



OPPENHEIM CONSTRUCTION COMPANIES

EMPLOYEE RULES & SAFETY MANUAL

I. WORKER'S RESPONSIBILITIES

- A. Know, practice and enforce Oppenheim Construction Co., Inc. Safety Program and all Federal, State, Local and Project Safety Standards.
- B. Do not use any material or equipment which is defective. Render to your Foreman or Superintendent any defective material or equipment.
- C. You are responsible to perform your work safely and efficiently. If you lack the knowledge and/or skill to complete your assignment, or have not been trained to operate the tools and equipment necessary to complete your assignment, it is your responsibility to inform your supervisor so he can provide the necessary training.
- D. Use personal Protective Equipment to safely perform each task.
- E. Attend weekly Tool Box safety meetings.
- F. Report any unsafe activity and/or all accidents regardless of severity to the Foreman or Project Superintendent.
- G. Injured employees, who must leave the jobsite before the end of the work shift, must immediately be examined by a company designated medical professional.
- H. All employees are expected to report to work on time. Employees who will be absent or late arriving to work are required to contact Brandon Oppenheim *prior* to the beginning of the work day. Absence without communication by the employee can lead to disciplinary action, up to and including termination.

II. PERSONAL PROTECTIVE EQUIPMENT

- A. CLOTHING: All workers are required to be properly clothed for an Oppenheim Construction Co., Inc. jobsite with hard soled shoes, long pants and a shirt. No cut-offs, tank tops or muscle shirts. Loose clothing, baggy shirts or dragging pants are not permitted. Some tasks may require long sleeves.
- B. HEAD PROTECTION: Hard hats are to be worn at all times on our jobsites. Additionally, toe boards, screens, safety nets or canopies must be used when work is being performed overhead.
- C. EYE PROTECTION: Safety glasses with side shields shall be worn at all times on our jobsites. If a worker wears prescription glasses (not provided by Oppenheim Construction Co., Inc.) rigid side shields shall be attached or oversized safety glasses shall be worn over the prescription lens. When work in the immediate area creates flying or floating debris (grinding, sanding, chipping), a full face shield shall be worn over the safety glasses or the prescription glasses with side shields. Approved welding hood with face shield must be worn during all welding operations.
- D. EAR PROTECTION: Ear protection (i.e.: plugs or muffs) must be used whenever working with power activated tools or near tools, equipment or machinery that emits loud or shrill noises.
- E. HAND PROTECTION: Appropriate gloves shall be used when handling materials or equipment which can cause damage to the hands and/or fingers.
- F. RESPIRATORY PROTECTION: Oppenheim Construction Co., Inc. recommends that N95 respirator (dusk mask) be used for the following tasks:

When working with fiberglass

Fireproofing

Sanding drywall

Clean-up

Handling lead lined drywall

All other conditions must be evaluated on a case by case basis

- G. PERSONAL FALL PROTECTION: A safety harness, lanyard and a point of attachment must be used in the absence of guardrails, safety nets and warning lines with a monitor during the following operations.
 - 1. When working on any scaffold which is more than ten feet above a lower level.
 - 2. When working on any other working/walking surface which is six feet or more above a lower level.
 - 3. When working in the basket of a boom lift (not required in a scissor lift).

III. HAZARD COMMUNICATIONS

You have the right to know about compounds or elements in building material that may threaten your health and welfare. That information is contained in a document called a Material Safety Data Sheet or "M.S.D.S." Each contractor on a jobsite must supply the jobsite with an M.S.D.S. for each and every product that he brings on the jobsite. The M.S.D.S. can be found in the office of the contractor who brought the product to the site and the office of the General Contractor or Contract Manager. The M.S.D.S. will also tell you how the product can threaten your body, how you can protect yourself from the harmful effects of the product and how to treat the damaged part of your body if you should become exposed.

- A. Read the labels attached to all products because they also list the warnings to protect you.
- B. Use the recommended personal protective equipment.
- C. Inform your Foreman of any material you are not familiar with, any missing labels on containers or malfunctioning equipment.

