

IOSH Instruction

IACSP 03-02-003 IOSH Strategic Partnership Program for Worker Safety and Health

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# IOSH NOTICE

Workforce Development Department  
(IOSH)

Iowa Occupational Safety and Health

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I. Purpose. The IOSH Strategic Partnership Program (ISPP) for Worker Safety and Health was designed to broaden the impact of cooperative programs on worker safety and health by reaching out to groups of employers, employees, and labor organizations. Experience has validated the significant value of the ISPP’s collaborative approach, generated considerable public interest and support, shown some notable success, but also has revealed the need for certain changes and improvements. Therefore, IOSH is issuing this instruction to update the policy for the development, approval, and operation of individual IOSH Strategic Partnerships (ISPs), as well as to provide guidelines for the ongoing management of the overall program.

This instruction states IOSH’s general policy for ISPs but does not bind IOSH to approve or disapprove any particular proposed ISP agreement. Nor does it limit IOSH’s discretion to enter into cooperative agreements that are not ISPs and do not meet the criteria listed within this instruction. This instruction is intended for the internal management of IOSH and does not create any rights, obligations, or duties on private parties, nor is it intended to create any right to judicial review.

II. Scope. This instruction applies to the State of Iowa.

III. Cancellation. This Instruction cancels previous partnership program document IOSH Instruction CSP 03-02-002, IOSH Strategic Partnership Program for Worker Safety and Health, effective July 1, 2005

IV. Significant Changes.

A. ISP agreements signed or renewed after April 30, 2014 may not contain reference to “enforcement incentives.” New or renewed ISP agreements may not include deferrals and deletions from routine programmed inspections outside the scope of those provided to any employer who receives an enforcement inspection.

B. The term “benefits” is changed to “incentives.”

- C. IOSH removed language allowing for an additional 10% good faith penalty reduction for ISP employers who have established safety and health management systems (SHMS).
- D. IOSH provided clarification for the use of the “phone & fax” procedures to handle some investigations. Enforcement may not expand the scope of the “phone & fax” investigation process beyond what is allowed by reference in the Field Operations Manual (FOM).
- E. IOSH added language on SHMS and worker involvement. These are two new required elements of all ISP agreements. With the addition of these two elements, the number of required core elements for all ISP agreements increased from eleven to thirteen.

ISPs active on or before July 1, 2014 need not amend their agreements. ISPs established or renewed after that date must meet the Directive requirements at the time of ISP approval or renewal.

This instruction becomes effective on the day of issue.

#### V. References.

- A. Iowa Occupational Safety and Health Act, Iowa Code Chapter 88 (2013). (hereinafter referred to as the Act)
- B. FY 2002 Pilot Program for Expedited Informal Settlement Agreements (EISAs) February 26, 2002.
- C. OSHA Safety and Health Program Management Guidelines, FRN 54:3904-3916, January 26, 1989.
- D. IOSH Instruction IACPL 02-00-150, March 1, 2012, Field Operations Manual (FOM).
- E. OSHA Instruction CPL 02-00-155, September 6, 2013, Inspection Scheduling for Construction. The Federal document was adopted in its entirety with the exception of paragraph VI.B.1 regarding a deferral of up to 90 days for construction sites which have requested a full-service comprehensive consultation visit and a visit has been scheduled.
- F. OSHA Instruction CPL 2-0.124 (CPL 02-00-124), December 10, 1999, Multi-Employer Citation Policy.

- G. IA/LEP 1, March 1, 2006, Revised September 4, 2008, Inspection Targeting System to Reduce Injuries and Deaths Resulting From Falls in the Construction Industry
- H. IA/LEP 4, March 16, 2009, Inspection Targeting System to Reduce Injuries and Deaths on Worksites in the Construction Industry.
- I. IOSH Strategic Management Plan 2009 – 2013.

VI. Definitions.

- A. Annual Evaluation. A yearly self-assessment performed to gauge the effectiveness of each ISP. This assessment is conducted using the standardized ISPP Annual Partnership Evaluation Report, which contains the minimum data necessary to evaluate the effectiveness of an ISP agreement.
- B. IOSH Strategic Partnership (ISP). An IOSH Strategic Partnership is an extended voluntary cooperative relationship between IOSH and employers, employer groups, employees and employee organizations designed to encourage, assist, and recognize efforts to eliminate serious hazards and achieve a high degree of worker safety and health. This program is available to all private sector industries and government agencies where IOSH has jurisdiction. ISPs may be designed to address recognized hazards at a partner's worksite or one or more hazards of particular concern. An ISP can assist partners in the reduction of injuries and illnesses through the long-term development of effective safety and health management systems that address hazards in accordance with the Act. ISPs are formalized through written agreements that last for a specified period of time. All the elements identified in Section X.B of this instruction must be addressed in the ISP agreement.
- C. Safety and Health Management System. A method of preventing worker fatalities, injuries and illnesses through the ongoing planning, implementation, integration, and control of four interdependent elements: Management Leadership and Employee Involvement; Worksite Analysis; Hazard Prevention and Control and Safety and Health Training.
- D. Programmed Inspections. Enforcement inspections of worksites that have been scheduled based upon objective or neutral selection criteria. These worksites are selected according to the State scheduling plans for safety and health or special emphasis programs.

## VII. Background.

The IOSH Strategic Partnership Program for Worker Safety and Health is an initiative that seeks to reduce occupational fatalities, injuries and illnesses as well as improve worker protections by engaging employer groups, individual employers, employees and employee groups in formal, cooperative relationships with IOSH to carry out the purposes of the Act.

