



2016

Safety Manual and Hazard Communication Plan

As an: (circle one)

Employee

Subcontractor

Other, Please describe _____

I acknowledge that I have received a copy of the Hull Property Group & Gemini Construction Company Safety Manual and Hazard Communication Plan. As a condition of doing business and/or employment with Hull Property Group, LLC & Gemini Construction Company, LLC, I have read and understand my responsibilities as they are defined in this program and will abide by these rules, policies and procedures as well as any regulations or otherwise governing safety.

Indication of Acknowledgement

Print Name: _____

Signature: _____

Date: _____

This manual is available to any interested party. Only one original with approval signatures (as indicated below) exists. Uncontrolled copies are available either by printing or request.

Revision	Effective Date	Description Of Change
--	8/23/10	Original
01	12/6/12	Updated Safety Manager Information
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04 27 16	04 27 16	Minor changes made through out document.

Approvals

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Safety Policy

The management of Hull Property Group and Gemini Construction recognizes the health and safety of its patrons, tenants and employees is of paramount importance to the success of the business. In addition, management strives to provide the safest and most secure shopping venues. Employees have the right to expect a safe and healthy working environment along with safe job methods and practices.

Managers, including project managers, project engineers and superintendents are fully responsible for:

1. Maintaining safe and healthy working conditions.
2. Implementing Safety Programs within their respective departments.

Employees are expected to:

1. Follow safe work practices and procedures.
2. Adhere to all safety rules.
3. To detect and report unsafe conditions, practices, and behaviors at all work locations.

No job is to important not to perform our work safely.

1.0 Management Safety Declaration

The management of Hull Property Group, LLC and Gemini Construction Company, LLC is committed to providing employees with a safe and healthful workplace.

Our policy is that employees:

- Report unsafe conditions.
- Do not perform work tasks that they consider unsafe.
- Report all accidents, injuries, and unsafe conditions to their supervisors.

In addition, management will:

- Give thorough consideration of employee recommendations to improve safety and health conditions.
- Promote and Influence safe behavior, positive reinforcement of correct and safe activity.
- Execute disciplinary action for those who willfully or repeatedly work in an unsafe manner.
- Provide safety and health training as needed.
- Review and update workplace safety policies, practices and performances.

Disciplinary action will include the following steps (in this order):

- 1) Verbal Warning.
- 2) Written Warning.
- 3) Suspension without pay.
- 4) Termination of employment.

Disciplinary action for all Subcontractors will include the following steps (in this order):

- 1) Verbal Warning.
- 2) Written Warning.
- 3) Removal from job site.

Management reserves the right to terminate any employee or subcontractor at any time for violation of company policies.

This policy statement serves to express this company's commitment to and involvement in providing our employees and subcontractors a safe and healthy workplace.

Rob Johnson
Rob Johnson, President

04/27/2016
Date

1.1 Purpose

Providing safe working conditions and maintaining continuity of employment is of continual concern to Hull Property Group and Gemini Construction. Therefore, the management designed these policies and procedures in order to ensure safe, efficient operating conditions, thereby safeguarding employees and company property.

1.2 Responsibilities

1.2.1 Management

- Ensure that safety is adequately budgeted
- Communicate safe work practices regularly within the company
- Attend departmental and company-wide safety meetings
- Formally recognize outstanding safety performance by any/all personnel
- Assist the Safety Manager, Supervisors, or any other personnel with the safety process as needed or as requested
- Uphold and enforce safe work practices

1.2.2 Safety Manager

- Personally conduct regular inspections of the workplace
- Uphold and enforce safe work practices
- Formally recognize and reward outstanding safety performance all personnel
- Solicit and collect employee recommendations to improve safety, discuss recommendations with management, implement recommendations, and reward employees for implemented recommendations
- Maintain a written record of any safety violations in the workplace and administer appropriate disciplinary action
- Ensure that all Supervisors are holding weekly toolbox safety meetings
- Ensure New Hire Orientation is administered to new employees.
- Maintain OSHA logs as required

1.2.3 Construction Managers/Superintendents/Project Engineers

- Ensure new-hire orientation is given to new employees
- Ensure employees are given training that includes safe work practices on equipment, tools, machines, processes, etc.
- Personally conduct regular inspections of the workplace
- Conduct daily work discussions prior to the start of work
- Conduct weekly toolbox safety meetings with all Employees and Subcontractors and enforce attendance. Submit record of attendance and topics discussed to Safety Manager
- Uphold and enforce safe work practices
- Report any incidents to Ashley Dolce

1.2.4 All Employees

- Follow safe work practices
- If unsure of what is the correct/safe way to perform a task, do not perform task, and contact supervisor to obtain further direction
- Immediately report all unsafe equipment or tools to their foreman, supervisor or manager
- Uphold the safe work practices this company has established
- If injured on the job immediately inform their supervisor, foreman or manager
- Make recommendations to Supervisor or Safety Manager on ways jobsite safety may be improved
- Never perform an unsafe task even if asked by a supervisor

2.0 Posted Jobsite Safety Setup

See Appendix C.

3.0 Safety and Health Training

3.1 Safety and Health Orientation

Workplace safety and health orientation begins on the first day of initial employment or job transfer. Each employee should have access to a copy of the written safety program, through his or her supervisor, for review and future reference, and will be given a personal copy of any safe work practices, policies, and procedures pertaining to his / her job. Construction Managers should question employees and should answer employees' questions to ensure knowledge and understanding of safe work practices, policies, and job-specific procedures. Construction Managers and Superintendents are responsible to inform all employees that compliance with the safe work practices is required.