IV. STAIRWAYS AND LADDERS

- A. Foot traffic is prohibited on stairways with pan stairs where the treads and/or landings are not yet filled with concrete or other solid material to the top edge of the pans.
- B. When portable ladders are used for access to an upper landing surface, the ladder side rails shall extend at least three feet above the upper landing surface or a grasping device such as a grab rail shall be provided to assist employees in mounting and dismounting the ladder.
- C. Ladders shall be secured in place to prevent displacement.
- D. Leaning ladders shall be placed so that the foot of the ladder is placed one foot away from a vertical line for each four feet of height to the upper landing surface.
- E. The surface around the top and bottom of a stairway or ladder must be kept clean and unobstructed.
- F. All damaged ladders shall be removed from service.
- G. Step ladders shall only be used in an open freestanding position. They shall not be used while leaning against any surface.
- H. The top platform and the top step ladder shall not be used to stand upon. If more height is needed, get a longer ladder.
- I. When ascending or descending a ladder, the user must face the ladder.
- J. Workers shall use at least one hand to grasp the ladder when progressing up and down the ladder.

V. SCAFFOLDS

- A. All workers must be trained before they use a scaffold and scaffold builders/erectors shall receive proper training from a competent person before the building begins.
- B. Employees must have fall protection on all scaffold platforms that are ten feet or higher above the lower level.
- C. When scaffold platforms are more than two feet above or below a point of access a ladder, ramp, walkway or stair tower shall be used to access the platform.
- D. Employees are not permitted to climb scaffold frames under any conditions unless the frames are designed as a ladder and are in vertical alignment.
- E. All working levels of a scaffold platform must be fully planked between the ends of a barrier.
- F. Scaffold platforms must be at least eighteen inches wide or fall protection shall be used regardless of the height.
- G. Each end of a platform, unless cleated or restrained by hooks or other means shall extend over the center line of its support at least six inches.
- H. Platforms ten feet or less, in length, shall not extend more than twelve inches beyond its support. If the platform is more than ten feet in length, they shall not extend more than eighteen inches beyond its support.

- I. Scaffold platforms shall be kept free from debris, ice, snow and any other material which may make the surface slippery.
- J. No alterations can be made to a scaffold unless directed by the competent person in charge of that scaffold.

VI. TOOLS

A. GENERAL

- 1. Inspect tools daily prior to use.
- 2. Wear face protection and ear protection as required when using tools.
- 3. Do not use power tools without their required safety guards.
- 4. Any tools found to be substandard or defective shall be immediately removed from service.
- 5. Follow manufacturer's recommendation and instructions at all times.

B. POWDER ACTUATED TOOLS

- 1. The use of powder actuated tools will be restricted to employees who have been trained for use of these tools. If you have not been trained as required, you are prohibited from using such equipment.
- 2. Inspect each tool every day prior to loading and use to determine that all parts and safety devices are in proper working condition.
- 3. Use only those types of fasteners and powder loads recommended by the manufacturer.
- 4. Hold the tool perpendicular to the work surface and keep hands clear of the open barrel end.
- 5. Do not load the tool until ready for use.
- 6. Do not point a tool, loaded or empty, at any person.
- 7. Do not use the tool in an explosive or flammable atmosphere.
- 8. Do not drive fasteners into an explosive or flammable atmosphere.
- 9. Do not drive fasteners into easily penetrated or thin materials unless backed by a material that will prevent the fastener from passing completely through the other side.
- 10. Do not leave a loaded powder actuated tool unattended.
- 11. Pick-up and properly dispose of all cartridge strips and cartridges.
- 12. Non-discharged cartridges are to be submerged in water.
- 13. Employees using powder actuated tools must wear safety glasses with side shields and ear plugs at all times.

C. POWER TOOLS

- 1. Electric power operated tools shall be of the approved double insulated type and/or properly grounded.
- 2. Use power tools having a momentary on/off switch.
- 3. Employees using power tools shall wear safety glasses with side shields at all times and whatever other personnel protective equipment as may be appropriate.

