



**Montana Department of Transportation**  
**PO Box 201001**  
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## **Memorandum**

To: District Construction Engineers

From: Paul Jagoda, P.E.  
Construction Engineering Services Engineer

Date: July 31, 2007

Subject: Construction Jobsite Safety

This construction memo provides guidance for jobsite safety. According to MDT Standard Specifications and individual project contracts, the contractor is solely responsible for the safety of its employees and for following OSHA regulations. However, if an MDT employee sees what is known to be an unsafe situation, they will take some action to prevent injury.

1. The MDT employee should bring the apparent safety infraction to the attention of the individual involved.
2. If the issue is not resolved, or it continues, the individual's supervisor should be notified, followed by notifying the project Superintendent in writing.
3. If a solution is still not reached, the EPM has the authority under Subsection 105.01.A.1 to suspend work wholly or in part, depending on the situation, to correct the unsafe working conditions. At this point, the contractor's Superintendent must be notified to correct the situation. It is their responsibility to know and follow OSHA regulations relevant to the methods of work which the contractor has chosen.
4. OSHA should be contacted if MDT personnel see a consistently reoccurring unsafe practice. The suspected infraction should be explained to an OSHA representative, and if they too feel that the working conditions are in violation of OSHA regulations, they will inspect the job site themselves as per 107.01.

If the practices are unsafe according to OSHA regulations, the contractor, and not MDT, will be held responsible for any damages, fines, penalties, etc.