The ISPP provides the infrastructure of policy and procedure for the building of relationships, known as IOSH Strategic Partnerships or ISPs, and for the management of both individual ISPs and the overall effort. A cornerstone of the program is the development and continued improvement of the partners' workplace safety and health management system. ISPs aim to have a measurable, positive impact on the workplace by preventing or reducing occupational fatalities, injuries and illnesses. ISPs do this in a variety of ways; for example, they may:

- Help participants establish an effective safety and health management system.
- Train managers and employees on the hazards common to their industry, recognition of actual hazards at their worksite, and ways to eliminate or control these hazards.
- Create ways to share expertise and other resources among participating employers and other partners.
- Establish goals and measures to evaluate program impacts on reduction of workplace illness and injury rates.

An ISP should support the goals of the IOSH Strategic Management Plan, make the best use of IOSH's resources, leverage stakeholder resources, and impact a large number of workers.

## VIII. Distinguishing ISPs from Other IOSH Programs/Activities.

- A. Enforcement Initiatives. IOSH's Local and National Emphasis Programs, programmed inspection plans, and other enforcement activities are not ISPs and will not be reported or counted as such. ISPs are purely voluntary activities that are developed and operated jointly and cooperatively by IOSH and its partners.
- B. IOSH Cooperative Programs. IOSH recognizes that its other cooperative programs (e.g., Voluntary Protection Programs, Consultation and Alliances) are valuable and desirable activities. The ISPP is designed to complement these other programs and to give private sector industries and public sector agencies increased opportunities to participate in these innovative programs and to find prudent solutions to worker safety and health issues.
- C. Other Cooperative Initiatives/Activities. IOSH may also participate in a number of other voluntary activities and many forms of compliance assistance involving employers, employees, employee representatives, and other stakeholders, including: conducting training at the request of a local labor union or employer group; providing technical assistance at the request of an employer; and partaking in safety and health forums with industry representatives. Although essential for

enhancing worker safety and health, such initiatives typically are short-term activities or lack the measurable impacts that characterize ISPs.

## IX. Program Roles and Responsibilities.

- A. The IOSH Office plays a key role in supporting the ISPP, including the following activities.
1. Working toward meeting goals set by the IOSH Strategic Management Plan and the Labor Commissioner regarding ISPP growth, development and management.
  2. Maintaining files for each ISP. (See appendices)
  3. Identifying IOSH staff to act as a Primary Contact for individual ISPs to coordinate overall ISPP activity (see responsibilities below in Section IX.B.) IOSH management will serve as initial contact and identify a primary contact for a proposed partnership.
  4. Ensuring adequate review of ISPs prior to signature, including review by the legal staff.
  5. Reviewing each ISP on an annual basis and preparing an annual evaluation to ensure it operates effectively, shows meaningful measurement of goals, and has a positive impact on worker safety and health (see Appendix A, Section E).
  6. Allowing adequate resources, based on each ISP commitment, to enable IOSH to conduct ISP related activity, including regular communication with the partners.
  7. Recognizing and promoting ISP success and activity, such as the issuance of press releases.
- B. IOSH Primary Contact. IOSH has a substantial stake in ensuring that each ISP operates efficiently and effectively. Therefore, IOSH will designate a Primary Contact for each ISP. The Primary Contact will perform a variety of activities, including:
1. Communicating regularly with person(s) responsible for day-to-day management of the ISP to stay abreast of all significant ISP activities and issues.
  2. Maintaining documents in the ISP working file.

3. Communicating regularly with others in IOSH as appropriate.
4. Ensuring that IOSH conducts required verification of partnering worksites and properly reports these tracked activities in the appropriate data management systems.
5. Ensuring that IOSH carries out its responsibilities; for example, that it offers or provides any technical assistance to its partners in a manner that takes into account the needs of the participants and the need to leverage resources.
6. Ensuring that the IOSH Administrator is informed of significant events at ISP sites, e.g., fatalities and catastrophes.
7. Ensuring that the ISP's written annual evaluations are completed in a timely manner.
8. Tracking the progress of the ISP toward the accomplishment of the established goals.
9. Participating in recognition ceremonies and other activities intended to highlight the ISP's efforts and successes.
10. For construction partnerships the Primary Contact will obtain a list of worksites on a quarterly basis.

## X. ISPP Requirements.

- A. Grace Period for Pre-existing ISPs. ISPs established before the effective date of this instruction have up to one year from the effective date to meet all the necessary requirements.

ISPs established after the effective date, and any ISPs renewing their agreements before the end of the one year grace period, must meet the criteria in this instruction at the time of approval or renewal, respectively. IOSH management will decide whether the ISP needs to go through another review and approval process for requested renewals. The decision should be based on the extent of changes necessary to meet the current policy.

- B. Components of the ISP Agreement.

1. All proposed ISP agreements must be in written form.

2. Although the particular structure and degree of formality of the ISP agreement is left to the discretion of IOSH and its partners, the proposed ISP written agreement must contain the core elements described below. A detailed discussion of mandatory provisions is provided in Appendix A. IOSH Strategic Partnership Agreements, Provisions for Developing Core Elements.
  - a. Identification of Partners. The proposed agreement shall identify all partners and the geographic and organizational boundaries of the ISP.
  - b. Purpose/Scope. State the purpose of the ISP and the scope of the agreement. Clearly define the aim of the ISP through a careful analysis of the issue(s).
  - c. Goals/Strategies. Identify the safety and health issues the ISP is intended to address and measures to gauge success. Clearly define goals that support the purpose and the desired outcome of the ISP. State strategies that describe how to accomplish the goal and reach the desired outcome (see Appendix B for additional guidance).
  - d. Performance Measures. Effective quantitative and qualitative performance measures linked to ISP goals must be identified in the ISP agreement. Performance measures are important tools that indicate the progress made towards achieving program goals (See Appendix B for additional guidance).
  - e. Safety and Health Management System. Employers participating in ISP must have or agree to implement in the near future an effective site-based SHMS.
  - f. Employee Involvement. Experience has shown that worker involvement is an essential component of any effective SHMS. Partnering employers must commit to incorporating a high level of worker involvement into their SHMS. (See Appendix D for additional information.) The ISP agreement must detail how employees and/or their representatives will be involved in the ISP.
  - g. Annual Evaluation. All ISP agreements must provide details on conducting the annual evaluation, including identifying responsible parties to gather data and ensure accurate and timely completion of the report. A tool for conducting this evaluation is provided in Appendix C. This standardized format is designed to improve efficiency, simplify the data collection process, and enhance IOSH's ability to report results.



