prioritizing them, and recommending methods to eliminate or control hazards to an acceptable level of risk.

## Initial Safety and Industrial Hygiene (IH) Hazard Analysis

### Actions to Achieve Desired Outcomes

1. Company requires as a contract requirement that key subcontractors must perform an initial safety and IH hazard analysis for the work they are contracted and assigned to perform. Key subcontractors begin performing the required initial safety and IH hazard analyses. (See IH Required Actions below).

## Hazard Analysis of Routine Jobs, Tasks, and Processes

### Actions to Achieve Desired Outcomes

1. Identify and document safety and health hazards of routine jobs, tasks, and processes and recommend hazard controls by conducting task-based or system/process hazard analyses when the routine jobs, tasks, and processes have had injuries/illnesses associated with them or have experienced significant incidents or near-hit incidents; are perceived as high-hazard tasks, *i.e.*, which could result in a catastrophic explosion, electrocution, or chemical overexposure; or are required by a regulation or standard. Identify the steps of the task or procedure being analyzed, the hazard controls currently in place, recommendations for needed additional hazard controls, dates conducted, and the responsible parties.
2. Update the company hazard analysis as appropriate, such as when the environment, procedures, or equipment change or when hazards are found that invalidate the most recent hazard analysis.

3. Require key subcontractors to adopt and begin implementing the company's hazard analysis of routine system or establish equivalent plans. Key subcontractors begin performing effective hazard analysis of routine work.

### Hazard Analysis of Significant Changes

#### Actions to Achieve Desired Outcomes

1. Company continues identifying and documenting potential safety and health hazards of significant changes, including but not limited to non-routine tasks (e.g., performed less than once per year), new processes, materials, equipment, and facilities to identify uncontrolled hazards prior to the activity or use and recommends adequate hazard control measures.
2. Key subcontractors implement policy and begin identifying and documenting safety and health hazards of significant changes in the work they are contracted to perform, including but not limited to non-routine tasks

### Pre-Use Analysis

#### Actions to Achieve Desired Outcomes

1. If the Company is considering new equipment, chemicals, facilities, or significantly different operations or procedures, conduct a pre-use analysis to review the potential safety and health impacts on workers.
2. Key subcontractors begin to perform pre-use analysis for work they are contracted to perform.

### Industrial Hygiene (IH) Program

#### Actions to Achieve Desired Outcomes

1. Following established BEST guidelines; the Company develops a written Industrial Hygiene (IH) program to establish procedures and methods for identifying, analyzing, and controlling health hazards to prevent occupational disease. The written program must address sampling issues, including sampling methods, performed by whom, required documentation, and how information is communicated to workers.
2. Company begins implementing-the IH Program by doing the following:
  - a. Follow up on the results of the initial study conducted in Level 1.
  - b. Establish and implement sampling frequencies – a schedule for sampling identified hazards – and conduct additional sampling as needed, based on findings of the initial hazard analysis, review of chemicals, employee reports of hazards, previous exposures, and reports of illnesses.
  - c. Begin implementing appropriate controls for hazards identified in Level 1.
3. Company requires key subcontractors to adopt and implement the company IH program for the work they are contracted to perform or establish an equivalent program.
4. Key subcontractors establish and begin implementing IH program activities discussed above, follow up on initial IH study results, if appropriate, and perform more in-depth analyses to determine actual employee exposures.

## Routine Self-inspections

### Actions to Achieve Desired Outcomes

1. Company develops a documented system for routinely scheduled self-inspections of the workplace, including a tool or checklist, the inspection schedule, the members of the regular self-inspection teams to be created, recording of findings, responsibility for abatement, and tracking of identified hazards for timely correction.
2. Start self-inspections, at a minimum, by competent persons and cover worksites at least weekly.
3. Company requires subcontractors to adopt and implement the company routine inspection program or establish an equivalent program.
4. Subcontractors have adopted an equivalent documented routine self-inspection system program and begun performing routine inspections of the work activities and areas they were contracted to perform.

