



South Dakota State Penitentiary

STRATEGIC PARTNERSHIP BETWEEN

**UNITED STATES DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
SIOUX FALLS AREA OFFICE**



AND

HENRY CARLSON CONSTRUCTION COMPANY

AND

JE DUNN CONSTRUCTION COMPANY

JE DUNN • HENRY CARLSON

A J O I N T V E N T U R E

I. IDENTIFICATION OF PARTNERS

The Sioux Falls Area Office of the Occupational Safety and Health Administration (OSHA), JE Dunn Construction Company (JE Dunn) and Henry Carlson Construction, LLC (HCC) recognize the importance of providing a safe and healthful work environment for workers engaged in the construction industry. This OSHA Strategic Partnership Agreement (hereafter referred to as "OSP" or "the partnership") at the South Dakota State Penitentiary in Sioux Falls, South Dakota, will facilitate the goals of OSHA and its partners to reduce work-related fatalities, injuries, and illnesses within the construction industry.

All contractors and subcontractors working at this site will be required to participate in the partnership agreement.

II. PURPOSE/SCOPE

The purpose of this partnership is to provide a safe and healthy work environment for workers involved in the construction industry. JE Dunn and HCC are committed to preventing serious accidents and fatalities during the construction of South Dakota State Penitentiary in Sioux Falls SD, through increased training, implementation of best work practices, enhanced safety, and health management system (SHMS), and compliance with applicable OSHA standards and regulations.

The South Dakota State Penitentiary project is the construction of a new correctional facility to replace the existing 140-year-old prison in Sioux Falls. The approximately \$650 million campus will consist of a 1,500-bed complex, including secure housing units, dormitory-style housing, medical and mental health facilities, vocational training areas, and support services designed to address overcrowding and modern correctional needs. It will be located on approximately 150–176 acres of industrial land in northeast Sioux Falls near Benson Road. The construction project is expected to employ several hundred tradespersons, with workforce levels varying throughout phases of development and peaking during major structural work. Construction is anticipated to begin in 2026 and be completed by 2029.

III. GOALS/STRATEGIES

The overall goal of the partnership is to create a working relationship that focuses on preventing work-related fatalities, injuries, and illnesses by controlling and/or eliminating serious workplace hazards and establishing a foundation for the development and implementation of an effective SHMS. Specific responsibilities for contractor compliance and involvement in the partnership for compliance, site audits, partnership improvement, and the evaluation of partnership modifications and achievements are delineated in Section IX of this agreement. Responsibilities are delineated for JE Dunn, HCC and OSHA.

GOALS	STRATEGIES	MEASURES
1) Maintain a project-wide injury and illness rate, which is 25% below the 2024 BLS Total Recordable Case (TRC) rate of 1.9 and Days Away from Work, Restricted or Transfer (DART) rate of 1.2 for the construction industry (NAICS 2362).	Establish proactive measures for the common hazards found at construction sites by (but not limited to): a. JE Dunn/HCC will Maintain authority to enforce safety rules and regulations at the site. This authority will include provisions to hold contractors and employees accountable and, if necessary, remove contractor employees from the job site for non-compliance. b. All contractors/subcontractors will be required to adopt a zero-tolerance policy for safety and health hazards and will implement a “stop work” authority for all workers. c. JE Dunn/HCC will provide a comprehensive Job Site Safety Orientation for all workers prior to allowing them to work on site. d. JE Dunn/HCC will provide all necessary engineering controls, administrative controls, and personal protective equipment and will require sub-contractors to do the same for their workers. e. Conduct weekly site safety audits to identify and abate hazards. f. When trends are identified, partners will work together to create plans to reverse the trend.	a. JE Dunn/HCC will collect and calculate the following injury and illness data from all contractors working at the jobsite and make it available for review quarterly, in comparison to the national average: - 25% below the Total Recordable Case rate (<1.9) - 25% below the Days Away, Restricted or Transfer rate (1.2) b. All incident reports, near miss and property damage reports will be logged and reviewed monthly to track for trends and share information with partners. c. Any initiation of stop work will be investigated and shared with all site workers when/where possible. d. The number of employees who receive site safety training will be tracked and provided to the partners. e. Solutions to trends will be tracked and provided to partners.