- h. Incentives. Incentives are a valuable component of ISPs that draw interest and provide appropriate positive treatment based on the partner's undertakings. The ISP agreement must describe the selected incentives, if any, that IOSH and the partners agree on. Some incentives are tied to the partner's performance and IOSH's verification strategy.
  - i. IOSH Verification. IOSH will verify that ISP participants are upholding their responsibilities under the agreement.
  - j. ISP Management and Operation. The proposed agreement must provide details about the responsibilities for the management and operation of the ISP. The roles/responsibilities of each partner must be specified, including a statement of the contribution that each partner will provide to the effort.
  - k. Employee and Employer Rights and Responsibilities. Standard language ensuring legal rights must be stated in all ISP agreements: "This partnership does not preclude employees and/or employers from exercising any right provided under the Act, nor does it abrogate any responsibility to comply with the Act."
  - l. Term of ISP. The proposed agreement must specify the expected life of the ISP and any conditions under which the program will be terminated. (See Appendix A for standard termination statements).
  - m. Signatures. The primary parties must sign and date the ISP agreement to confirm their commitment to the partnership and all requirements and other provisions contained in the agreement. If all ISP signatories are not present at the signing ceremony, the original agreement can be circulated via mail for signature. The IOSH official is the last person to sign the agreement; the ISP becomes effective on that date.
- C. ISP Management and Operation. A systematic approach to the management and operation of an ISP will help ensure that partners accomplish the activities critical to ISP success and fulfill their agreed-upon responsibilities. Successful ISPs have the following management and operational components:
- 1. Clearly delineate roles and responsibilities of the partners.
  - 2. Regularly scheduled communication with all partners, as appropriate.

3. Partnering employers shall commit to incorporating employee involvement in the management and operation of their safety and health management system (see Appendix G, Guidance on Employee Involvement).
4. Performance of the required IOSH verification of the ISP partner. IOSH and the ISP partner may agree to conduct an offsite verification, an onsite non-enforcement verification, or an onsite enforcement inspection. Well-defined verification procedures (e.g., frequency, schedule) must be developed for the selected IOSH verification method. IOSH verification must be conducted as defined in the ISP agreement and sufficiently evaluate whether the partner is meeting the necessary obligations under the agreement.
5. Collection of the data as identified in the ISP agreement, and use of data in the preparation and completion of an annual evaluation.
6. Specific criteria to evaluate each participating partner and well-defined conditions to terminate the ISP agreement.
7. Proper maintenance of records and information in the ISP working file. Note: records voluntarily submitted to IOSH by the partnership participants may contain confidential information (see Appendix D for more guidance on Records/Information Management).

D. ISPP Outreach and Promotion.

1. All IOSH personnel involved in the ISP are expected to encourage interest and involvement in ISPs by communicating the program's goals, methods and successes.
2. With the consent of IOSH, the partner may issue a press release at the start-up of each ISP, and may issue subsequent press releases to inform the public of noteworthy events and achievements.
3. IOSH will encourage stakeholders to use other means of communication, such as trade journals, to highlight the value and results of the ISP experience.

E. ISP Approval Requirements. All ISP proposed agreements must be approved by IOSH management and IOSH legal staff.

## XI. IOSH Verification.

- A. Verification is IOSH's process of reviewing or assessing whether ISP participants are operating in accordance with the agreements they have signed. The verification procedures -- protocols -- must be written into all ISP agreements and must subsequently be implemented. These protocols must specify:
1. The number or percentage of employers who will receive IOSH verifications, as determined and based on its analysis of the particular situation.
  2. The type and scope of the verifications. The three types of verification are off-site verification, on-site verification, or on-site enforcement verification. Verification definitions and details are located in Appendix A.
  3. Assurance that citations will be issued and penalties assessed for violations of standards, regulations, or the general duty clause found during on-site enforcement verification inspections. An employer's SHMS will not in itself be basis for citation except pursuant to CFR 1926.20, 1926.21, or other specific standards that mandate safety and health programs.
  4. The manner in which employee and/or employee representatives will be involved in verifications. At a minimum, the verification protocols must afford employees all statutory rights pertaining to participation in inspections.
- B. ISPs may use their participants or private consultants to conduct worksite assessments. Such assessments, however, do not take the place of required IOSH verifications. The ISP can also use IOSH's Consultation Program (as appropriate) as an additional option to conduct worksite assessments.
- C. All ISPs must stipulate that partnering employers remain subject to IOSH inspections and investigations in accord with established agency procedures.
- D. It may not be necessary for IOSH to conduct a programmed inspection of a partnering employer if the Division has conducted a comprehensive, on-site enforcement verification inspection in accord with the approved protocols of the partnership within the last 12 months. The deletion Activity Code O#, which is described in paragraph B.1.b. (1)(b)6 d of OSHA Instruction CPL 02-00-025I, Scheduling System for Programmed Inspections, issued January 4, 1995, shall be used to delete an establishment from the targeting list.
- E. For inspections of construction ISP sites, certain programmed inspections may be affected by focused inspection provisions offered as an IOSH incentive and detailed in a Partnership's approved verification protocols (see XII.A. above).