VII. ELECTRICAL

All receptacle outlets on construction sites used to supply power to electrical equipment via an extension cord shall have a ground fault circuit interrupter. The following steps will constitute Oppenheim Construction Companies, Inc.'s policy and must be followed by all employees.

- A. Inspect daily, prior to starting work, the extension cord and all equipment that will be in use. Check for breaks in insulation, missing ground plug, insulation pulled out the plug and other damage.
- B. Inspect each receptacle and plug that will be in use for proper grounding.
- C. Inspect any suspected damage to electrical equipment prior to use.
- D. If any damages are found to the extensions cord or electrical equipment, do not use until repaired.
- E. Project Superintendents shall ensure that all defective equipment is properly tagged and removed from service.
- F. Project Superintendents will return the damaged equipment to the appropriate agency for repair, if appropriate.
- G. Project Superintendents will inspect all company equipment before providing it to employees.

- H. Flexible cords must be used only in continuous lengths without splice, except for molded or vulcanized splices.
- I. Extension cords passing through working areas, which exposes the cord to reasonable certainty of damage, shall be covered or elevated to protect the cord from damage.
- J. Extension cords shall not be fastened with staples, hung nails, or suspended by wires which may cause damage.
- K. Extreme caution must be exercised when working under high voltage lines.
- L. A portable Ground Fault Circuit Interrupter (GFCI) shall be used between a power tool and any electrical outlet when an extension cord is used between the power tool and the electrical outlet.

VIII. GENERAL SAFETY AND HEALTH PROVISIONS

- A. Keep stairways, high traffic areas, work platforms and ramps clean and free of debris, tools, hoses and cords.
- B. Locate the emergency exit locations around your work station.
- C. Locate fire extinguishers in the areas around your work station.
- D. Remove protruding nails from scrap lumber.
- E. Secure loose material and scrap which might blow from roofs or other heights.
- F. Do not work in poorly illuminated areas.
- G. Keep debris and material ten feet back from deck edges and six feet back from floor and roof openings.
- H. Ensure that floor openings are planked over or barricaded, and slab edges of an open building protected by standard guardrails or equivalent and toeboards.
- I. When you are finished with tools, hoses, cords, chains, hooks, etc., remove them from the work area and store them properly.
- J. Do not pour acids, caustics or toxic material or flammables into storm or sanitary sewers.
- K. Read all signs posted in work area.
- L. Horseplay and pranks will not be allowed on the worksite.
- M. Lift with the legs, not with the back. If the object to be lifted is too heavy, ask for help. Do not attempt to lift it alone.
- N. No employee shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous to his/her health or safety (as determined by a competent person). Report such conditions to your supervisor immediately.
- O. The Project Superintendent, Site Foreman and the Company Safety Directors shall make frequent and regular inspections of the jobsites to identify safety and health hazards and take appropriate action to eliminate those hazards.
- P. Any machinery, tools, material or equipment which is not in compliance with all applicable regulations shall be either tagged as unsafe, have the controls locked to render it inoperable or removed from the jobsite.
- Q. Only employees who have been qualified by training shall be permitted to operate equipment and machinery.
- R. All protruding reinforced steel shall be capped with mushroom style plastic caps to prevent injury to workers (for fall protection [impalement] see Section IX D below).

IX. FALL PROTECTION

- A. All employees on a walking/working surface (horizontal or vertical) with an unprotected side or edge which is six feet or more above a lower level shall be protected from falling by the use of guardrails systems, safety net systems or personal fall arrest systems. This requirement does not apply to employees who are working on scaffolds (See Article V), stairways or ladders (See Article IV). A Personal Fall Arrest System means a system used to arrest an employee in a fall from a working level. It consists of an anchorage, connectors, a full body harness and may include a lanyard, deceleration device, lifeline or a suitable combination of these items.
- B. When employees are exposed to falling objects the following measures shall be taken:
 1. Erect toe boards, screens or guardrail systems to prevent objects from falling from higher levels:

or

2. Erect a canopy structure over the workers or pedestrians below, which is strong enough to prevent collapse or penetration by an object, which may fall from higher elevations
 3. Barricade the area to which objects could fall, prohibit employees from entering the barricaded area and keep objects that may fall far enough away from the edge of a high level so that those objects could not go over the edge if they were accidentally displaced.
- C. If it necessary for an employee to work between a roof edge and a warning line, the employee shall be protected by the use of a personal fall arrest system (see definition in Section IXA above).
- D. When workers are working above protruding reinforced steel on ladders, scaffolds, elevated platforms or upper levels of the structure which exposes them to falls upon the reinforced steel, those workers must be protected against impalement by the use of steel reinforced covers or wooden troughs capable of withstanding a drop test of 250 pounds from a height of ten feet, or fall protection must be used.

X. DRUGS, ALCOHOL, NARCOTICS, FIREARMS AND WEAPONS

- A. The use, abuse or possession of illegal drugs, dangerous prescription drugs, alcoholic beverages, firearms and other dangerous weapons on all jobsites and company property is strictly forbidden.
- B. No person under the influence or in possession of drugs (without a prescription), alcohol, narcotics, firearms or dangerous weapons will be permitted on the jobsite.
- C. Employees are expected to use proper judgment in their personal habits. When they report to work each day, they must be in a fit condition to meet their employment obligations.

XI. CONFINED SPACES

- A. A “confined space” is defined as an area which has little or no ventilations and a limited means of entry and exit which presents a likelihood of a lack of oxygen and/or the presence of gas, explosive, or flammable conditions, toxic dust, vapors, gases, drowning or suffocation.
- B. The added danger in confined space is a possibility that the hazards may not be seen, heard, smelled or felt.
- C. No employee is to enter a confined space until a Supervisor approves.
- D. Prior to employees entering a confined space, the atmosphere must be tested by a competent person using the required and properly calibrated testing equipment.
- E. Employees entering a confined space shall be thoroughly trained to understand immediate dangers and to recognize potential hazards.
- F. Employees entering a confined space must be totally familiar with personal protective equipment requirements.
- G. When employees are in a confined space, a stand-by person who has been fully trained in rescue procedures is to remain outside to keep in constant contact with those inside.

XII. DISCIPLINE POLICY

- A. Notwithstanding any other terms or conditions contained herein, and, recognizing that, as a condition of employment, the employees agree not to violate any OSHA regulations or safety policies of the employer, employees who violate said standards or policies should expect to be subjected to any or all of the following disciplinary actions depending on the circumstances of the violation.
 1. Re-Training should be considered for employees who do not understand their infraction.
 2. A written reprimand can be placed in the offending employee’s personnel file.
 3. A suspension of one to three days without pay for any violation after the first.
 4. A fine may be assessed by the Superintendent for observable waste or damage in the following manner.
 - a. 1st Offense - \$5.00
 - b. 2nd Offense - \$10.00
 - c. 3rd and Subsequent – Not more than \$50.00
 5. Termination can result upon the third offense against these regulations, or willfully immoral, illegal or violent conduct, or continuous poor performance or refusing to comply with the lawful instruction of a manager.

6. If a violation of an OSHA standard or company policy results in a fine being assessed against Oppenheim Construction Co., Inc. the offending employee may be required to reimburse the company for that fine and all expenses associated with that violation.
7. Termination will result if employee does not follow Fall Protection Program.

B. Managers have full authority to determine the seriousness of a violation, the degree of an employee's involvement and to fix an appropriate penalty. Managers must employ a progressive disciplinary process with the intention of correcting negative behavior and developing a strong, contributing work force. The Manager's action in XHIA1 & 2 above is final, but a fine or termination can be appealed to the company Disciplinary Board of Appeal by the effected employee.