## Hazard Reporting System for Employees

### Actions to Achieve Desired Outcomes

1. Company develops and begins implementing a hazard-reporting system, which may be anonymous, that allows employees to use specific tools to inform management staff without fear of reprisal, about potential hazardous conditions, incidents, and near-hit incidents.
2. Determine and communicate to employees how they will receive feedback on actions taken regarding the hazards they report.
3. Company requires key subcontractors to adopt and implement the company employee hazard reporting system or establish an equivalent system.
4. Key subcontractors begin to implement an equivalent employee hazard reporting system for the work activities and area they are contracted to perform.

## Investigation of Incidents and Near-Hit Incidents

### Actions to Achieve Desired Outcomes

1. Company and key subcontractors continue investigating incidents, following the guidelines established in Level 1.
2. Company and key subcontractors expand their incident investigation procedures to include near-hit incidents and begin investigating near-hit incidents, following the same guidelines established in Level 1 for investigating incidents.
3. Company and key subcontractors continue making findings and corrective actions available to employees on request (although actual investigation records need not be provided).

## Trend Analysis

### Actions to Achieve Desired Outcomes

1. Conduct a trend analysis of the other safety and health-related information not yet studied (*e.g.*, hazards identified during inspections, employee reports of hazards, incidents and near-hit incidents, etc.) for the purpose of establishing or detecting trends, planning, and setting targets.
2. Conduct another trend analysis of injury and illness history if a year has gone by since the initial trend analysis.
3. Company requires key subcontractors to adopt and implement the company systems for trend analysis or establish an equivalent system.

## Hazard Prevention and Control

Continue implementing and improving systems to prevent and control hazards.

## Certified Professional Resources

### Actions to Achieve Desired Outcomes

1. Company ensures adequate resources such as certified safety and health professionals and other licensed health care professionals and other experts as needed, based on the risks at each site.
2. Key subcontractors ensures the availability to certified safety and health professionals and other licensed health care professionals as needed.

## Hazard Elimination and Control Methods

### Actions to Achieve Desired Outcomes

1. Company prioritizes hazards identified in this level based on seriousness and frequency of injury or illness or property loss, frequency of exposure, and long-term effects. Establish an action plan for correction.
2. Company identifies options and selects the most appropriate option or combination of options for hazard elimination and control methods, including engineering controls (including protective safety devices), administrative controls, work practices, and personal protective equipment.
3. Company has taken steps to ensure that the selected controls are appropriate to each site's hazards, understood and followed by all affected parties and equitably enforced through the disciplinary system. The company also ensures controls are written, implemented, updated as needed, used by employees, and incorporated into training programs for positive reinforcement and correction.
4. Key subcontractors adopt equivalent hazard control methods and have begun implementing the controls listed above in the work it has been contracted to perform.

## Hazard Control Programs

### Actions to Achieve Desired Outcomes

1. Company continues implementing hazard control programs required by VOSH standards. Modify and improve, as needed.
2. Company continues training all workers on these programs, as needed.
3. Company establishes necessary hazard control programs in compliance with new VOSH standards, if any.
4. Key subcontractors adopt and begin implementing equivalent hazard control programs in the work they are contracted to perform.

## Tracking of Hazard Correction

### Actions to Achieve Desired Outcomes

1. Continue implementing and improving the documented system established in Level 1 to record hazards identified.
2. Record priority, responsibility for correction, time frames for correction, and follow-up to ensure total hazard abatement.
3. Key subcontractors have begun implementing a hazard correction tracking system for hazards identified in the initial hazards analyses, trend analysis, and self inspection.

## Preventive Maintenance of Equipment

### Actions to Achieve Desired Outcomes

1. Company reviews the equipment inventory developed in Level 1.
2. Company establishes and begins following a preventive maintenance schedule to monitor and maintain equipment so that it can be replaced or repaired on a schedule according to manufacturers' recommendations.
3. Key subcontractors adopt equivalent preventive maintenance systems and begin implementation by inventorying equipment and material needing preventive maintenance.