F. If a partnering employer appears on a Special Emphasis Program (SEP) list, i.e., an NEP or LEP list, the inspection will focus on the hazards identified as targets of the SEP, if applicable, as well as any hazards identified as targets of the ISP effort. It is anticipated that, in most instances, the hazards that are the focus of an SEP will parallel or closely relate to the hazards identified as most serious by an ISP.

G. If a partnering employer is targeted for inspection under a programmed inspection plan that calls for comprehensive inspections, the inspection will be conducted in accord with established division procedures and will be comprehensive.

XII. **ISP Incentives.** The incentives discussed in this instruction may be available to ISP partners; however, the incentives do not automatically apply to every ISP. Incentives provided should be commensurate with participating partner's efforts to provide safe and healthful working conditions in accordance with their obligations under the Iowa Occupational Safety and Health Act, Iowa Code Chapter 88, and their degree of success. ISP partners must demonstrate commitment to the partnership effort. The partner may demonstrate their level of commitment through the establishment of meaningful goals to improve or enhance their safety and health management system and corresponding performance measures to evaluate progress in meeting those goals. Certain incentives require a specific level of verification of the partner's worksite to be eligible to receive the incentive. The ISP partner's commitment and the overall operation of the ISP is evaluated during one or more IOSH verification processes as described in the ISP agreement.

The section below provides a description of each approved incentive and the corresponding verification that must be satisfied for the partner to be granted the incentive. The ISP agreement must clearly specify which of these incentives will be offered to the partner. IOSH personnel will continue to investigate workplace complaints, referrals, fatalities, catastrophes, observed significant hazards and other significant accidents or events at partnering worksites, per the FOM and other enforcement guidance documents. IOSH may allow such an investigation to be suitable as meeting ISP verification requirements if it adequately assesses the key components of the ISP agreement.

A. **IOSH Non-enforcement Incentives.**

1. Outreach, technical assistance and training. Examples of these include:

a. Free onsite services may be provided by IOSH Consultation to qualifying partners. When Consultation agrees, an ISP participant may be offered priority consideration for these services.

- b. IOSH personnel may be available to ISP participants for a variety of onsite and offsite activities such as review of the safety and health management system, assistance to develop or improve the system and guidance in conducting audits and evaluations.
  - c. Seminars, workshops, and other speaking events.
  - d. Availability of informational materials such as safety and health brochures, pamphlets, videos and electronic tools.
2. Recognition such as certificates and press releases as approved by IOSH, recognition on IOSH's web page and letters. Other types of recognition may be offered by the ISP developers and detailed in the draft ISP agreement.

**B. IOSH Enforcement Incentives.**

1. ISPs may use any and all enforcement incentives allowed to any employer who receives an enforcement inspection. These incentives are detailed in the FOM.
2. Note concerning IOSH Incentives and Programmed Inspections: Within the context of ISPs, the term "programmed inspection" refers to traditional enforcement inspections as described in the FOM and in the SST Directive, i.e., inspection of workplaces that are selected according to national scheduling plans for safety and for health or special emphasis programs. Exemptions from routine programmed inspections are not provided because an employer participates in an ISP. Only active VPP and SHARP sites are eligible for this incentive.
3. New ISPs or those renewed after July 1, 2014 may not include any programmed inspection deferral or deletion provisions outside the scope of those provided to an employer through IOSH's current SST Directive and FOM. Only active VPP and SHARP sites are eligible for this incentive.

**C. Programmed Inspection with a Limited Scope. Non-Construction**

An ISP agreement that includes worker participation may include a limited scope inspection where it can be clearly demonstrated to result in a more effective partnership. Any proposed ISP for non-construction worksites with a provision for a limited scope inspection must be approved by IOSH management and IOSH legal staff in advance of the ISP agreement's development.

**D. Programmed Inspection with a Limited Scope. Construction**

For construction worksites, OSHA's "focused inspection" policy remains in effect (see 1994 memo signed by then-Deputy Assistant Secretary James Stanley). This

provision is available only where the partner has effective safety and health programs fully compliant with 29 CFR 1926.20 and 29 CFR 1926.21, the effectiveness of these programs is confirmed during the on-site enforcement inspections, and the partner demonstrates adequate control over safety and health for the entire worksite, including work performed by all subcontractors.

- E. Non-IOSH Incentives. ISP developers should consider incentives other than those that partners and stakeholders can bring to the ISP effort. Some examples are listed below:
1. An employer group or labor organization may offer employees safety and health training.
  2. An insurance company may offer reductions in workers' compensation premiums to employers meeting specific safety and health management system criteria.
- F. Other Incentives. Any incentive not discussed in this section must be described in detail in the proposed written ISP agreement and be reviewed and approved by IOSH management and IOSH legal staff. Partnership-developed incentive programs may not provide disincentives to workers for reporting injuries and illnesses and/or actively engaging in safety and health processes.
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APPENDIX  
A

IOSH STRATEGIC PARTNERSHIP AGREEMENTS

PROVISIONS FOR DEVELOPING CORE ELEMENTS

IOSH desires to encourage flexibility, creativity, and sensitivity in the ISP development process. There are no standard rules for initiating dialogue to develop effective ISPs. IOSH may initiate discussion with potential partners, or outside parties may approach IOSH to form a partnership. What works for one group of partners may not be appropriate for another. However, IOSH has learned from experience that there are core elements critical for creating well-functioning and ultimately successful ISPs. All ISPs must address these elements and discuss them in the written ISP agreement.