All subcontractors are responsible for required training for all of their employees. In addition, all subcontractors are responsible for providing HPG or Gemini with documentation for all employees, i.e. certificates of completion, within 2 hours of request. Training at a minimum shall be job specific and OSHA compliant to construction.

All subcontractors are responsible to know and comply with Title 29; Chapter XVII Parts 1904, 1910 & 1926 CFR Under OSHA Department of Labor.

3.2 Job-Specific Training

- Managers and Supervisors should receive basic safety and health training as it relates to their positions
- Supervisors will initially train employees on how to perform assigned job tasks safely.
- Supervisors will carefully review with each employee any specific safe work practices, policies, and procedures that are applicable
- Supervisors will observe employees performing the work. If necessary, the supervisor will provide a demonstration using safe work practices, or remedial instruction to correct training deficiencies before an employee is permitted to do the work without supervision
- All employees will receive safe operating instructions on seldom-used or new equipment before using the equipment
- Supervisors will review safe work practices with employees before permitting the performance of new, non-routine, or specialized procedures

3.3 Periodic Retraining of Employees

All employees will be retrained periodically on safe work practices, policies and procedures, and when changes are made to the written safety program.

If necessary, individual employees will be retrained after the occurrence of a work-related injury caused by an unsafe act or work practice, or when a supervisor observes employees displaying unsafe acts, practices, or behaviors.

4.0 First Aid and Medical Assistance

There will be adequate first aid supplies and /or an adequate first aid kit available at each workplace. Where required, or in the case of an emergency where the workplace is located in a remote location and emergency medical assistance cannot arrive within a few minutes, there will be a designated certified first aid trained employee who can assist in first aid emergency cases. Employees who receive work related injuries or illnesses will be given immediate attention in regards to the nature of their injury or illness. In the event of a serious accident, an employee should call 911 immediately.

5.0 Incident Reporting and Investigation

All employees will be held accountable for failing to report a job injury immediately. (Immediately meaning at or near the time of the injury and on the same day of the injury.) Employees must report the injury to their Supervisor i.e. Foreman, Superintendent, Project Manager, or Property Manager. The Property Manager will then follow the proper reporting procedures.

Failing to report an injury immediately (at or near the time of injury and on the same day of the injury) is a violation of Project Safety Policy and may be subject to immediate termination. Every employee of HPG and Gemini Construction, Subcontractors, Vendors, and Suppliers are expected to comply with project policy and to comply with all applicable Health and Safety Standards.

5.1 Incident Investigation Procedures

The Property Manager at the location where the incident occurred will perform an incident assessment. Incidents can include property damage, near misses and workplace injuries and illnesses. This is to assess the nature and the cause of the incident, not to place blame on personnel. Supervisors need to investigate incidents using procedures that include:

- Notify Property Manager immediately.
- Implement temporary control measures to prevent any further injuries to employees or damage to equipment or property or the public.
- Review the equipment, operations, and processes to gain an understanding of the accident situation.
- Log names of all Witnesses.
- Investigate causal conditions and unsafe acts; make conclusions based on existing facts.
- Complete the incident investigation report with the Property Manager.
- Identify follow up procedures such as training, job removal, etc.

5.2 Incident Report Form

The Report of a Job-Related Accident form is incorporated as a part of this plan and is to be completed by the Property Manager following any incident or near-miss situation.

Incident reports must be submitted directly to Ashley Dolce ONLY via Property Manager immediately. Contact Safety Manager for further instructions.

6.0 Record Keeping Procedures

The company will control and maintain all employee accident and injury records. Records are maintained for a minimum of five (5) years following the end of the year to which they relate. The data on the Injury and Illness log and posting of the Summary of Work-related injuries and illnesses will be in accordance with government regulations. The following will be included in the record keeping process:

- Log of Work-related Injuries and Illnesses (OSHA form 300)
- Summary of Work-related Injuries and Illnesses (OSHA form 300A)
- Incident investigation reports (OSHA form 301 or similar)
- Workers' Compensation Notice of Injury