C. The process for initiating disciplinary action is:

1. Upon learning of a violation of OSHA standards or the policies of Oppenheim Construction Co., Inc. the Manager shall document the facts of the Disciplinary Action Notice.
2. Meet with the offending employee to inform him/her that you are taking an official disciplinary action and why. Allow him/her to view the disciplinary notice. Invite the employee to complete the Employee Statement and listen to him/her side of the story. Conclude the meeting by advising the offending employee that you will inform him/her of your final decision and his/her right to appeal any financial penalty or termination to the Board of Appeal.
3. When a decision is reached, the Manager shall complete the Action to be Taken and meet with the employee to announce his decision.
4. Upon being informed of the Manager's decision, the offending employee shall check the blank in Section VI to indicate if he/she wants to appeal (only in case resulting in a financial penalty or termination as a result of a safety violation). If an employee refuses to sign, simply enter the word "refused" on the signature line.

D. The process for the hearing shall be:

1. The Board shall meet at a time and place to be arranged by the Board Chairman. The Chairman shall also see that the discipline manager and the discipline employee are given ample notice for their attendance.
2. Upon hearing all evidence having a bearing on the issue at hand, the Board may deliberate in private to reach a unanimous decision. The Board can decide to "Uphold" the decision of the disciplining manager, reduce the previous penalty or to "Overrule" or void the action taken by the disciplining manager.
3. Upon reaching a decision, the Board shall reconvene with all participants to announce the decision. The decision of the Board shall be final and enforced.
4. The Chairman has full authority to control the conduct of the hearing.

XIII. CONDITIONS OF EMPLOYMENT

As a condition of continued employment, or upon your first day of employment and continued employment thereafter, the employee acknowledges that he/she is familiar with all OSHA regulations pertaining to safety in construction, and that he/she, the employee, has reviewed the Safety Program contained herein. The employee further agrees, as a condition of employment, that in no case shall he/she violate any specific OSHA regulation or safety policy of Oppenheim Construction Co., Inc., or permit others in the employ or control of Oppenheim Construction Co., Inc., to violate any specific OSHA regulation or safety policy of Oppenheim Construction Co., Inc. Should any employee violate an OSHA regulation or the safety policies of Oppenheim Construction Co., Inc. and sustain an injury as a result of such violation, the employee shall indemnify and hold harmless Oppenheim Construction Co., Inc. from any and all losses, costs, expenses, damages and claims (including attorney's fees) arising from or relating to injury to, or death of, any employee or the public caused or claimed to have been caused by an employee's failure to abide by the policies or regulations stated here. The indemnity shall include filing any V.S.S.R. Claim under the Workers' Compensation Laws of Ohio and any filing of any claim in any court having jurisdiction against Oppenheim Construction Co., Inc. demanding any equity from the employer.

XIV. VENUE

All claims, actions, or causes of action which arise out of or relating to this policy, if any, shall be brought in Lake County, Ohio.

XV. PARTIAL INVALIDITY

If any term or provision of this Policy is found to be unenforceable or in violation of any laws, statues, ordinances or regulations of any public authority having jurisdiction, then, notwithstanding such term or provision, this Policy shall remain in full force and effect and such term shall be deemed stricken.

**Notice: Radios, walkmans, MP3 Players, etc. are prohibited on Oppenheim Construction Co., Inc. jobsites.

THESE POLICIES MAY BE AMENDED ANY TIME BY THE COMPANY

Employee's Certificate of Orientation

I, the undersigned, acknowledge that I have received my copy of Oppenheim Construction Co., Inc.'s Employee Rules and Safety Manual, and, an orientation on its contents as well as other company safety rules and regulations.

I understand that in accepting employment with the Oppenheim Construction Co., Inc., I am expected to abide by these safety rules and regulations as well as any additional safety rules that may be communicated to me and my failure to do so could result in disciplinary action including termination.

Name: _____

Signature: _____

Date: _____ Trade: _____

Management's Certificate of Orientation

This is to acknowledge that I, as a Competent Person on this jobsite, have delivered an Oppenheim Construction Co., Inc. Employee Rules and Safety Manual to the individual whose signature appears above and that I gave him/her an orientation on its contents and any other applicable safety rules and regulations that apply to his/her job.

Name: _____

Signature: _____

Date: _____