**Required Elements:**

A. IDENTIFICATION OF PARTNERS

1. During early development discussions, ISP developers should identify all appropriate partners and seek to involve other willing stakeholders, both national and local, whose input and participation could further the goals of the program.
2. Contacting other OSHA Offices or scanning the OSPP web page may help identify important stakeholders. In addition to IOSH and its primary partners, other potential partners are trade groups, insurance companies, universities and community colleges, local government entities, community healthcare and emergency service providers, professional associations, and other interested stakeholders.
3. ISPs normally involve one or more employers and their workers and/or their representatives and other interested stakeholders.
4. Iowa's State Consultation Projects can make valuable contributions to many ISPs. Developers are encouraged to involve Consultation personnel at the earliest stages of planning and, as appropriate, during subsequent implementation.
5. Workers can bring valuable skills and perspective to the development and operation of the ISP. Their involvement is recommended in the initial development of the ISP agreement. Worker involvement in the day-to-day implementation of worksite SHMS and other ISP activities is required.

B. PURPOSE/SCOPE

1. The Purpose/Scope of the ISP must be determined during the development stage of the ISP. The ISP agreement must clearly detail what the ISP will accomplish and to what extent.
2. A critical analysis should be performed to identify the purpose of the ISP. This analysis should examine the identified worker safety and health issues and evaluate the most suitable approach for developing an ISP to produce effective solutions. The result should identify how the ISP can most effectively improve the situation.
3. The process should also consider the suitability of the ISP for meeting the requirements and goals for resolving or improving the identified worker safety and health issue/problem.
4. Effective analyses not only rely on statements from the ISP participants and anecdotal experience, but also examine data from various industry sources that can objectively characterize the safety and health issue to be addressed by the ISP.

C. GOALS/STRATEGIES

1. The ISP must identify the major goal(s) of the agreement.
2. Well-defined goals support the purpose and define the expected outcome(s) of the ISP.
3. The strategies should describe the approach for reaching the goals. Effective strategies define the plan or key steps necessary for attaining the goal.
4. The ISP agreement must provide information on the specific tasks/actions or initiatives that will be performed to achieve the stated goals. For each specific task/action or initiative, provide details on the responsible party, the necessary resources, and expected time frames for task completion.
5. An example of a broad goal for an ISP could be: to reduce worker injuries and illnesses. Strategies to achieve this goal could be: implement an effective SHMS; eliminate/control a serious hazard endangering workers. The specific initiatives for each strategy could include tasks/actions such as: perform workplace surveys; conduct worker training; or develop a hazard communication program.



D. SAFETY AND HEALTH MANAGEMENT SYSTEMS

1. Employers participating in an ISP must have or agree to implement in the near future an effective site-based SHMS.
2. SHMS is a method of preventing worker fatalities, injuries, and illnesses through the ongoing planning, implementation, integration, and control of four interdependent elements: Management Leadership and Worker Involvement; Worksite Analysis; Hazard Prevention and Control; and Safety and Health Training.
3. A safe and healthful workplace depends on the active participation of workers, individually and through their representatives, at every level of safety and health activity.
4. Experience has shown that worker involvement is an essential component of any effective SHMS. Partnering employers must commit to incorporating a high level of worker involvement into their SHMS. (See Appendix E for additional information.)
5. The basic structure of the partners' SHMS should be patterned after OSHA Safety and Health Program Management Guidelines, FRN 54:3904-3916, January 26, 1989; and/or 29 CFR 1960, Basic Program Elements for Federal Workers,

E. WORKER INVOLVEMENT

1. Workers bring valuable skills and perspective to the development and operation of the ISP. Their involvement is required to be integral to the operation of the ISP. They should also take part in discussions during the development of the ISP agreement.
2. The ISP agreement must detail how workers and/or their representatives will be involved in the ISP

F. PERFORMANCE MEASURES

1. Effective performance measures compare the actual result with the intended or desired outcome. The process of establishing performance measures must begin during ISP development and must be addressed in the agreement.
2. ISPs must identify and use results-focused quantitative measurements for

evaluating program goals. Because all partnerships aim to reduce workplace fatalities, injuries, and illnesses, each ISP must identify baseline data. Baseline measures, or at the very least what these measures will be and their sources, should be included in the agreement. The ISP must track changes at either the employer or the participant level.

3. Examples of other quantitative performance measures include workers' compensation rate comparisons, workers' compensation costs, number of workplace inspections performed and response time for correcting identified hazards, and survey results of worker knowledge before and after ISP-sponsored training.
4. Qualitative performance measures may also be used to assess ISP effectiveness. Although less tangible, these measures are important to the success of the ISP. Examples of qualitative outcomes include improved worker morale, increased worker understanding of safety and health requirements, and better attitudes or cultural acceptance of SHMS in the workplace.
5. Wherever possible, performance measures should relate to the current IOSH Strategic Plan and should gauge whether the ISP is an effective strategy, whether it uses resources efficiently, and whether it contributes to the goals and priorities IOSH has set.

## G. EVALUATION

1. Once meaningful performance measures are in place, IOSH and its partners must conduct annual evaluations to identify strengths and weaknesses of the ISP strategies and progress in meeting ISP goals.
2. The evaluation is a collaborative effort of the primary partners and IOSH. It is incumbent upon the partners to provide IOSH with the necessary data and assistance in developing the annual evaluation. Minimally, the evaluation should be completed by someone with knowledge of the ISP's strategies who can verify the completion of applicable requirements and recognize areas needing improvement.
3. The format for the ISPP Annual Partnership Activities Report and Evaluation has been developed to standardize the process and ensure consistency in the data collected. Evaluators use the report format/template provided in Appendix C, which contains the minimum data that must be supplied. The evaluation should provide pertinent information needed to determine whether the ISP should be modified to better meet its goals, be discontinued. Additional information, measures,

and results may be provided to adequately assess the ISP. The evaluation must be completed within two months after each anniversary of the ISP signing.

