

STRATEGIC PARTNERSHIP AGREEMENT

BETWEEN

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
BILLINGS, MONTANA AREA OFFICE

AND

MONTANA RENEWABLE ENERGY ASSOCIATION

Article I. Purpose/Scope

The Occupational Safety and Health Administration, Billings Area Office, (BAO) is entering into this partnership agreement with the Montana Renewable Energy Association (MREA). The MREA will be referred to as the Partnership Participant throughout this agreement.

The Partnership Participant recognizes the importance of providing a safe and healthful work environment in the renewable energy industry. The Montana Renewable Energy Association is a nonprofit corporation with 28 members and associates, referred to as Participating Members, supporting the development of renewable energy throughout Montana. Specific activities of the MREA include expanding the use of renewable energy technologies like solar, wind, small hydro, and geothermal in Montana; affecting public policy in favor of renewable energy; and educating and informing residents of Montana about the benefits and uses of renewable energy. The MREA is attempting to foster a safer working environment for themselves and their member companies. Currently there are five members interested in actively participating in this partnership as Participating Members.

The purpose of the partnership is to prevent the four major hazards (falls, electrical, caught in/between and struck-by hazards) that account for the majority of fatalities and injuries in the construction industry. This partnership will focus on improving the safety and health programs of the MREA and their Participating Member companies and strive to eliminate hazards in the targeted areas. The specific goals of this agreement include decreasing the injury/illness rates of the Participating Member companies: increasing the implementation of comprehensive safety programs; increasing the level of safety and health training and its availability for workers and additionally decreasing worker's compensation costs for participants.

Article II. Goals/Strategies:

Goal	Strategy	Measure: Also see Article III for additional information
1. Reduce the number of injuries and illnesses annually per MREA Participating Member.	Track and trend related injuries of participating members using the OSHA 300's, and their workers' compensation forms.	The Partnership Participant will report, semi-annually, to BAO, all OSHA recordable injuries and illnesses incurred by participating members.
2. Increase the number of Participating Members with effective written safety and health programs.	<p>Utilize the services of the Partnership Participant for guidance in establishing and implementing safety and health programs.</p> <p>Utilize the assistance of the Billings Area Office (BAO) for advice and consultation in the development of safety and health programs.</p>	The Partnership Participant will report, semi-annually, to the BAO, on the progresses and changes to participating member's safety and health programs.
3. Increase the number of Participating Members' employees awareness in safety and health hazards associated with the four major hazards of construction; falls, electrical, caught between, and crushed by.	<p>The Partnership Participant will conduct or arrange for internal training to participating members' employees in the four hazards.</p> <p>Attend any training presented by OSHA.</p> <p>The Partnership Participant will ensure participating members conduct self assessments focusing on the four hazards.</p>	The Partnership Participant will report semi-annually to the BAO the number of training sessions conducted, the number of employees trained and the number of safety assessments conducted by participating members.

Article III. Performance Measures:

The MREA will evaluate the progress toward attaining the goals set forth in this partnership on a semi-annual basis using the participating member's OSHA 300 forms and the monitoring of their individual workers compensation records for proper recording of injuries and illnesses. The MREA will report to the Billings Area Office the progress toward reducing the number of injuries and illnesses for each of the participating companies for each year of this partnership. The data for the year 2007 will be used as the baseline for this partnership agreement.

1. Reduce the number of OSHA recordable injuries related to the four major hazard categories (falls, electrical, caught in/between, and struck by):

The Partnership Participant will track and report to the Billings Area Office semi-annually the following:

- Number of OSHA reportable injuries/illnesses for each participating member.
- Number of "near misses" reported by each participating member
- Number of safety assessments conducted by participating members.

2. Establish written Safety and Health programs for each participating member.

- OSHA will help identify programmatic needs by reviewing the safety and health programs and provide practical help in implementing the programs.
- The participating companies will seek assistance and guidance from the Partnership Participant on establishing, improving, and implementing safety and health programs.
- The Partnership Participant will provide OSHA with semiannual progress reports of the safety and health programs for each participating member.

3. Increase the MREA's participating member's awareness in the hazards associated with the four major hazards (falls, electrical, caught in/between, struck by):

The Partnership Participant will track and report to the Billings Area Office semi-annually the following:

- Number of training sessions conducted.
- Number of employees attending training.

Article IV. Annual Evaluation:

An annual evaluation of the Partnership Participant and the participating member's safety and health program and their progress toward the goals of this partnership will be conducted by all parties using the standardized OSHA Strategic Partnership Program (OSPP) Annual Partnership Evaluation Report as listed in Appendix C of the OSHA Strategic Partnership Program for Worker Safety and Health Directive, CSP{03-02-002}.