GOALS	STRATEGIES	MEASURES
2) Increase the number of effective written safety and health management programs implemented by contractors/subcontractors. All (100%) contractors/subcontractors will have developed and implemented a written safety and health program.	a. All (100%) of contractors on site will be asked to provide a copy of their written safety and health programs. b. JE Dunn/HCC will mentor contractors/ subcontractors and provide resources to those who have not yet developed their own comprehensive safety and health programs prior to beginning work. c. JE Dunn/HCC will provide contractors/ subcontractors with resources to enhance their programs currently under development.	a. The number of contractors/subcontractors that develop a program because of their involvement in this project/partnership will be tracked. b. The specific SHMS programs created or modified will be tracked. c. Contractors/subcontractors that have an overall SHMS program that meets the requirement of this partnership will be determined. d. JE Dunn/HCC will review contractor/subcontractor safety and health programs and recognize those that are exemplary.

GOALS	STRATEGIES	MEASURES
3) Identify and prevent the most common causes of workplace injuries and illnesses in the construction industry, including, but not limited to, falls, trenching, electrical safety, struck-by, caught in/between, silica, heat stress, material handling, and noise hazards. This will include enhanced monitoring of exposure to health hazards such as heat, noise, and air contaminants.	a. JE Dunn/HCC will conduct daily site safety audits to identify and abate hazards and ensure availability and use of proper clothing and PPE. b. All contractors/subcontractors will participate in monthly site audits. Foreman, team leads, site safety person, or supervisors are required to provide feedback and give insight to site safety and health audits. c. Conduct frequent and regular toolbox meetings with all workers at the site. d. Ensure participation in weekly toolbox meetings by contractors/subcontractors. e. Maintain an open-door safety policy for the site that encourages hazard reporting. f. Morning “huddles” or other pre work safety discussions are highly encouraged before work begins. g. When critical or high-risk activities take place, pre-work safety discussions are required.	a. Track the number of reported hazards and near misses along with actions taken to eliminate hazards. b. Track the number of pre- task safety meetings held by contractors/ subcontractors. c. Track the number and type of pre-work, high risk safety discussions that take place on the site. d. 100% of IH sampling results will be shared with all partners. e. Track the number of hazards identified by daily site audits and the corrective actions taken to eliminate hazardous conditions. f. Track the number of incident investigations conducted by Contractors/ subcontractors and their outcomes.

GOALS	STRATEGIES	MEASURES
	e. JE Dunn/HCC will work with site contractors to develop IH monitoring strategies at each phase of the project and provide them with IH resource support as needed. f. Wet cutting techniques and/or dust collection systems in addition to the mandatory use of respiratory protection will be used where there is the potential for airborne silica. g. Ensure that contractors conduct silica exposure monitoring or other exposure assessment for tasks which are not covered by Table 1. h. When other potential health hazards exist, such as heat, noise, or air contaminants including silica, CO, lead or other chemicals, JE Dunn/HCC will coordinate and ensure completion of monitoring to determine employee exposure levels and will provide results to each partnership signatory. i. Implement and require 100% fall protection implemented for all fall hazards over six (6) feet, including steel erection and scaffolding at the site. j. JE Dunn/HCC will require PPE including hard hats, eye protection and high visibility clothing will be always worn on the worksite. k. Ground-fault circuit interrupters will be used and tested regularly throughout the entire site. l. Require use of protective systems for any excavation over 5 feet in depth that will be entered by employees. m. All employees who operate powered industrial trucks will be certified to do so by an effective forklift training program. n. No employees will be allowed to work directly below any suspended load. o. Materials being hoisted shall be rigged to prevent unintentional displacement. p. Hooks with self-closing safety latches shall be used to prevent components from slipping out of the hook. q. All loads will be rigged by a qualified rigger.	d. Minutes of toolbox meetings will be used to track and document attendance. e. Track the number of IH exposure assessments, types of assessments and results of the sampling. Provide to partners. f. Track the number of employees who receive forklift (Powered Industrial Truck) training.