## H. VERIFICATION PROCEDURES

IOSH will verify that ISP participants are upholding their responsibilities under the ISP agreement. Below is a description of the types of verification that should be considered and defined in the ISP:

1. Off-site Verification: IOSH reviews ISP data, reports, etc. without actual entry into the partner's worksite(s). The ISP agreement should identify verification procedures including:
  - a. Any off-site verification activities that IOSH will perform. These may include, for example, IOSH review of the Annual Partnership Evaluation Report, OSHA Form 300 data, and quarterly progress reports.
  - b. The frequency of any off-site verification.
  - c. The written format for documenting off-site verification.
  - d. Who is responsible for performing verification activities, collecting and evaluating data, and providing reports to the appropriate parties.
  
2. On-site Non-enforcement Verification: Non-enforcement verifications may be conducted with partners to discuss and review their worksite and their progress within the ISP. Non-enforcement verifications can be tailored specifically to meet the needs of the individual ISP. An effective format is a presentation given by the partner on ISP initiatives and a worksite review by IOSH. To take maximum advantage of the time on-site, IOSH may request and review documents prior to arrival at the partner's worksite. During such visits, if IOSH personnel identify serious hazards that site management refuses to correct, IOSH should make a referral for an enforcement inspection. The ISP written agreement should identify on-site non-enforcement verification procedures including:
  - a. The scope of the non-enforcement on-site verification.
  - b. The minimum number or percentage of worksites that will receive IOSH on-site non-enforcement verification, as determined by the IOSH originating office based on its analysis and understanding of

the partner's SHMS.

c. How workers and/or worker representatives will be involved in all on-site non-enforcement verification.

3. On-site Enforcement Verification: These inspections include the potential for issuing citations and assessing penalties for violations. These inspections may be combined with other programmed and unprogrammed inspections -- for example, an SST or complaint inspection.

#### I. INCENTIVES

1. Incentives provided must be commensurate with participating partners' efforts to provide safe and healthful working conditions in accord with their obligations under the Act and their degree of success. The incentives for the ISP should be linked to goals and performance measures that are mutually agreeable to IOSH and ISP partners.
2. It is essential that ISP developers (both IOSH personnel and potential partners) understand the Division's policy concerning enforcement at partnering sites.
3. Any incentives not established in this Directive or in another enforcement policy must be described in detail in the proposed ISP agreement and reviewed and approved by IOSH management and legal staff. Partnership-developed incentive programs may not provide disincentives to workers for reporting injuries and illnesses and/or actively engaging in safety and health processes.

#### J. ISP MANAGEMENT AND OPERATION

1. A systematic approach to the management and operation of an ISP will help ensure that partners accomplish the activities critical to ISP success and fulfill their agreed-upon responsibilities.
2. Leveraging of resources is critical in the day-to-day management and operation of an ISP. To assure maximum leveraging and participant involvement, the roles and responsibilities of each partner must be specified in the agreement, including a statement of the contribution that each partner will make.
3. In some cases, the ISP agreement will specify a steering committee (or partnership management team) composed of representatives from IOSH and from the employers and the workers participating in the ISP. Another possibility is that the agreement assigns responsibility for ISP

management and operation to an individual, for example the safety and health director of the industry group partnering with IOSH.

4. IOSH recommends employers involve workers at the outset of the ISP's development. Evidence of worker involvement in an ISP is required.
5. If an ISP includes unionized worksites, it is desirable that affected unions are actively involved in the ISP. The level of union involvement (local, international, or both) will depend on the scope and nature of the ISP.
6. The ISP must have a designated IOSH "Primary Contact" who advocates participation and continuous improvement and articulates and promotes the goals and actions set out in the agreement.

#### K. WORKER AND EMPLOYER RIGHTS

The ISP agreement must contain the following statement: "This partnership does not preclude workers and/or employers from exercising any right provided under the IOSH Act, nor does it abrogate any responsibility to comply with rules and regulations adopted pursuant to the Act."

#### L. ISP TERM

1. The proposed agreement must specify the expected duration of the ISP and any conditions under which the program will end, such as:
  - a. "Sunset provision" that specifies the date when the agreement is automatically terminated.
  - b. Termination if a primary party unilaterally withdraws.
  - c. Closure when the goals of the ISP have been met.
  - d. Termination when the ISP is failing to meet requirements -- for example, failing to provide required annual evaluation data.
2. Typically, the term of an ISP agreement is three to five years. This timeframe is sufficient for accomplishing basic ISP goals. Standard term language for the proposed agreement may be:
  - a. For Multiple Signatories:
    - This agreement will terminate on \_\_\_\_\_ (or at the

completion of construction; use only for a construction ISP) which is three years from the date of the signing. If any signatory of this agreement wishes to terminate its participation prior to the established termination date, written notice of the intent to withdraw must be provided to all other signatories.

- If IOSH chooses to withdraw its participation in the partnership, the entire agreement is terminated. Any signatory may also propose modification or amendment of the agreement.

b. For a Single Signatory:

This agreement will terminate on \_\_\_\_\_, which is three years from the date of the signing. If either IOSH or (insert name of partner) wishes to withdraw its participation prior to the established termination date, the agreement will terminate upon receiving written notice of the intent to withdraw from either signatory.

c. For Non-Signatory Participants:

- For non-signatory participants of the ISP, IOSH may terminate the participant's involvement at any time with written notice. Additionally, the participant may withdraw its participation from the ISP at any time with written notice to IOSH of the intent to withdraw.

M. SIGNATURES

1. OSHA representatives and primary parties will sign and date the OSP agreement to ensure commitment to the OSP requirements and other provisions.
2. If all OSP signatories are not present at the signing ceremony, the original agreement can be circulated via mail for signature. The OSHA official from the OSP originating office is the last person to sign the agreement. The OSP becomes effective on that date.
3. A draft signature page, with signatories clearly identified by name, title, and organization, should be submitted with the draft OSP agreement as part of the approval process.