7.0 Minimum Basic Project Safety Rules

- Compliance of all applicable Federal, State, Local, Owner, and Project safety rules and regulations is a condition of employment and/or all contracts related to the project.
 - All injuries, regardless of how minor, must be reported to your supervisor immediately. **An employee that fails to report an injury immediately will be issued a safety violation notice and may be subject to termination.**
 - Report all unsafe conditions and near accidents to your supervisor and/or the Safety Manager so corrective action can be taken.
 - Only approved non-conductive hard-hats will be worn by all employees on the project site. Metal hard-hats will not be allowed. The bill of the hard-hat will be worn in front at all times. Alterations or modifications of the hat or liner shall be prohibited. Baseball caps are not to be worn under hard hats.
 - Safety glasses will be worn as the minimum required eye protection. Additional eye and face protection such as mono goggles and face shields are required for such operations as grinding, operating skill saws, jack hammering, utilizing compressed air, or handling of chemicals, acid and caustic. Burning goggles for cutting, burning or brazing and welding hoods for welding, etc.
 - Safety harnesses with 2 shock absorbing lanyards shall be worn and secured any time there is a fall hazard of more than 2 meters (6 feet).
 - Driving or operating equipment while talking on the phone is not allowed.
 - Lifelines shall be erected to provide fall protection where work is required in areas where permanent protection is not in place. Horizontal lifelines shall be a minimum of 12mm (1/2 inch) diameter wire rope. Vertical lifelines shall be 19mm (3/4 inch) synthetic fiber rope or equivalent and shall be used in conjunction with an approved type rope grab.
 - Workers using their lanyards to access the work or position themselves on a wall or column, etc. must use additional safety lanyards for fall protection.
 - Clothing must have adequate protection to the body. Shirts must have at least a t-sleeve. Shirt tails must be worn inside the trousers except in the case of welders and burners. No polyester or nylon clothing will be allowed for burners or welders. Sturdy work boots with rigid, slip resistant soles which give adequate protection to the feet and ankles are required. Sneakers, sandals and other light-weight footwear are prohibited. Steel toe protection may be required in certain circumstances.
 - Firearms, alcoholic beverages or illegal drugs are not allowed on site. Drugs prescribed by a physician must be registered with the safety department for approval. **The use or possession of illegal drugs or alcoholic beverages on the jobsite will result in immediate termination.**
 - Housekeeping shall be an integral part of every job. Supervisors and employees are responsible for keeping their work areas clean and hazard free. Clean up is required when you finish a job or at the end of the day.
 - Burning and cutting equipment shall be checked daily before being used. All gas shall be shut off and hoses disconnected from bottles or manifolds at the end of each day. Caps shall be replaced on bottles when gauges are removed. All repairs shall be made in the tool room. Makeshift field repairs will not be allowed. Two (2) sets of flashback arresters shall be installed on oxyacetylene
-

outfits. One (1) set at the regulators and one (1) set at the torch handle. Tanks may not be transported without caps.

- Drinking water containers are for drinking water and ice only. Tampering with or placing items such as drinks, etc., in the water cooler is not allowed. The "common drinking cup" is not allowed. Disposable cups only.
- All tools, whether company or personal, must be in good working condition. Defective tools must not be used. Examples: chisels with mushroomed heads, hammers with loose or split handles, guards missing on saws or grinders, etc.
- "HORSEPLAY" on the jobsite is strictly prohibited. Running on the jobsite is allowed only in extreme emergencies.
- Glass bottles or containers are not permitted on site.
- Jobsite speed limit is 15 MPH unless noted to a lower speed. No one is permitted to ride on a truck standing up or sitting in the back of pickups while in operation. Sitting on the outside edges is prohibited; everyone must be sitting down inside the truck. Riding as a passenger on equipment is prohibited unless the equipment has the safe capability of transporting personnel.
- Adequate precautions must be taken to protect men and equipment from hot work such as welding or burning. Fire extinguishing equipment shall be no further away than 15 meters (50 feet) from all hot work. Return used extinguishers to the tool room for re-charge immediately.
- All scaffolding and work platforms must be in accordance with jobsite specifications. All ladders must be in safe condition without broken rungs or split side rails. Damaged ladders shall be removed from service. Ladders shall be secured at the top and bottom and extend 1 meter (3 feet) past the walking surface. Metal ladders are not allowed.
- Crowfoot connections on air hoses shall be wired to prevent accidental disconnection. Compressed air shall not be used to dust off hands, face or clothing.
- Warning signs, barricades and tags will be used to the fullest extent and shall be obeyed.
- Do not start work until barricades, barrier logs, fill or other protection have been installed to isolate the work area from local traffic.
- Reflective warning vests must be worn while working around heavy equipment.
- Do not walk under platforms that bridge a trench.
- Do not enter a trench unless you have been given permission by the competent person. Seek out and identify the designated "Competent person" for the excavation site.
- Use ladders, structural ramps, or stairways as a means of access or egress from excavations.
- Do not use scrap lumber, excavation machinery, or other improvised devices for climbing.
- Do not climb a ladder unless it extends at least three (3) feet or three (3) rungs beyond the edge of the trench.
- Do not operate backhoes, power shovels and other heavy equipment within two (2) feet from the edge of the excavation.
- Do not use a bucket or other attachments for a staging or temporary platform for workers.
- Stay in the compartment during operation of the backhoe or power shovel. Do not reach in or attempt to operate controls from outside the backhoe or power shovel.
- Do not enter a trench box during its installation or removal.
- Do not enter a trench box that is being moved.
- Do not paint or drill holes in your hard hat.
- Do not wear hard hats that are dented or cracked.
- Wear safety glasses, goggles or face shields when operating chippers, grinders, lathes or sanders.
- Wear face shields over goggles or safety glasses during open furnace, hot dipping, metal plating or gas cutting operations.
- Wear chemical goggles when using, applying or handling chemical liquids or powders from containers labeled "CAUSTIC" or "CORROSIVE".
- Do not continue to work if your safety glasses become fogged. Stop work and clean the glasses until the lenses are clear and defogged.
- Wear a welding helmet or welding goggles during welding operations.
- Wear dielectric gloves when working on electric current.
- Wear earplugs or earmuffs in areas posted "Hearing Protection Required."

8.0 Confined Space Policy

A confined space is defined as any location that has limited openings for entry and egress, is not intended for continuous employee occupancy, and is so enclosed that natural ventilation may not reduce air contaminants to levels below the threshold limit value (TLV). Examples of confined spaces include: manholes, stacks, pipes, storage tanks, trailers, tank cars, pits, sumps, hoppers, and bins. Entry into confined spaces without the proper precautions could result in injury and/or impairment or death due to:

- An atmosphere that is flammable or explosive.
- Lack of sufficient oxygen to support life.
- Contact with or inhalation of toxic materials.
- General safety or work area hazards such as steam or high pressure materials.