GOALS	STRATEGIES	MEASURES
4) 100% Participation in Safety Stand-Downs and similar events.	a. OSHA, JE Dunn and HCC will provide site contractors with information about upcoming stand-down campaigns. Fall Prevention Trench Safety Safe+Sound Suicide Prevention Heat Illness b. JE Dunn/HCC will require subcontractors to participate in stand-down events. c. JE Dunn/HCC will schedule site events to support each campaign and encourage subcontractors to participate. Events will be conducted in English and Spanish when possible. d. OSHA will support site campaign events whenever possible.	a. Track the number and percentage of site participants in each campaign event and provide data to partners.
5) Increase identification of hazards and abatement using electronic field systems.	a. Incorporate electronic field systems into daily and monthly site audits and weekly toolbox talks.	a. Track the number of hazards identified, track training and identify trends using electronic field systems. b. Track the number of contractors utilizing these applications

IV. SAFETY AND HEALTH MANAGEMENT SYSTEMS

The SHMS is a critical part of this OSP Agreement and an important aspect of collaboration between the project management team, supervisors, and the workers on site. This SHMS will include, but not be limited to, the following core elements:

Management Leadership Roles

JE Dunn/HCC will implement a SHMS patterned after OSHA's "Recommended Practices for Safety and Health Programs in Construction" that will encourage site employers to commit a high level of worker involvement to assist in monitoring and identifying jobsite hazards on a continual basis to prevent accidents. The SHMS will be implemented at the initiation of the partnership and continue to be implemented during the entire duration of the partnership.

https://www.osha.gov/shpguidelines/docs/8524_OSHA_Construction_Guidelines_R4.pdf

Worker Participation

Any worker at the site will be encouraged to report jobsite hazards and bring all potential hazards to the attention of JE Dunn/HCC and/or supervisors if discovered for immediate response and correction. This will be encouraged in the following ways:

- JE Dunn/HCC will hold a Job Site Safety Orientation with each worker prior to starting work on site.
- JE Dunn/HCC will provide a system to allow workers to report potential jobsite hazards to JE Dunn/HCC and/or supervisors upon discovery and stop work if necessary.
- JE Dunn/HCC will require all workers to attend weekly stand-down meetings. All identified hazards and resolutions will be tracked.

Hazard Identification and Assessment

This project will always focus on safety and JE Dunn/HCC will enforce jobsite safety compliance with OSHA standards by:

- JE Dunn/HCC Safety Director will ensure weekly safety audits are conducted. A schedule of weekly site-safety audits will be developed by HCC.
- JE Dunn/HCC will take immediate action to correct any unsafe conditions, track all unsafe observations, and provide final statistics to all parties in this agreement.
- JE Dunn/HCC will continually monitor all workers, visitors, and others entering the worksite to ensure safe conditions throughout the worksite.
- JE Dunn/HCC will require sub-contractor partners to adhere to jobsite safety controls at all times.

Hazard Prevention and Control

JE Dunn/HCC considers Hazard Prevention and Control a process requiring continual efforts of monitoring and identifying jobsite hazards and taking corrective actions to always maintain a safe and healthy jobsite.

- JE Dunn/HCC and contractors and subcontractors will ensure that hazard correction procedures are in place and identified for their workers and others that could be exposed to hazards created.
- JE Dunn/HCC and contractors and subcontractors will ensure that everyone knows how to use and maintain personal protective equipment through documented training and education.
- JE Dunn/HCC and contractors and subcontractors will make sure that everyone understands and follows the established safe work procedures. This will be accomplished in several ways, including the use of project management technology systems which are accessible by computer, smartphone, or tablet to record, log, and verify corrections of hazards observed at the jobsite. Hazards identified during inspections will be assigned to the responsible party and competent person for the contractor who must report back to JE Dunn/HCC with corrective action by a given due date.

Education and Training

JE Dunn/HCC understands that providing workers with an understanding of hazard recognition and control, and actively involving them in the process, can help to eliminate hazards before an incident occurs.

- JE Dunn/HCC and contractors/sub-contractors will ensure work tasks are assigned to workers who are trained and authorized.

- JE Dunn/HCC and contractors/sub-contractors will ensure workers are not performing work tasks that appear to be unsafe.
- JE Dunn/HCC and sub-contractors will ensure that supervisors are trained to recognize hazards and understand their responsibilities.
- Site orientation training will be conducted prior to starting work at the jobsite.
- Weekly toolbox meetings will be held with available workers at the jobsite.