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## APPENDIX B

### PERFORMANCE MEASURES

To effectively measure progress, performance measures derived from program goals and objectives must be established. This process is a critical success factor for meeting stated objectives. Establishing well-defined performance measures enables the assessment of the ISP's success at achieving the desired improvements to the workplace safety and health management system at participating sites. In addition, good measures form the basis for an objective and systematic analysis of the results, impact, or effects of the ISP. Several steps are involved in establishing performance measures, including selecting meaningful performance measures, establishing baseline data, and collecting data to measure progress. Each of these steps is discussed in this appendix.

#### SELECTING PERFORMANCE MEASURES

Preferably in the initial agreement, or at a minimum at the outset of the ISP, the partners must identify the specific measures or indicators that will be tracked to assess progress toward achieving the ISP goals. Participants in an ISP should analyze their agreement's goals and determine the most useful performance measures to track progress. The selected measures should be reasonable and not overly burdensome so that participants have the logistical and administrative capacity to track the data. To develop the most effective performance measures, feedback from all participants should be obtained prior to making decisions. The views and opinions of the individuals directly responsible for collecting data and tracking the measures may serve as an invaluable technical resource for developing the most suitable ISP strategies.

#### Attributes of Good Performance Measures

Good performance measures for an ISP should be balanced to address all of the key goals of the agreement. ISP performance measures should be meaningful and focused to include useful and relevant metrics. Measurements that are data-rich but lack insight have very limited value for developing prudent solutions. The measures should provide substantive information concerning the status of the specific strategic focus of the ISP. For example, voluminous monthly reports on illnesses are irrelevant if the ISP goal is elimination of fatalities. Other attributes of good performance measures include:

Measurements should be valid and reliable. Validity speaks to the accuracy of a measurement. Reliability means the data can be replicated. For example, if the number of employee injuries is being tracked, a valid result is a number that is accurate within a narrow range. A reliable result is one that can be repeated if the measurement is recalculated.

Measures should be flexible, considering a variety of sources and means.

Measures should be practical, that is, time and cost-effective to obtain.

## Types of Performance Measures

Performance measures, for ISPP purposes, are quantitative and qualitative data used to evaluate an ISP's effectiveness. A mandatory quantitative measure for all ISPs is the workplace injury and illness rates. The Partnership Evaluation Report found in Appendix C contains the minimum data that must be tracked and reported on an annual basis. Development of performance measures linked to these quantitative evaluation criteria is recommended. Below is a non-exhaustive list of some other quantitative and qualitative performance measures that may be useful to assess progress of an ISP agreement:

- Number of job safety analyses conducted
- Exposure assessment data
- Number of employee complaints
- Breadth of training delivered
- Level of employee knowledge before, immediately after, and 6 months after training
- Number of worksite audits
- Number of hazards identified and abated
- Number of root cause analyses conducted
- Improved employee productivity
- Increased employee involvement
- Number of safe actions demonstrated in the workplace
- Enhanced communication between management and employees

The table below provides several examples of performance measures tied to ISP goals and strategies:

Goal	Strategy	Measures/Products
1. Identify and communicate an effective process to develop and implement successful ergonomic programs and guidelines.	a. Develop a written process to address ergonomic hazards in the workplace.	i. Number of sites where ergonomic process has been effectively implemented. ii. Number of training courses/people trained in process. iii. Awareness survey of employees.
2. Reduce the incidence and severity of MSD's at participating facilities.	b. Develop an ergonomic protocol to assist in assessing compliance with General Duty Clause requirements.	iv. Baseline of MSD cases. v. MSD cases involving day(s) of restricted work activity.



		<ul style="list-style-type: none"> <li>vi. MSD cases involving day(s) away from work.</li> <li>vii. The number of MSD-related surgeries.</li> <li>viii. An annual comparison of these incidence and severity criteria to the baseline numbers.</li> </ul>
<p>3. Increase the number of sites eligible for and participating in the VPP.</p>	<ul style="list-style-type: none"> <li>c. Use the VPP report format to assess baseline status of sites.</li> <li>d. Develop annual strategies to address deficiencies noted in baseline and subsequent annual evaluations.</li> </ul>	<ul style="list-style-type: none"> <li>ix. Number of sites applying for VPP.</li> <li>x. Number of sites accepted for participation.</li> </ul>

### ESTABLISHING A BASELINE

Once performance measures have been selected, baseline data must be established. To effectively measure progress and improvement, baseline data is established at the beginning of a process for comparison with new data. If historical data is available, it can be used as the baseline. The baseline is usually derived from the most recent one-year period, or a shorter time frame, if available. If no data is available, industry averages can be used. Otherwise, data will need to be collected to establish the initial baseline information. For example, if an ISP goal is to reduce the number of employees exposed to silica, useful baseline information would include the average number of documented workplace exposures for a specified period of time or the information available in OSHA's Integrated Management Information System (IMIS) on exposure rates for the industry. The baseline data will serve as a starting point from which ISP results will be gauged.

### COLLECTING DATA

Data must be collected and then analyzed for each performance measure to determine if and how well goals are being met. Data collection should be based on pre-determined definitions. These definitions need to be universally understood by all ISP participants. Data collected within a common framework of understanding can be easily compared and analyzed, allowing subsequent evaluations to be consistent.