The overall objectives of this procedure are to provide the minimum safety requirements to be followed while entering, exiting and working in confined spaces during environmental restoration work. This chapter provides pertinent details on the following topics.

8.1 Identification and Evaluation

The Project Manager should ensure a survey is conducted of the work site to identify confined spaces. This survey can be partially completed from initial and continuing site characterizations, as well as other available data (e.g. blueprints, job safety analysis). The purpose of the survey is to develop an inventory of those locations and/or equipment that meet the definition of a confined space. This information should be communicated to personnel and appropriate procedures developed prior to entry. The initial surveys should include air monitoring to determine the air quality in the confined spaces. The following situations should be evaluated by competent personnel:

- Flammable or explosive potential.
- Oxygen deficiency.
- Presence of toxic and corrosive material.

8.2 Entry Procedures

Whenever entry into a confined space is needed, either the superintendent or Safety Manager may initiate entry procedures. Entry into a confined space should follow the standard entry procedure.

The following are requirements for standard entry:

- Training to establish personnel proficiency in the duties required
- Atmospheric testing for entry
- Atmospheric monitoring during the entry

Before an employee enters the space, the internal atmosphere should be tested with a calibrated, direct-reading instrument. If a hazardous atmosphere is detected during entry:

- The space should be evaluated to determine how the hazardous atmosphere developed
- Measures should be implemented to protect employees before any subsequent entry takes place

Personnel should be prohibited from entering hazardous atmospheres without wearing proper respiratory equipment as determined by qualified entry supervisors. The entire confined space entry permit should be completed for a standard entry. Entry should be allowed only when all requirements of the permit are met and it is reviewed and signed by an Entry Supervisor.

8.3 Opening a Confined Space

Any conditions making it unsafe to remove an entrance cover should be eliminated before the cover is removed. When entrance covers are removed, the opening should be promptly guarded by a railing, temporary cover, or other temporary barrier that will prevent anyone from falling through the opening. This barrier or cover should protect each employee working in the space from foreign objects entering the space. If it is in a traffic area, adequate barriers should be erected.

8.4 Atmospheric Testing

Atmospheric test data is needed prior to entry into any confined space. Atmospheric testing is required for two distinct purposes: evaluation of the hazards of the permit space and verification that acceptable conditions exist for entry into that space. If a person must go into the space to obtain the needed data, then Standard Confined Space Entry Procedures should be followed (i.e., rescue team, attendant, entry supervisor). Before entry into a confined space, a qualified person should conduct testing for hazardous atmospheres. The internal atmosphere should be tested with a calibrated, direct-reading instrument for the following, in the order given:

- Oxygen content.
- Flammable gases and vapors.
- Potential toxic air contaminants.

8.5 Ingress / Egress Safeguards

Means for safe entry and exit should be provided for confined spaces. Each entry and exit point should be evaluated to determine the most effective methods and equipment to be utilized to enable employees to safely enter and exit the confined space.

Appropriate retrieval equipment or methods should be used whenever a person enters a confined space. Use of retrieval equipment may be waived by the designated qualified persons if use of the equipment increases the overall risks of entry or does not contribute to the rescue. A mechanical device should be available to retrieve personnel from vertical type confined spaces greater than five feet in depth.

8.6 Warning Signs and Symbols

All confined spaces that could be inadvertently entered should have signs identifying them as confined spaces. Signs should be maintained in a legible condition. The signs should contain a warning that a permit is required before entry. Accesses to all confined spaces should be prominently marked.

8.7 Training

Hull Property Group and Gemini Construction will provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of their duties in confined spaces.

The training will establish employee proficiency in the duties required by this section and should introduce new or revised procedures, as necessary, for compliance with this section.

All employees who will enter confined spaces will be trained in entry procedures. Personnel responsible for supervising, planning, entering or participating in confined space entry and rescue will be adequately trained in their functional duties prior to any confined space entry. Training will include:

- Explanation of the general hazards associated with confined spaces.
- Discussion of specific confined space hazards associated with the facility, location or operation.
- Reason for, proper use, and limitations of PPE and other safety equipment required for entry into confined spaces.
- Explanation of permits and other procedural requirements for conducting a confined space entry.
- A clear understanding of what conditions would prohibit entry.
- How to respond to emergencies.
- Duties and responsibilities as a member of the confined space entry team.
- Description of how to recognize symptoms of overexposure to probable air contaminants in themselves and co-workers, and method(s) for alerting attendants.
- Refresher training will be conducted as needed to maintain employee competence in entry procedures and precautions.

8.8 Emergency Response

A plan of action will be written with provisions to conduct a timely rescue for individuals in a confined space should an emergency arise.

Retrieval systems will be used whenever an authorized person enters a permit space, unless the equipment increases the overall risk of entry or the equipment would not contribute to the rescue of the entrant. Retrieval systems should have a chest or full body harness and a retrieval line attached at the center of the back near shoulder level or above the head. If harnesses are not feasible or create a greater hazard, wristlets may be used in lieu of the harness. The retrieval line should be firmly fastened outside the space so that rescue can begin as soon as anyone is aware that retrieval is necessary. A mechanical device should be available to retrieve personnel from vertical confined spaces more than five feet deep.

