

**Policy No.:**

**Section:**

**Policy Title:** Contractor Safety

**Adopted Date:**

**By-law No.:**

**Revision Date:**

## **1. Purpose**

The Municipality of Kincardine (“Municipality”) is committed to working with contractors to ensure a safe work environment for all workers and employees to the standards contemplated by the Occupational Health and Safety Act (OHSA).

## **2. Scope**

This policy applies to all contractors that perform work on or around the Municipality premises.

## **3. Definitions**

*Owner* - includes a trustee, receiver, mortgagee in possession, tenant, lessee, or occupier of any lands or premises used as a workplace, and a person who acts for or on behalf of an owner as an agent or delegate

*Construction* - includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, or concreting, the installation of any machinery or plant, and any work or undertaking in connection with a project but does not include any work or undertaking underground in a mine

*Constructor* - a person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer

*Employer* - a person who employs one or more worker, or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services

*Professional Services* - any type of service, product delivery, or work provided to the Municipality by another employer contracted or not, vendor and self-employed person

*Project* - for the purpose of this policy a project refers to a construction project, whether public or private, which includes any of the following:

- (a) the construction of a building, bridge, structure, industrial establishment, mining plant, shaft, tunnel, trench, excavation, highway, railway, street, runway, parking lot, cofferdam, conduit, sewer, watermain, service connection, telegraph, telephone or electrical cable, pipeline, duct or well or combination thereof,
- (b) the moving of a building or structure, and
- (c) any work or undertaking, or any lands or appurtenances used in connection with construction

*Project Coordinator* - is a knowledgeable, trained and competent employee given direct responsibility for the management and oversight of a contract at the Municipality

#### **4. Responsibility**

##### *Municipality*

- Responsible to ensure that independent contractors are aware of municipal health and safety procedures and that the contractor meets our minimum health & safety requirements
- Ensure applicable legislative standards are complied with and that all contractors are aware of known potential hazards while working on the Municipality property

##### *Contractors*

- Must comply with all municipal health and safety procedures and any other applicable legislation.
- Will ensure that their workers are aware of occupational hazards and are properly trained, equipped and supervised

#### **5. Procedures - For Projects**

##### *Contract / Project Preparation*

Before preparing a contract, the Municipality will identify the following:

1. Detailed Scope - Identify tasks including preparation, clean-up and remediation. Special attention will be given to work which has specific regulations or is known to present significant health and safety risks.
2. Potential Hazards - Hazard identification will allow the Municipality to determine what qualifications; equipment and experience may be required to perform the work. These hazards will be communicated to the Contractor. If the Municipality does not know all of

the potential hazards, the contract will require the Contractor to identify the hazards associated with the job and how they can be controlled.

3. Roles - Determine individual responsibilities and clarify communication and enforcement roles
4. Legal notice requirements - Understand if there are official notices that need to be filed with health and safety agencies
5. Potential emergency situations - Identify potential situations and develop a plan to address these situations during the onboard process
6. Environmental issues - Assess the potential for damage to the environment resulting for hazardous materials, spills or other threats
7. Liability issues - Understand the appropriate insurance and clearance certificates will be required from contractors
8. Health & Safety criteria for awarding the contract -This criterion will be used to evaluate the applications for the contract

#### *Qualification Process*

All contractors or subcontractors must qualify to our safety standards before commencing work. Contractors will provide all applicable insurance and safety documentation prior to initiating work at the Municipality. For contractors who have previously qualified to perform work, and all applicable safety documentation is on file, then the requirement for completion will be reviewed once a year; if the work is of similar scope and magnitude as previous contract conditions.

In order to qualify, all contractors must develop health and safety management plans appropriate for the scope of work. These plans will provide a thorough description of how a contractor (and their subcontractors) will ensure that injuries, illness, and damage are prevented.

The following information is required from each contractor and will be provided to the Project Coordinator prior to initiating work:

1. Current Clearance Certificate or Letter of Independent Contractor Status issued by the Workplace Safety Insurance Board (WSIB) directly to the Municipality
2. Certificate of Insurance naming the Municipality as an additional insured and evidencing Liability Insurance in an amount of not less than \$2,000,000 or greater if required by the applicable contract

3. Signed copy of Appendix A - Contractor Health & Safety Agreement Form
4. The Appendix B - Contractor Qualification Checklist must be completed before the project commences which will outline any relevant training or certification records.

#### *Project Coordinator Identification*

When a project is being considered, the Municipality will identify a Project Coordinator prior to signing the contract. The Project Coordinator must be thoroughly familiar with the nature and location of the work to be performed by contractors as well as all applicable legislation. This individual is expected to ensure the contractor provides the applicable safety documentation and will communicate any known or potential hazards to the contractor before work begins. The Project Coordinator will also be responsible for providing authorization and access to the Municipality property.

#### *Contract Non-Compliance*

A Contractor will not commence work without a written agreement. The Municipality retains the right to revoke site access for any worker who violates any health and safety standard and/or procedure.