## Occupational Health Care Program

### Actions to Achieve Desired Outcomes

1. **Licensed health care professionals.** Company provides employees' access to licensed health care professionals who can provide onsite or offsite services.
2. **Health services, as needed.** Company arranges for health services, such as pre-placement physicals, audiograms, and lung function tests for employees, as needed, based on the outcomes of the initial safety and health analysis.
3. Subcontractors determine how equivalent access to licensed health care, physician care, and emergency services will be provided for their employees working on each site.
4. Key subcontractors and company (per agreements) begin providing occupational health care for key subcontractor employees.
5. Information will be communicated to employees in writing and will be a part of the employee site orientation program.

## Emergency Preparedness and Response

### Actions to Achieve Desired Outcomes

1. Company and subcontractors continue communicating the emergency procedures in compliance with applicable BEST criteria.
2. Company and key subcontractors improve emergency procedures and services, including provisions for emergency medical care, emergency transportation, emergency clinics, or hospital emergency rooms.
3. Company and key subcontractors establish an Emergency Response Team including persons trained in first aid and CPR available on all shifts (or an alternative that is at least as effective). Increase the number of trained individuals from Level 1.
4. Company and key subcontractors conduct at least one evacuation drill, assess how well the procedures worked, and improve the emergency procedures, as needed.

## Safety and Health Training

Continue providing and improving training to all staff to help them acquire the knowledge and skills they need to better perform their safety and health responsibilities.

### Actions to Achieve Desired Outcomes

1. Company and subcontractors continue to provide training to managers, supervisors, non-supervisory employees, and subcontractors following the general guidelines established in Level 1.
2. As needed, company and subcontractors continue to provide current or new managers, supervisors, non-supervisory employees, subcontractors, and designated safety and health staff all the required training established in Level 1.
3. In addition to required training established in Level 1, company and key subcontractors provide the following types of training to designated safety and health staff and others with assigned safety and health responsibilities to help them develop the knowledge and skills necessary to perform their assigned tasks. This include the following:
  - a. How to develop a disciplinary plan/program.
  - b. How to develop a system and written procedures to annually evaluate the company's safety and health management system.
  - c. How to conduct hazard analyses of significant changes.
  - d. How to conduct pre-use analysis.
  - e. How to conduct IH sampling, if applicable.
  - f. How to conduct an annual evaluation of the safety and health management system.
4. In addition to required training established in Level 1, subcontractors provide their workers with training on how to recognize hazardous conditions, signs and symptoms of workplace related illnesses, protective measures, and safe work procedures for the work they are contracted to perform.

**ATTACHMENT H:**

Level Three Guidance

The employer has an exceptional safety and health management system that serves as a model for other construction employers in the Commonwealth.

## Management Leadership and Employee<sup>1</sup> Involvement

Take proactive steps to build on earlier gains to improve the culture, systems, policies, and procedures that support a safe and healthy work environment.