9.0 Lockout / Tagout Policy

In order to establish a means of positive control to prevent the accidental starting or activating of machinery or vehicles while they are being repaired, cleaned and/or serviced, a Lockout / Tagout policy has been adopted by Gemini Construction. The policy will be implemented and enforced by the Safety Manager and the Shop Supervisor. All machinery and vehicles are to be locked out when under repair by disabling the mechanical, electrical or hydraulic functions that allow the equipment to start and operate. Locked out equipment is to be marked with a visible tag that identifies the equipment as being under repair.

10.0 Enforcement of Safety Policy

Safety violation notices shall be issued to any employee, Subcontractor or anyone on the jobsite for violating the safety rules or regulations. Issuance of safety violation notices shall be made by Supervisors, Safety Manager, or Ownership.

- Any violation of safety rules may result in suspension or immediate termination.
- Any employee receiving three (3) written general violations within a six (6) month period shall be terminated.
- Issuance of a safety violation notice for serious negligence or failure to report a job injury (at the time of the injury) will result in immediate termination.

Hull Property Group and Gemini Construction enforcement is not limited to the rules and regulations listed above; additional rules and regulations will be issued and posted as needed per the job.

“NO JOB IS SO IMPORTANT AND URGENT THAT WE CANNOT TAKE THE TIME TO PERFORM OUR WORK SAFELY”

11.0 Subcontractor Safety Policy

11.1 Purpose

The purpose of this policy is to assist in providing a work place that protects the safety and health of the employees of Subcontractors, as well as employees of Hull Property Group and Gemini Construction. Subcontractors performing work on Gemini Construction's project sites must conduct their activities in a manner consistent with safe and healthful operating practices, and in accordance with all applicable safety and health rules and regulations. Specifically -- All subcontractors are responsible to know and comply with Title 29; Chapter XVII Parts 1904, 1910 & 1926 CFR Under OSHA Department of Labor.

11.2 Policy

It is Hull Property Group and Gemini Construction's policy that accident prevention be a prime concern to all of us. It includes not only prevention of wasteful and inefficient operations, damage to property and equipment, but foremost the safety and well-being of all employees of HPG and Gemini Construction, its Subcontractors, and the Owner.

This policy applies to all Contractors, including vendors, deliveries, and Subcontractors, who perform work, provide services, or are on the project site while work is in progress.

11.3 Requirements

The safety record of Subcontractors will be considered by Gemini Construction during the selection process. Subcontractors might be required to provide, at the request of Gemini Construction, their current workers' compensation experience modification rate (EMR). This is available through their insurance carrier, or OSHA 300 forms, and/or such other information as determined by Gemini Construction to be necessary or desirable to judge their prior safety records.

It is the primary responsibility of each Subcontractor to provide a safe and healthful work place for their employees. All Subcontractors must comply with all applicable occupational safety and health regulations.

All Subcontractors working at a Hull Property Group and/or Gemini Construction work site must fully comply with current Occupational Safety and Health Administration (OSHA) and Hazard Communication Standard (HCS) regulations. Any Subcontractor that brings or utilizes hazardous chemicals on Gemini Construction's work sites must provide required information to Gemini Construction pursuant to the OSHA HCS.

All Subcontractors are expected to provide their employees with appropriate medical examinations, safety equipment and the necessary safety and health training prior to beginning work.

All Subcontractors are responsible for ensuring that their equipment is in proper working condition and that any unsafe conditions are abated immediately.

All Subcontractors shall conduct periodic safety meetings for their employees and subcontractors as well as monitor their work activities to help ensure safe working practices and conditions.

All Subcontractors are responsible to notify a Gemini Construction supervisor immediately of all accidents involving their employees on Gemini's project sites.

All Subcontractors will comply with all applicable safety and health rules of Gemini Construction including, but not limited to, contraband policy prohibiting the use, possession, transportation or sale of narcotics, illegal drugs, controlled substances, drug paraphernalia, or alcohol, or being impaired by such substances while on Gemini's project sites.

While working on Gemini's project sites, employees of Subcontractors are subject to being tested for drugs and alcohol through urinalysis and/or blood tests. Refusal by such employees to cooperate in such tests, are grounds for removal from Gemini's project sites.

All subcontractors are required to have present at all times a competent person on the jobsite. This competent person must be specific to the scope of work the subcontractor is performing, i.e. Scaffolding, Trenching, Cranes, and Excavation. The competent person should be capable of identifying existing hazards on the jobsite, and have the appropriate knowledge base and authority to take prompt corrective action.

All subcontractors are responsible for assuring their employees have appropriate personal protective equipment. This includes but is not limited to daily work clothes. While present on all HSG or Gemini jobsites, at a minimum ALL employees of a subcontractor, including owners, are required to wear long pants, shirts with sleeves, and OSHA compliant work shoes. All other personal protective equipment including hardhats are to be determined for use by the competent person on site.

All Subcontractors must agree to comply with this policy and communicate it to their employees. All Subcontractors shall also commit to full attendance weekly toolbox safety meetings at jobsite and effective job safety training for all categories of employees.

11.4 Safety Analysis

Analyzing and awareness are the two major factors of an Injury Free Work Site. All Subcontractors shall commit to this process and application by conducting Pre-Job Planning meetings and to perform ongoing Hazard Analysis Audits.