Article V. Benefits:

OSHA Non-Enforcement Benefits:

1. The MREA will be recognized for its participation in the OSPP through:
 - The OSHA Cooperative Programs web page (www.osha.gov).
 - The Montana OSHA Compliance Assistance Network Newsletter.
 - Press releases to the local media.

2. OSHA will provide outreach, technical assistance and training:
 - OSHA will provide training for the Partnership Participant and participating member's employees and managers on the four major hazards of construction.
 - OSHA will be available to assist and review participants' safety and health programs.
 - OSHA will provide assistance through phone, facsimile, email, brochures, newsletters, bulletins, and any other type of printed information available at the time of request.
 - OSHA will provide technical assistance necessary to accomplish the goals of this partnership.
 - OSHA personnel will be made available for workshops, speaking events, document reviews, and other information.

OSHA Enforcement Benefits:

- Upon entry into this partnership, participating member companies under the MREA may receive the maximum reduction in good faith (25%) as provided in the Field Inspection Reference Manual (FIRM).
- Participating members will be deferred from any OSHA Programmed Inspection Lists for the first six months of this agreement.

All formal complaints, serious accidents, catastrophes, and fatalities will be inspected by OSHA according to standard agency procedures.

Article VI. OSHA Verification:

Offsite Verification: The MREA agrees to submit to OSHA the following documents for review:

On July 1, 2008 and semi-annually thereafter:

- OSHA 300 data from participating member companies.
- First Report of Injury(OSHA 301 or equivalent).
- Number and types of Near Misses reported.
- Number of employees trained in the four hazards.

On the anniversary of the signing of this agreement and semi-annually thereafter:

- Updated Safety and Health Programs.
- Partnership evaluation report.

Article VII. OSP Management and Operation:

The Partnership Participant will ensure that all aspects and goals of this partnership will be accomplished within the three year time frame. A steering committee to ensure the progress of this partnership will be formed comprised of management, directors, and participant members representatives.

OSHA Billings Area Office will:

- Provide training to MREA participating member's employees in the recognition and avoidance of safety and health hazards specific to the four major hazards in construction, the OSHA regulations, and electrical safe work practices.
- Provide training and assistance to MREA participating members in the development and implementation of effective safety and health programs.
- Provide abatement assistance for unique construction hazards.
- Provide priority safety and health assistance via telephone, fax, and electronic mail or by way of brochures, booklets and other types of available correspondence.

Montana Renewable Energy Association will:

- Provide assistance to the Participating Members in developing written safety and health programs.
- Implement a 3-year strategic action plan to meet the standards and assess the progress through an annual self-evaluation.
- Commit to having participating member's managers and employees attend safety and health program training provided by OSHA.

- Commit to having participating member’s managers and employees attend “four hazards in construction” training provided by OSHA.
- Ensure that participating member companies conduct safety audits on the four hazards related to construction.
- Ensure abatement of all hazards identified by the safety audits.
- Ensure employee participation in the safety audits.
- Ensure that each participating member’s employees are not subject to restraint, interference, coercion, discrimination, or reprisal for filing a report of an unsafe or unhealthful working condition, or other participation in the Safety and Health Program.

The OSHA Billings Area Office representative will oversee the progress of this partnership through emails, phone calls, faxes, and occasional meetings with the Partnership Participants.

Article VIII. Employee and Employer Rights and Responsibilities:

This partnership does not preclude employees and/or employers from exercising any right provided under the OSH Act, nor does it abrogate any responsibility to comply with the Act.

Paperwork Reduction Act Notice, Form Approved OMB# 1218-0244 Expires 01-31-2009. Public reporting burden for the time needed to develop the Partnership requirements, craft agreement language, and conduct an internal review process is estimated to be an average of 11 burden hours per respondent.

Article IX. Term of OSP:

This agreement will terminate on January 9, 2011, which is three years from the date of signing. If any signatory of this agreement wishes to terminate their participation prior to the established termination date, written notice of the intent to withdraw must be provided to all other signatories. If OSHA chooses to withdraw its participation in the partnership, the entire agreement is terminated. Any signatory may also propose modification or amendment of the agreement.

Article X: Signatures:

Ross A. Yeager
OSHA, Area Director
Billings Area Office

Date

Dave Ryan
President
Montana Renewable Energy Association

Date

Participating Members:

Connor Darby
MREA Safety Sub- Committee
Independent Power Systems

Date

Orion Thornton
MREA Safety Sub-Committee
Independent Power Systems

Date

Henry Dykema
MREA Safety Sub-Committee
Sundance Solar Systems

Date

Tom Bishop
MREA Safety Sub-Committee
Sunelco, Inc.

Date

Steve Aagenes
MREA Safety Sub-Committee
In - Solar

Date