

AGC/NM OSHA CHASE PARTNERING AGREEMENT ADDENDUM

October 2011

- 1) The Blue and White level participants of AGC CHASE will receive an additional 10% good faith penalty reduction for being a member of a partnership.
Reference: Section D: page 1 of 2 (white level #3) and page 2 of 2 (blue level #5)
- 2) Participants in all three levels of membership, Red, White and Blue, will not receive citations for other than serious violations provided the hazards are corrected at the time of inspection or within a prescribed agreed upon time.
Reference: Section D: page 1 of 2 (red #1 & white level # 2) and page 2 of 2 (blue level #4)
- 3) The Blue level participants will receive un-programmed inspections only in response to reports of imminent danger, formal complaints, fatalities, catastrophes, referrals alleging a serious injury has occurred, or failure to provide in writing a satisfactory response to an inquiry. NM OSHA will investigate all other referrals by inquiry.
Reference: Section D: page 2 of 2 (blue level #3)
- 4) During programmed and referral inspections, Blue level participants will not be inspected at worksites which are not under their control unless one or more of the following conditions exist: the participant is covered by a referral allegation; a serious injury or illness is being investigated; or the NMOSHA Compliance Program Manager deems inclusion necessary to investigate a serious hazard already identified during the inspection.
Reference: Section D: page 2 of 2 (blue level #6)
- 5) If a complaint or referral is received concerning a partnership member, a copy of the referral will be sent to the employer, but not to the partnership committee.
Reference: Section D: page 2 of 2 (blue level #3)

for Butch Longate 12/20/11
F. David Martin date
Secretary, NMED

Shad S. J. 12/19/11
Shad James, 2011 President date
NM Building Branch, AGC

Victoria D. Mora 12/8/2011
Victoria D. Mora, CEO date
NM Building Branch, AGC

Mary Uhl 12/14/11
Mary Uhl date
Bureau Chief, NM OSHA

James Magoffe 12/19/11
James Magoffe, 2010-2011 Chair date
AGC Safety, Health, and
Environment Committee

Margo A. Maher 12/8/2011
Margo A. Maher, date
AGC Director of Safety

CHASE
PARTNERING AGREEMENT –
ADDENDUM – 12/12/2011

between the

NEW MEXICO ENVIRONMENT DEPARTMENT
OCCUPATIONAL HEALTH AND SAFETY BUREAU
&
ASSOCIATED GENERAL CONTRACTORS OF AMERICA
NEW MEXICO BUILDING BRANCH

The New Mexico Occupational Health and Safety Bureau (NM OSHA) and Associated General Contractors (AGC), New Mexico Building Branch, mutually recognize the importance of providing a safety and healthful working environment for New Mexico's construction workforce. To advance our mutual goal, we strongly agree on the need to develop a working relationship that creates mutual trust and respect for the respective roles of each organization in the construction process.

We remain committed to work as partners to achieve construction workplace safety through implementing the provisions of the Construction Health and Safety Excellence (CHASE) partnering program as stated in the national agreement between Federal OSHA and AGC of America. Implementation of a State level partnering charter is expected to result in decreased injuries, illnesses, and fatalities in the construction industry.

The parties agree that this agreement is effective until **May 23, 2013**, after which it may be re-negotiated upon request of either party. The parties may make changes or amendments during the course of the agreement, upon mutual agreement.

Agreed to this 18th day of May, 2010

Sarah Cottrell for
Ron Curry
Secretary, NMED

Tony Thomas
Tony Thomas, 2010 President
NM Building Branch, AGC

Vicki Mora
Victoria D. Mora, CEO
NM Building Branch, AGC

Butch Tongate
Butch Tongate
Bureau Chief, NM OSHA

James Magoffe
James Magoffe, 2010 Chair
AGC Safety, Health, and
Environment Committee

Margo A. Maher
Margo A. Maher, AGC Director of Safety