Pre-Job Planning

Pre-Job Planning is the management planning which takes place before mobilization on a project or prior to the beginning of a new phase of work.

Pre-Job Planning is a review of the scope of work and schedule which shall be detailed out into a list of major activities; each made up of specific tasks. These include any specifications defining acceptable performance and conditions specific to the site.

Once these primary tasks are identified, the hazards associated with their performance can be addressed through the Hazard Analysis process.

Special planning will be needed for certain activities; such as Fall Prevention, Emergency Action, Critical Lifts, etc. These plans will be written specifically for that activity.

Hazard Analysis

The objective of developing a Hazard Analysis is to identify the Tasks, Hazards, Tools & Equipment, Skills and Actions required to perform each scheduled work activity within acceptable standards.

Once these areas are identified, the hazards associated with their performance can be eliminated and/or controlled through training, skill assessment, proper tools, well-maintained equipment and the correct materials on site.

11.5 Implementation

A representative of Gemini Construction will be designated as primarily responsible for implementing this policy at each of its project sites, and for monitoring compliance by all Subcontractors.

In the event of any violation by a Contractor or one of its Subcontractors of occupational safety and health regulations, or safety health rules of Gemini Construction, the Subcontractor shall take prompt action to correct such violation or to abate any hazard they control.

In the event a Contractor or any of its Subcontractors fails to promptly correct any violation or abate any hazard they control, Gemini Construction shall have the right to take appropriate actions as solely determined by Gemini Construction. In addition to any other rights Gemini might have, and notwithstanding any other contractual provisions existing between Gemini Construction and Subcontractors, Gemini may take any one or more of the following actions that it determines appropriate at its sole discretion:

- Gemini Construction can abate any hazard or correct any violation and either charge the Subcontractor for the cost of such correction or abatement, or offset such cost against any sums owed or to be owed by Gemini Construction to the Subcontractor.

- Gemini Construction can require removal from its project sites of any the Subcontractor's employees, materials, or equipment which are determined to be hazardous or dangerous, or in non-compliance with OSHA CFR 1926 Construction regulations, or with Gemini's safety and health rules, or with this policy.
- Gemini Construction can terminate any work being performed by Subcontractor on its project sites until any violation or hazard is corrected.
- In the event of willful or repeated non-compliance by the Subcontractor, Hull Property Group or Gemini Construction can terminate the subcontract, dismiss the Subcontractor from the work site and complete the work itself or employ other parties to complete the work. In the event of such termination of any contract or subcontract, an equitable adjustment to the price of such contract or subcontract will be made by Gemini. Considering the value of the work performed prior to termination, any additional costs or expenses incurred by Gemini Construction in having work completed will determine payment.

12.0 Hazard Communication Plan

12.1 Purpose of Plan

Hull Property Group and Gemini Construction Company, LLC are complying with the requirements of OSHA's Hazard Communication Standard for construction by compiling a list of hazardous chemicals, using SDS listings to ensure that containers are labeled, and training is provided to our workers present at any given construction site. In addition, we provide this information to our subcontractors involved in a specific project so that they may provide this information and train their employees.

This program applies to all work operations in our company where employees may be exposed to hazardous substances under normal working conditions, non-routine tasks, or during emergency situations.

Under this program, our employees will be informed the contents of the Hazard Communication Standard, the hazardous properties of chemicals, with which they work, safe handling procedures, and measures to take to protect themselves from these chemicals.

After reading this program and improvements are identified, please contact the Safety Manager. We encourage all suggestions because we are committed to the success of our written hazard communication program. We strive for clear understanding, safe behavior, and involvement in the program from every level of the company.

12.2 General: 29 CFR 1910.1200 (a-c)

The following Hazard Communication Program (HAZCOM) has been established to insure compliance with all directives pertinent to Code of Federal Regulations (29 CFR 1910.1200). Hull Property Group and Gemini Construction's intent of this HAZCOM is to provide a reference guide for working with hazardous chemicals.

12.2.1 Location of Hazard Communication Plan

The written Hazard Communication Plan is available for review by all HPG and Gemini Construction employees at the Safety Manager's office or by requesting from the Safety Manager.

12.2.2 Designated Personnel

The following personnel have been designated as responsible for updating and maintaining the hazard communication program, employee training, labeling, and ensuring that SDS forms are obtained and maintained.

a. Hazard Communications Program

The safety manager is the overall Hazard Communications Program Coordinator (HCPC). Department Supervisors are responsible for their respective areas.

b. Employee Training

Training will be conducted by the safety manager or supervisors as appropriate. After completion of initial training, it will be the responsibility of individual supervisors to provide on the job safety training to all newly hired personnel. When new chemicals or chemical products are introduced, additional training by supervisory personnel will be required.

When appropriate, external agencies may be contracted to conduct training as required.

c. Labeling on Containers

It will be the responsibility of the supervisor of the area to insure proper labeling of containers. This is to be consistent with the information contained in the appropriate SDS. NOTE: Common nomenclature must be stated on the label. Chemical symbols may be added, but common nomenclature is mandated by OSHA.

d. Labeling on Shipped Containers

It will be the responsibility of the receiving department to insure all boxes, containers, and cartons which are suspect of containing chemicals are appropriately labeled. Shipments that show damage/leak/or spill are to be refused.

e. Obtaining / Maintaining Safety Data Sheet (*formerly known as MSDS*)

A central file of SDS will be obtained by and maintained by the safety manager. Affected departments will receive SDS appropriate to their work areas from the safety manager. Supervisors are responsible for the initiation of requests and are responsible for maintaining applicable SDS within their work area.

f. Informing Contractors

It will be the responsibility of Maintenance / Supervisors to inform contractors of the hazards in the work area on jobsites to which they are assigned. This is critical wherever chemicals or compressed gas are in use or are stored. Contractors are to be informed of any restrictions involving use of compressed gasses, flame, or chemicals to be utilized by the contractor as part of the job.