### Management Commitment

#### Actions to Achieve Desired Outcomes

1. **Safety and Health Vision and Mission Statements.** Continue to communicate the company's Safety and Health Vision and Mission statements and take necessary steps to ensure all employees understand the statements. Ensure that appropriate information about the company's Safety and Health Vision and Mission Statements becomes a routine part of the training for new employees.
2. **Leadership by example.** Management continues setting an example through behaviors that demonstrate total commitment to safety and health (see examples in Level 1). Ensure total involvement of all executives, managers, and supervisors in the safety and health related activities and programs.
3. **Adequate resources and safety and health integration.** Managers continue committing and ensuring the utilization of adequate resources to support safety and health activities and programs. Ensure that safety and health is routinely integrated into all planning processes, both company and key subcontractors.
4. **Safety and health targets and objectives.** Company and key subcontractors review, revise, and continue communicating, as appropriate to this level, the previous year's safety and health targets and objectives, as well as the policies and procedures to meet them. Ensure that safety and health targets and objectives are routinely considered in planning for and implementing the various activities and program
5. **Clear lines of communication with employees and employee access.** Continue to take necessary action to clarify lines of communication with all employees and subcontractors and ensure reasonable access to senior management with regard to safety and health issues. Take proactive steps to encourage open dialogue between management staff and employees.
6. **Clear responsibilities, authority, and accountability for safety and health.** Company and key subcontractors continue clarifying safety and health expectations for each employee. Ensure that all workers understand and accept their safety and health roles and responsibilities. Continue supporting the authority of designated staff members who are accountable for achieving safety and health targets and objectives. In addition:
  - a. Ensure that safety and health performance elements have been incorporated into the written job descriptions and performance plans of all employees, including managers, supervisors, and non-supervisory employees, as well as key subcontractors.
  - b. Incorporate safety and health responsibilities into the job descriptions and performance plans of all non-supervisory employees and ensure that every individual's safety and health performance is monitored and evaluated and that everyone receives feedback on their safety and health performance.
  - c. Develop and implement a system of rewards and recognition for exemplary safety and health performance and achievements.

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<sup>1</sup> The term "employee" is used in this document to refer to all types of employees, including managers, supervisors, and non-supervisory employees, whether full-time, part-time, permanent, or temporary.

## BEST Level 3 Guidance

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7. **Disciplinary plan.** Improve and continue implementing the disciplinary plan, developed in Level 1 ensuring equitable enforcement as required. Enforce the plan to ensure higher levels of compliance to achieve the desired outcomes.
8. **Annual self-evaluation of safety and health management system.** Company and key subcontractors implement systems and written procedures to annually evaluate their safety and health management systems. The evaluations may be conducted by company and/or key subcontractor employees with managers, qualified corporate staff, or trained outsiders. The evaluations must:
  - a. Identify in a written narrative report the strengths and weaknesses of the safety and health management system.
  - b. Contain specific recommendations, timelines, and assignment of responsibilities for improvements.
  - c. Document actions taken to satisfy the recommendations.
  - d. The company must conduct at least one annual self-evaluation of its safety and health management system in this level.
  - e. The company must conduct additional self-evaluations each year they remain in the BEST program.
  - f. If applicable, there must be a self-evaluation performed immediately prior to construction completion.

## Employee Involvement

### Actions to Achieve Desired Outcomes

1. **Follow-up Safety and Health Perception Survey.** Company conducts a follow-up Safety and Health Perception Survey to identify further improvements.
2. **Safety and Health Perception Survey Change Plan.** Company continues implementing the Safety and Health Perception Survey Change Plan developed in Level 1.
3. **Employee notification.** Company continues notifying new managers, supervisors, and non-supervisory employees of their rights and responsibilities under VOSH laws, standards and regulations; of the company's participation in BEST and of the fundamental principles of BEST. All changes will be incorporated into the company's orientation training for new employees and subcontractors. Take proactive steps to encourage all workers to freely exercise their rights, especially that of freely reporting hazards in the workplace. At least annually, reinforce policies for all company and subcontractor employees of these rights and responsibilities.
4. **Employee involvement.** Take proactive steps to ensure full implementation of the employee involvement plans developed in Level 1 and refined in Level 2. Additionally for Level 3 the contractor will:
  - a. Ensure that all the safety health teams needed to achieve the required outcomes for Level 3 are established and that there is broad and active employee participation in these teams.
  - b. Ensure that audits, incident investigations, self-inspections, and job hazard analyses are routinely conducted by regular teams that have broad and active employee representation.
5. **Take proactive steps for key subcontractor employee participation.** Encourage more active and open worker participation by all key subcontractors' employees and continue to develop programs to include more participation for key subcontractor employees where appropriate.

