

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
**CONSTRUCTION DIRECTIVE**  
**MEMORANDUM**

<b>GENERAL SUBJECT:</b>	<u>CONSTRUCTION SAFETY</u>	<b>NUMBER:</b>	<u>CD-2008-04</u>
		<b>DATE:</b>	<u>MARCH 13, 2008</u>
<b>SPECIFIC SUBJECT:</b>	<u>MEMORANDUM OF UNDERSTANDING: VIRGINIA OCCUPATIONAL SAFETY AND HEALTH</u>	<b>SUPERSEDES:</b>	<u>CD-96-13</u>
<b>DATE EFFECTIVE:</b>	<u>IMMEDIATELY</u>	<b>SUNSET/ EXPIRES:</b>	<u>MARCH 13, 2013</u>

Original with signature on file in the office of the  
Scheduling & Contract Division

**W. BYRON COBURN, JR., P.E.**  
**STATE CONSTRUCTION ENGINEER**

**DIRECTED TO - DISTRICT ADMINISTRATORS**

The safety of VDOT and contractor personnel is a prime concern on all VDOT contract work. If personnel are continually being injured we are not meeting our obligations for providing a safe work place. A Memorandum of Understanding with the Virginia Department of Labor and Industry (DLI) is this agency's way of reversing the trend of increased injuries and deaths within the work place.

VDOT and DLI have executed a Memorandum of Understanding outlining how Virginia Occupational Safety and Health Standards, hereinafter referred to as Standards, will be administered on contract work performed for the agency.

The project diary will still be used to document the actions taken when safety problems or violations of Standards occur on contract work.

It is the responsibility of VDOT personnel to adhere to and enforce the provisions of the Memorandum of Understanding. Any questions regarding the provisions of the Memorandum of Understanding or its implementation should be directed to the Department's Workforce Safety and Health Division. Listed below are the major points of the Memorandum of Understanding:

Immediately Dangerous To Life and Health

Where there is a situation that is immediately dangerous to life and health (IDLH) to any person within the boundaries of VDOT contract work, VDOT will notify affected personnel of the hazard, and will use the provisions of the contract to have the hazard corrected immediately. If the Contractor fails to correct the problem or if the problem is repeated, a shutdown will be issued and a referral made to DLI through the Department's Workforce Safety and Health Division for an inspection and enforcement of the Standards, as applicable.

Violations of Standards Exposing VDOT Employees To A Safety Hazard

VDOT employees will not expose themselves to the hazard while there is a violation of the Standards. Violations of Standards exposing VDOT employees to a safety hazard will be brought to the Contractor's attention and the provisions of the contract will be used to have the violation corrected.

If the Contractor refuses to correct the violation or continues to violate the Standards, the violation shall be referred to DLI through the Department's Workforce Safety and Health Division.

Violations of Standards Not Exposing VDOT Employees To A Safety Hazard or Not An Immediate Danger To Life And Health

Violations of Standards not exposing VDOT employees to a safety hazard shall be brought to the Contractor's attention. The Contractor will be given five (5) work days to correct the violation. If the Contractor does not believe his operations are in violation of the Standards or does not correct the violation; a referral will be made to DLI through the Department's Workforce Safety and Health Division for an inspection and enforcement of the Standards, as applicable.

Referral to DLI for apparent violations of Standards will be made by VDOT's Workforce Safety and Health Division. Therefore, project or residency personnel will contact the Workforce Safety and Health Division for referrals in the above situations. DLI will notify the Workforce Safety and Health Division of the disposition of each referral. All actions, reviews, inspections, and discussions will be documented in the Project Diary.

DAS

C: Commissioner  
Deputy Commissioner  
Commissioner's Staff  
Division Administrators  
District Construction Engineers  
District Maintenance Engineers  
District Materials Engineers  
District Preliminary Engineering Managers  
District Location and Design Engineers  
District Bridge Engineers  
District Civil Rights Managers  
District Contract Administrators  
Regional Operations Directors  
Residency Administrators  
Area Construction Engineers  
Construction Managers  
Project Inspectors  
Federal Highway Administration  
Office of the Attorney General  
Virginia Department of Minority Business Enterprise  
Virginia Transportation Construction Alliance  
Old Dominion Highway Contractors Association  
Virginia Asphalt Association  
American Concrete Pavement Association  
Virginia Ready-Mixed Concrete Association  
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