12.2.3 Updating and Evaluating the HAZCOM Program

At least once per year, the HCPC (Hazard Control Program Coordinator) will review and update the program. The HCPC will access the hazardous chemicals and materials in the facility with the assistance of Maintenance and other supervisors. The update will consist of each of the following elements of the HAZCOM program:

- a) Hazard assessment.
- b) Assessment of applicable regulations.

- c) Written plan(s).
- d) Policies.
- e) Discipline/procedures.
- f) Training.
- g) Inspection Audits.
- h) Designated employee accountability.

12.3 Container Labels: 29 CFR 1910.1200 (f)

Container Labels will be in accordance with current and accepted OSHA and NFPA Standards.

12.3.1 Materials Received:

All containers received for use in each department are to be properly and clearly marked in at least English with the following:

- Product Identifier.
- Supplier Identification.
- Precautionary Statements.
- Hazard Pictograms.
- Signal Word.
- Hazard Statement.
- Supplemental Information.

12.3.2 Missing Labels:

Missing, defaced, or illegible labels will be replaced immediately with clean, properly marked ones. Notices will be placed on bulletin boards that provide container labeling systems, and location of the HAZCOM program.

12.3.3 Portable Containers:

Portable containers into which hazardous chemicals are transferred from labeled containers and which are intended only for the immediate use of the employee who performs the transfer are not required to be labeled. If any hazardous chemical remains when the employee leaves the immediate area, then the container containing the hazardous chemical must be labeled, or the material transferred back (if allowable) into a labeled container. All other portable containers are to be labeled with the content and hazard to the potentially affected body part(s).

12.4 Safety Data Sheets (*formerly known as MSDS*): 29 CFR 1910.1200 (g)

An SDS for each hazardous chemical in the facility is to be maintained in the Mall Manager's/Supervisor's office. They will be available for review by all employees during working hours.

12.4.1 Location

A master file of all SDS will be kept by the Safety Manager. SDS obtained from chemical manufacturers or distributors will be maintained electronically.

A work area specific SDS file of that area's hazardous chemicals will be kept within a central location of the work area (e.g., Maintenance/Mall Office, Job site Safety Station).

12.4.2 Hazard Determination: 29 CFR.1200 (d)

An SDS will be requested for all incoming hazardous substances. Hull Property Group and Gemini Construction Company will rely on SDS furnished by suppliers / vendors / contractors.

12.4.3 SDS INFORMATION:

The designated person will ensure that all SDS have complete information in each of the following categories:

- a. Product Identifier
- b. Hazard Identification
- c. Composition / Information of Ingredients
- d. First – aid measures
- e. Fire – fighting measures
- f. Accidental release measures
- g. Handling and storage
- h. Exposure controls / personal protection
- i. Physical and Chemical Properties
- j. Stability and Reactivity
- k. Toxicological Information
- l. Other information (date, last revision)
- m. Name, address, and phone number of SDS preparer or distributor.

12.4.4 Missing SDS:

The Safety Manager will contact suppliers or subcontractors for any missing SDS or missing SDS category information. Contacts will be documented. If the requested information is not received within 30 days, a complaint may be filed with OSHA or a new supplier may be obtained. Documentation of requests will be maintained.

12.5 Employee Information and Training: 29 CFR 1910.1200 (h)

12.5.1 Initial Training

Prior to beginning work with hazardous chemicals, all affected employees are required to attend a hazard communications training class. Supervisors will ensure that new employees are trained, and that the training is documented.

Everyone who works with or is potentially “exposed” to hazardous chemicals will receive initial training and any necessary retraining on the Hazard Communication Standard and the safe use of those hazardous chemicals by the safety manager. “Exposure” means that “an employee is subjected to a hazardous chemical in the course of employment through any route of entry (inhalation, ingestion, skin contact, or absorption, etc.) and includes potential (e.g. accidental or possible) “exposure.” Whenever a new hazard is introduced or old hazard changes, additional training is provided.

Information and training is a critical part of the hazard communication program. Hull Property Group and Gemini Construction trains our employees to read and understand the information on labels and SDSs, determine how the information can be obtained and used in their own work areas, and understand the risks of exposure to the chemicals in their work areas as well as the ways to protect them.

12.5.2 Retraining

Additional training will be conducted by supervisors when new chemicals are introduced into the work area. Retraining is not required if the new chemical contains hazard similar to previously existing chemicals for which training has already been conducted but documentation of the similarities should be noted. Monthly safety meetings will be held and hazardous materials will be discussed in departments where exposure is present.

12.5.3 Record Keeping

The trainer or supervisor will require all employees attending the Hazard Communication Course to sign a sheet verifying their attendance.