## Subcontractor Worker Coverage

### Actions to Achieve Desired Outcomes

1. **Adherence to Rules.** Ensure subcontractors and multi-tier subcontractors are aware of company safety and health rules and continue to enforce for safety and health violations.
2. **Subcontractor selection and oversight.** Continue to improve and implement the subcontractor oversight program. Take proactive steps to ensure that subcontractor employees receive safety and health protection equal to that received by company employees. Ensure employees adhere to the company's safety and health rules and are promptly removed for safety and health violations. Also, company management will consider contractors' safety and health management systems and performance in selecting subcontractors.
3. **Subcontractor hazard correction.** Ensure that the subcontractors have the ability to identify, correct, and track uncontrolled hazards in work areas they are responsible for (*i.e.*, uncontrolled hazards include those that cannot be immediately corrected, such as industrial hygiene and ergonomic issues).
4. **Removal Policy.** Ensure subcontractors and multi-tier subcontractors are aware of the penalty policies and their possible removal for serious safety and health violations that go uncorrected.
5. **Safety and health management systems for subcontractors.** Continue working with subcontractors and encourage and support their development and operation of their own effective safety and health management systems.

## Worksite Analysis

Take proactive steps to maintain and continuously improve the Company's system for identifying basic and unforeseen safety and health hazards, evaluating their risks, prioritizing them, and recommending methods to eliminate or control hazards to an acceptable level of risk.

### Actions to Achieve Desired Outcomes

1. **Initial Survey.** Company and key subcontractors repeat the initial survey only if necessary by significant changes (*e.g.*, changes in processes, equipment, hazard controls, etc.).
2. **Hazard Analyses of Routine Jobs, Tasks, and Processes.** Company and key subcontractors continue conducting hazard analyses and follow guidelines specified in Level 2 to identify, analyze, and control hazards. Specifically, for this Level:
  - a. Identify hazards of routine jobs, tasks, and processes.
  - b. Recommend adequate hazard controls by conducting task-based or system/process hazard analyses when the routine jobs, tasks, and processes have written procedures, recommended by other studies and analyses for a more in-depth analysis.
  - c. Are determined by the BEST participant to warrant a hazard analysis.
3. **Hazard Analysis of Significant Changes.** Company and key subcontractors continue to identify and document the potential safety and health hazards of significant changes including but not limited to non-routine tasks (*e.g.*, performed less than once a year), new processes, materials, equipment, and facilities to identify uncontrolled hazards prior to the activity or use. Recommend adequate hazard controls (*i.e.*, uncontrolled hazards include those that cannot be immediately corrected, such as industrial hygiene and ergonomic issues).

## BEST Level 3 Guidance

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### 4. Pre-use Analysis

- a. Company and key subcontractors, when considering new equipment, chemicals, facilities, or significantly different operations or procedures, will continue to conduct a pre-use analysis (defined in Level 2) to review the potential safety and health impact on the workers at a level of detail appropriate considering the perceived risk and the number of people who may be affected.
- b. Company develops and begins implementing a plan for how to integrate this practice into the procurement/design phase to maximize the opportunity for proactive hazard controls and requires that key subcontractors adopt and implement the company or an equivalent plan.
- c. Company and key subcontractors take proactive steps to ensure that pre-use analysis continues to be integrated into the procurement/design phase.

5. **Industrial Hygiene program.** Company and key subcontractors continue implementing the IH programs to identify, analyze, and control health hazards to prevent occupational disease.

### 6. Routine self-inspections.

- a. Company and subcontractors continue implementing the documented system for routinely scheduled self-inspections of the workplace developed in Level 2.
- b. Company and subcontractors continue conducting self-inspections by designated safety and health staff, with the participation of other non-supervisory employees.
- c. Company and subcontractors take proactive steps to ensure that self-inspections are routinely conducted and the entire work site is covered at least weekly.