Program Evaluation and Improvement

JE Dunn/HCC understands that once a SHMS is established, it should be evaluated to verify that it is being implemented as intended. After that, employers should review their program at least annually, to assess what is working or not and determine whether the program is on track to achieve its goals.

- JE Dunn/HCC will work with contractors/subcontractors to ensure control measures are periodically evaluated for effectiveness.
- JE Dunn/HCC will ensure processes are established to monitor program performance, verify program implementation, and identify program shortcomings and opportunities for improvement.
- JE Dunn/HCC will ensure necessary actions are taken by contractors/subcontractors to improve their overall safety and health program and performance.

Communication and Coordination for Employers on Multi-employer Worksites

JE Dunn/HCC considers effective communication and coordination among contractors and their workers critical to a safe workplace.

- General contractors, contractors, subcontractors must commit to providing the same level of safety and health protection to all workers.
- General contractors, contractors, subcontractors, must communicate the hazards present at the worksite and the hazards that contract workers may create on site.
- General contractors establish specifications and qualifications for contractors and subcontractors.
- Prior to beginning work, general contractors, subcontractors, will coordinate on work planning and scheduling to identify and resolve any conflicts that could impact safety or health.

V. WORKER INVOLVEMENT

- JE Dunn/HCC and non-signatory contractors will ensure workers, and/or their representatives, participate in monthly safety meetings as well as report any near-miss or unsafe conditions to their employer.
- JE Dunn/HCC and non-signatory contractors will ensure workers, and/or their representatives are involved with any site safety committee, daily and monthly site inspections as well as regular safety discussions when practical.
- JE Dunn/HCC will provide support to all workers and/or their representatives by providing feedback on risks and assisting them in eliminating hazards. Regular safety discussions will be the vehicle for dialog and feedback.
- JE Dunn/HCC will hold a job site safety orientation with each worker prior to starting work on

the site.

- JE Dunn/HCC will provide a system to allow workers to report potential job site hazards to supervisors upon discovery and stop work if necessary.
- JE Dunn/HCC will require all employees to attend safety stand-down meetings and events as is reasonably practical.

VI. PERFORMANCE MEASURES

Performance measures as outlined in Section III will be used to assess the effectiveness of the partnership. JE Dunn/HCC will gather and track data for the performance measures and share the information with OSHA as specified in Appendix B of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003.

VII. EVALUATION

The program will be evaluated on an annual basis and at the conclusion of the partnership using the Strategic Partnership Annual Evaluation Format measurement system, as specified in Appendix C of the Strategic Partnership Program for Worker Safety and Health, OSHA Directive CSP 03-02-003.

It will be the responsibility of JE Dunn/HCC to gather required data to evaluate and track the overall results and successes of the partnership program.

JE Dunn/HCC will write and submit the annual evaluation to the Partners for input and concluding the evaluation. Sioux Falls Area Office of OSHA will submit the annual evaluation.

VII. VERIFICATION PROCEDURES

OSHA will conduct one unannounced enforcement verification inspection each year for the term of the project. This will be a focused inspection including review of electrical, struck-by, caught-in or between, and fall hazards. These inspections will be conducted through normal enforcement inspection activity. Inspections conducted in response to reported accidents, complaints, Local Emphasis Programs, or referrals will qualify as the enforcement verification inspection if, in addition to addressing the accident/complaint/referral item(s), the compliance officer completes the focused inspection protocol for the worksite. These inspections include the potential for issuing citations and assessing penalties for violations.

Onsite non-enforcement verification reviews will be conducted by OSHA as part of the quarterly partnership activity when resources permit. Union representatives will be part of the inspection group if applicable. If non-compliant activity or hazards are discovered, immediate correction is required. JE Dunn/HCC will document the corrective action taken and share this information during the quarterly update meetings. A referral for an enforcement inspection will be made if management refuses to correct a serious hazard identified during the non-enforcement verification visit.

JE Dunn/HCC and its contractors and subcontractors will remain subject to OSHA inspections and investigations in accordance with agency procedures.

VIII. INCENTIVES

OSHA's Field Operations Manual details opportunities available during citation/case settlement

for all employers who undergo onsite enforcement inspections. These opportunities are also available for partnering companies participating in the partnership program. Additionally, OSHA will provide outreach and technical assistance to JE Dunn/HCC and its affiliates throughout the partnership period.