12.5.4 Training Format

Each employee attending the safety course will receive a lecture and/or Audio Visual Training. Training will include the following:

- a) The location and availability of the written Hazard Communication Program and SDS.
- b) Training on the physical and health hazards of the chemicals in the work area.
- c) How to reduce or prevent exposure to these hazardous chemicals through proper work practices, engineering procedures, emergency procedures, and personal protective equipment to be used.
- d) Actions taken and protocols implemented to reduce or prevent the workers' exposure to hazardous chemicals.
- e) Procedures to follow if they are exposed to hazardous chemicals.
- f) Methods and observations used to verify the presence or release of a hazardous chemical.
- g) Explanation of the details of the program, labeling, the SDS, and how employees can obtain and use appropriate information.

12.6 Hazardous Non-Routine Tasks: 29 CFR 1910.1200(e)(1)(ii)

12.6.1 Policy

Hull Property Group and Gemini Construction's policy is that no employee or volunteer will begin work or any non-routine task without first notifying the appropriate supervisor.

12.6.2 Specific Training

Any non-routine task will require specific training concerning the hazards associated with the task. This training will include information on:

- Specific chemical hazard
- Protective/safety measures that the employee can take
- Measures that Hull Property Group and Gemini Construction has taken to reduce hazards, including administrative controls, engineering controls, and personal protective equipment (PPE) required.

12.6.3 Non-Routine Task

Due to the nature of the jobs, chemical use must be considered routine for certain departments (normally maintenance and housekeeping). Chemicals used by these departments are to be considered for use consistent with job requirements.

12.7 Chemicals in Unlabeled Pipes: 29 CFR 1910.1200(e)(1)(ii)

Prior to beginning any work on unlabeled pipes, employees shall contact the Project Manager or the Maintenance Supervisor. Specific training regarding potential hazards and safety precautions must be conducted. Information for the piping system which identifies the location of all pipes and their contents must be available from the Maintenance Supervisor.

12.7.1 Piping Contents

The following items may be contained within piping:

- Utility gas lines.
- Electrical conduit.
- Water pipe.
- Acids.
- Chemicals of any nature.

12.8 Multi-Employer Work Sites: 29 CFR 1910.1200(e)(1)(iii)

It is the responsibility of the designated jobsite supervisor to provide contractors and their employees with the information listed below. This information will be given to the contractor's employees prior to their entering the work site.

- a. Hazardous chemicals employees may be exposed to on the work site.
- b. Measures the employee may take to reduce the possible exposure.
- c. Steps taken to reduce the risks.
- d. SDS for all hazardous chemicals are on file in the Mall office.
- e. Procedures to follow if they are exposed.
- f. Location of the written plan is in the Mall office.

12.9 List of Hazardous Chemicals

Inventories of hazardous chemicals and materials used Hull Property Group and Gemini Construction are located in the Safety Manager's and Mall office.

12.10 Hazard Communication Policies

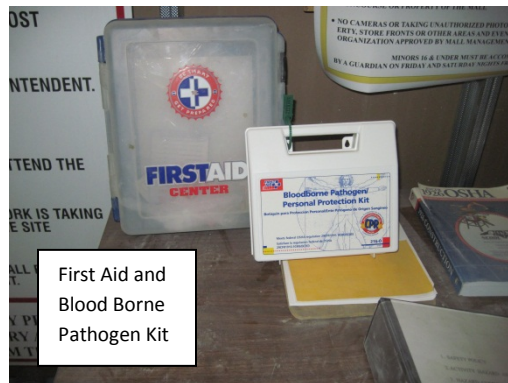
Policies set forth in this Hazard Communication Plan are to be adhered to by all employees, volunteers, contractors, and subcontractors working on our property or job sites. Employees found to be knowingly violating the policies set forth will be subject to disciplinary actions, up to and including immediate termination.

APPENDICES

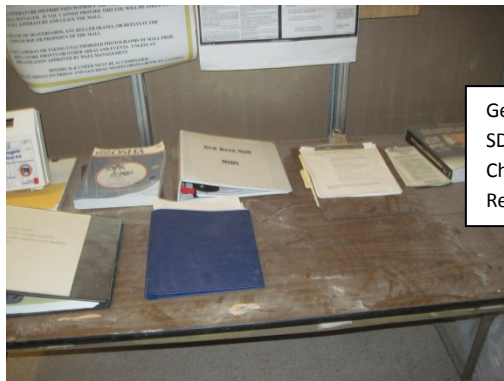
A - Pictures of Mall Office Safety Station



Regulatory
Compliance
Posters



First Aid and
Blood Borne
Pathogen Kit



General Safety Information:
SDS, Weekly Safety Meeting
Checklist, OSHA 1926
Regulation Book

B - Picture of Job Site Safety Station



C – Inventory of Items for Safety Stations

Inventory of Items for Mall Office and Job Site Safety Stations	
1	Site Specific OSHA 300 & 300A Log – February - April
2	Workers Compensation Doctors listing for your area
3	Directions and Map of nearest Hospital
4	Layout of the specific site(PPG)
5	Fire Extinguisher / Sprinkler Plan (PPG)
6	ANSI / OSHA approved first aid kit
7	Emergency Eye Wash Station
8	State / Federal Workers Compensation posters – It's The Law and Sexual Harassment Posters
9	Binders - 1. Safety Manual and Hazard Communication Plan 2. SDS 3. Tool Box Meetings 4. Emergency Response Plan
10	Company Safety Officer inspection
Riser Room / Red Tag Permit Station, Riser Room PPG(Located in the mall office)	
Riser Room Inspections (In a Binder Located in the mall office)	
Hot Work Permits – Issued and to be issued (In a binder)	