APPENDIX C

IOSH Strategic Partnership Program  
Annual Partnership Evaluation Report

[ Download [151Kb Word](#) (version 2000 and higher) file ]

Partnership ID#	
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Cover Sheet

Partnership Name

Purpose of Partnership		
Goal of Partnership		
Goal	Strategy	Measure
Anticipated Outcomes		

Strategic Management Plan Target Areas (check one)			
Construction			
General Industry			
IOSH's Areas of Emphasis (check all applicable)			
Amputations		Scaffolding	
Asbestos Removal		Concrete Plants	
Lead in all Industries		Trenching and Excavations	
Fall Hazards in Construction		Ethanol Plants	
Bloodborne Pathogens		Silica-Related Disease	

Dental Labs		Non-Ferrous Foundries in Brass or Aluminum	
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Section 1 - General Partnership Information

Date of Evaluation Report			
Evaluation Period:			
Start Date		End Date	

Evaluation OSHA Contact Person	
Originating Office	

Partnership Coverage			
# Active Employers		# Active Employees	

Industry Coverage (note range or specific SIC and NAICS for each partner)		
Partner	SIC	NAICS

Section 2 - Activities Performed

Note whether an activity was provided for by the OSP and whether it was performed		
	Required	Performed
a. Training		
b. Consultation Visits		

c. Safety and Health Management Systems Reviewed/Developed		
d. Technical Assistance		
e. VPP-Focused Activities		
f. IOSH Enforcement Inspections		
g. Offsite Verifications		
h. Onsite Non-Enforcement Verifications		
i. Participant Self-Inspections		
j. Other Activities		

<b>2a. Training (if performed, provide the following totals)</b>		
Training sessions conducted by IOSH staff		
Training sessions conducted by non-IOSH staff		
Employees trained		
Training hours provided to employees		
Supervisors/managers trained		
Training hours provided to supervisors/managers		
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)		

<b>2b. Consultation Visits (if performed, provide the following total)</b>		
Consultation visits to partner sites		
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)		

<b>2c. Safety and Health Management Systems (if performed, provide the following total)</b>		
Systems implemented or improved using the 1989 Guidelines as a model		
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)		

2d. Technical Assistance (if performed, note type and by whom)			
	Provided by IOSH Staff	Provided by Partners	Provided by Other Party
Conference/Seminar Participation			
Interpretation/Explanation of Standards or IOSH Policy			
Abatement Assistance			
Speeches			
Other (specify)			
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)			

2e. VPP-Focused Activities (if performed, provide the following total)	
Partners/participants actively seeking VPP participation	
Applications submitted	
VPP participants	
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)	

2f. IOSH Enforcement Activity (if performed, provide the following totals for any programmed, unprogrammed, and verification-related inspections)	
IOSH enforcement inspections conducted	
IOSH enforcement inspections in compliance	
IOSH enforcement inspection with violations cited	
Average number of citations classified as Serious, Repeat, and Willful	
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)	

2g. Offsite Verification (if performed, provide the following total)	
Offsite verifications performed	
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)	

<b>2h. Onsite Non-Enforcement Verification (if performed, provide the following total)</b>	
Onsite non-enforcement verifications performed	
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)	

<b>2i. Participant Self-Inspections (if performed, provide the following total)</b>	
Self-inspections performed	
Hazards and/or violations identified and corrected/abated	
Comments/Explanations (briefly describe activities, or explain if activity provided for but not performed)	

<b>2j. Other Activities (briefly describe other activities performed)</b>

Section 3 - Illness and Injury Information <sup>A</sup>

Year	Hours	Total Cases	TCIR	# of Days Away from Work Restricted and Transferred Activity Cases	DART
20--					
20--					
20--					
<b>Total</b>					
<b>Three-Year Rate (20--20--)</b>					
<b>BLS National Average for 20- Baseline</b>					

<b>Comments</b>

<sup>A</sup> Sample Chart - not required format

Section 4 - Partnership Plans, Incentives, and Recommendations

Changes and Challenges (check all applicable)		
	Changes	Challenges
Management Structure		
Participants		
Data Collection		
Employee Involvement		
IOSH Enforcement Inspection		
Partnership Outreach		
Training		
Other (Specify)		
Comments		

Plans to Improve (check all applicable)		
	Improvements	N/A
Meet more often		
Improve data collection		
Conduct more training		
Change goals		
Comments		

Partnership Incentives(check all applicable)	
Increased safety and health awareness	
Improved relationship with IOSH	
Improved relationship with employers	
Improved relationship with employees or unions	
Increased number of participants	
Other (specify)	
Comments	

Status Recommendations (check one)	
Partnership Completed	
Continue/Renew	
Continue with the following provisions:	
Terminate (provide explanation)	



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## APPENDIX D

### GUIDANCE ON EMPLOYEE INVOLVEMENT

Experience has shown that employee involvement is an essential component of any effective safety and health management system. Any IOSH Strategic Partnership (ISP) agreement that requires implementation of a safety and health management system must have partnering employers commit to include employee involvement in their management system. During any verification activity, and during IOSH inspections, IOSH will consider the degree and quality of employee involvement. Employee involvement should also be considered during the periodic worksite self-evaluations that are integral to an effective safety and health management system. To ensure the quality of involvement, appropriate safety and health training may be necessary prior to involving employees in many safety and health activities. Employee involvement may include, but is not limited to:

- Conducting worksite inspections, safety and health audits, job hazard analyses, and other types of hazard identification.
- Developing and using a system for reporting hazards.
- Developing and revising the worksite's safety and health rules and safe work practices.
- Participating on workplace teams charged with identifying root causes of accidents, incidents, or breakdowns.
- Implementing controls to eliminate or reduce hazard exposure.
- Assisting in job hazard analyses.
- Making presentations at safety and health meetings.
- Participating on safety and health committees, joint labor-management committees, and other advisory or specific purpose committees, if otherwise lawful and appropriate.
- Delivering safety and health training to current and newly hired employees.
- Participating in safety and health program reviews.