IX. OSP MANAGEMENT AND OPERATION

JE Dunn/HCC and its contractors, in association with OSHA, will form a partnership committee to monitor the implementation of this Agreement. The partnership committee will consist of a representative from each of the designated Partners. JE Dunn/HCC will serve as the chairperson and as OSHA's primary contact. The committee will review contractor compliance and involvement in the partnership; analyze jobsite audits; make partnership improvements; and evaluate partnership modifications, achievements, and success of the partnership.

JE Dunn and HCC will:

- Implement JE Dunn/HCC comprehensive safety and health management system, which includes:
 - a. management leadership roles,
 - b. worker participation,
 - c. hazard identification and assessment,
 - d. hazard prevention and control,
 - e. education and training
 - f. program evaluation and improvement, and
 - g. communication and coordination for employers on multi-employer worksites.
- Mentor contractors/subcontractors who have not yet developed their own safety and health management system and, if necessary, refer them to OSHA and/or South Dakota OSHA Consultation for assistance.
- Ensure 100% fall protection for all fall hazards over six (6) feet, regardless of work being conducted.
- Participate in the National Fall Prevention Safety Stand-Down Campaign.
- Participate in the National Ladder Safety Month.
- Participating in Safe + Sound Week.
- Participate in the National Trench Safety Stand-Down.
- Share the responsibility for overseeing site safety with subcontract partners, serving as a point of contact, and overseeing the partnership goals.
- Ensure daily, weekly, and monthly safety audits are conducted, with assistance from jobsite safety committee and supervision.
- Include regular employees in the job-site safety committee.
- Ensure that all contractors/subcontractors participate in jobsite safety meetings/toolbox talks on a weekly basis and document all attendance and topics.
- Make monthly accident reports available to the Partners, including first aid, injury, property damage, and near-miss reports.
- Allow OSHA representatives on the site for inspection activities (verifications and un-programmed activities such as fatalities and employee complaints).
- Audit the partnership and make recommendations for improvement.
- Make available to all workers and partners jobsite inspections and near-miss incidents.
- Require the use of appropriate personal protective equipment by all entering the worksite. Appropriate shoes, ANSI-approved hard hats, eye protection and high-visibility reflective vests

or high-visibility clothing as a minimum, will be always worn on the worksite.

OSHA will:

- Participate in the quarterly on-site non enforcement verification inspections as resources allow.
- Designate a Sioux Falls Area Office contact to be used as a resource for technical issues.
- Off-site verification review of JE Dunn/HCC safety and health self-audits.
- Off-site review of JE Dunn/HCC safety and health programs.
- Provide an OSHA representative at committee meetings and activities as resources permit.

X. WORKER AND EMPLOYER RIGHTS

This partnership does not preclude workers and/or employers from exercising any rights provided under the OSH Act (or, for federal workers, 29 CFR 1960), nor does it abrogate any responsibility to comply with rules and regulations adopted pursuant to the Act.

XI. OSP TERM

This OSP Agreement will terminate at the completion of construction activities. If any signatory of this agreement wishes to terminate its participation prior to the established termination date, written notice of the intent to terminate must be provided to all other signatories.

If OSHA chooses to terminate its participation in the partnership, the entire agreement is terminated.

Changes to the OSP Agreement may be implemented in writing if all parties agree that it is in the best interest of all members involved.

XII. SIGNATURES

**United States Department of Labor
Occupational Safety & Health
Administration**

Based upon a mutual interest in protecting construction workers, the parties below agree to the above terms of the OSHA /JE Dunn Construction / Henry Carlson Construction, LLC Partnership

Signed this 16 day of July, 2026.

 Occupational Safety and Health Administration	OSHA, Sioux Falls Area Office Signature: _____ Printed Name: Jason Mundt, Area Director
	JE Dunn Construction Company Signature: _____ Printed Name: Josh Bittner, Senior Safety Specialist
 GENERAL CONTRACTORS Henry Carlson Construction, LLC	Henry Carlson Construction, LLC Signature: _____ Printed Name: Kole Nelson, Director of Safety & Risk