7. **Hazard-reporting system.** Company and key subcontractors continue implementing the hazard-reporting systems and encourage more active reporting. Implement program improvements as needed. Ensure regular feedback to all employees on the status of hazards reported (*e.g.*, through meetings, newsletters, e-mail messages, bulletin board postings, Intranet postings, etc.). Take proactive steps to encourage all workers to freely make suggestions and report hazardous conditions without fear of retaliation.

8. **Investigation of incidents and near-hit incidents.** Company and key subcontractors continue investigating incidents and near-hit incidents, as needed, following the guidelines specified in Level 1 and 2.

9. **Trend Analysis.** Company takes proactive steps to implement systems for trend analysis of company and key subcontractor safety and health information to ensure that the process takes place regularly (at least annually) as scheduled, for all types of safety and health information and is used in setting future targets to address identified trends of incidents, injuries and illnesses.

## Hazard Prevention and Control

Take proactive steps to fully implement and continue improving already established systems to prevent and control hazards.

### Actions to Achieve Desired Outcomes

1. **Certified professional resources.** Company and key subcontractors continue to provide necessary resources such as appropriate use Certified Safety Professionals (CSP), Certified Industrial Hygienist (CIH), and other professionals and experts as needed based on the risks associated with the work contracted.

## BEST Level 3 Guidance

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2. **Hazard elimination and control methods.** Company and key subcontractors continue to proactively identify hazards and selecting options or combinations of options to eliminate or control hazards using the most appropriate methods (*i.e.*, engineering controls including protective safety devices, administrative controls, work practices, and personal protective equipment). Correct all hazards identified in this and previous levels, including long-term abatement projects, before graduating from Level 3.
3. **Hazard control programs.** Company and subcontractors continue to maintain all hazard control programs required by a VOSH standard, complying with all rules, requirements, and guidelines. This includes an annual review and training, if required. Take proactive steps to establish hazard control programs, if any, required by new VOSH standards and to modify or update existing programs, as needed.
4. **Hazard correction tracking.** Company and key subcontractors continue to implement and improve the company's documented hazard tracking system. Take proactive steps to improve the tracking system, ensure that it is fully implemented, and communicate with all workers throughout the process on the status of specific hazards identified until they are totally abated.
5. **Preventive maintenance of equipment.** Company and key subcontractors continue to implement the preventive maintenance schedule on equipment to prevent any hazardous conditions. Take proactive steps to ensure that the company and key subcontractors have an established, routinely-observed preventive maintenance schedule and that preventive maintenance is automatically part of future systems.
6. **Occupational health care program.** Company and key subcontractors take proactive steps to continue providing effective occupational health care programs, including:
  - a. Provisions for access to or availability of licensed health care professionals, needed health services, and emergency medical care. Improve the program based on all available safety and health information.
  - b. Expand use of licensed health care providers which may include visits to sites, to help identify causes and symptoms of occupational injuries and illnesses. Ensure care provided is within the scope of the contracts, licensure, and standard operating procedures.
7. **Emergency preparedness and response.** Company and key subcontractors continue to improve, communicate, and implement the written procedures for responding during all shifts to all types of emergencies. Dependent upon project size and/or complexity, conduct at least one evacuation drill and assess how well the procedures worked. Encourage use of AEDs, as appropriate, and provide necessary training for their use. Take proactive steps to ensure full implementation and automatic tracking of the company's emergency preparedness and response program and procedures. Establish a hazardous material team if necessary and consult with local fire department to ensure adequate coverage for fire, explosion, or chemical release.

### Safety and Health Training

Take proactive steps to provide and improve training to all staff to help them acquire and maintain the knowledge and skills they need to better perform their safety and health responsibilities.

#### Actions to Achieve Desired Outcomes

1. Company and subcontractors continue to provide training to all workers following the general guidelines specified in Level 1.

### BEST Level 3 Guidance

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2. Company and key subcontractors take proactive steps to improve and continue providing training on specific topics, as needed.
3. Company and key subcontractors provide training for workers on how to recognize and control hazardous conditions and the signs and symptoms of workplace related illnesses and injuries.