#### *Project Safety Responsibility*

##### **Owner**

As an owner the Municipality is ultimately responsible for the health and safety of its own employees, individual contracted workers, and to ensure contractors working on behalf of the Municipality as a Constructor assume control for ensuring individuals comply with health and safety requirements at project worksites and the protection of others attending the worksite. The Municipality's role as an Owner includes:

- Ensuring appropriate safety documentation is received and meets our minimum standards
- Communicating any potential hazards to contractors and workers
- Ensuring its own workers comply with municipal health and safety requirements
- Overseeing that the safety standards are in fact being met

##### ***Contractor to Act as Constructor***

In most cases the Municipality will engage contractors who will be a ***Contractor to act as Constructor*** for a project. This means that the Municipality still retains owner obligations, but that the Contractor will assume the responsibility for the day-to-day safety with respect to the project as long as the Contractor controls all of the work and municipal employees are not involved in the project.

Contractor as Constructor Responsibilities:

- To ensure employees and workers have received instruction and training in the relevant municipal health and safety policies and applicable legislation.
- To communicate workplace hazards and health and safety requirements to all employees and workers working on the project.
- To ensure employees and workers are familiar and trained in relevant emergency procedures.
- To ensure employees and workers are equipped with, trained in the use of, and will wear the required safety equipment necessary to complete the work in a safe manner. This includes, but is not limited to, safety glasses, gloves, hearing protection, respirators with appropriate filters, safety harnesses and fall restraint devices, safety boots and hard hats.
- To hire, fire, discipline, supervise, control, and direct the work of contractor employees and workers, as well as modify the terms and conditions of their employment or other contract.
- To determine the work schedules for the employees and other workers working on the project.
- To ensure that tools are maintained in safe working order and are provided and maintained with working guards and safety devices as required by regulation. All electrical equipment will be properly grounded or double insulated.

**Constructor**

In the rare event that the Municipality will act as the Constructor, the Municipality will assume the responsibility for all elements of safety.

Constructor Responsibilities:

- To ensure that all contractors are properly trained, monitored and informed of all known or potential hazards.
- To ensure that there are appropriate training provided and safety procedures in place. When the Municipality acts as a **Constructor**, there will be no on-site training required if it is determined that the contractor has acceptable policies and procedures in place.
- To communicate that any violations of the municipal safety procedures or any other element of this procedure will result in immediate suspension or termination of the employee involved or the work.
- To ensure that municipal employees are aware of the need to report any unsafe conditions or activities by the contractor to their manager or the project coordinator.
- To close down any work that is deemed unsafe to workers or property, or which represents a significant risk to the environment. The Municipality will maintain records for all injuries, illness, and incidents in respect to contractors.
- To determine a work schedule that is best for both parties to complete the contracted work. The work schedule will adhere to work safety legislation with regards to fatigue.
- To arrange for monitoring of contractor work processes and procedures to ensure compliance with standards. Special emphasis will be given to equipment and tool maintenance, housekeeping and adherence to work procedures.

- To ensure contractors will be trained on relevant emergency procedures and the location of the first aid station before starting the project. Written emergency procedures will be provided if requested. Contractors are expected to participate in company evacuation drills.
- To ensure contractors are aware that they are required to report all incidents, injuries and property damage to the Project Coordinator and appropriate regulatory agencies.

## **6. Procedure - For Professional Services (Non-Construction)**

### *Project Coordinator*

- Individuals acting as Project Coordinator must be thoroughly familiar with the nature and location of the work to be performed by contractors.
- Will ensure that the contractor has the specific policies, procedures, training and supervision to carry out the job safely.
- Expected to communicate any known or potential hazards to the workers before work begins.

### *Training*

- Project Coordinator will ensure that contractor workers have received instruction and training in the relevant health and safety requirements applicable to their activities and the relevant municipal policies and procedures.

### *Safety Performance*

- Project Coordinator will oversee the workers compliance with health and safety requirements. The Project Coordinator has the authority and obligation to close down any work that is deemed unsafe to workers or property, or which represents a significant risk to the environment.
- For contractors that regularly perform services at the Municipality, an annual safety review will be performed, or whenever there is a significant change in personnel or applicable safety conditions.

### *Emergency Procedures*

- Contractors must be trained on relevant emergency procedures and the location of the first aid station before starting the project. Written emergency procedures will be provided if requested. Contractors are expected to participate in company evacuation drills.

### *Reporting Incidents*

- All incidents, injuries and property damage will be reported to the Project Coordinator and appropriate regulatory agencies.

### *Work Schedules*

- The Contractor and Project Coordinator will collaborate to determine a work schedule that is best for both parties and will adhere to work safety legislation with regards to fatigue.

### *Supervision*

- Project Coordinator will arrange for monitoring of contractor work processes and procedures to ensure compliance with standards. Special emphasis must be given to equipment and tool maintenance, housekeeping, and adherence to work procedures.
- Project Coordinator will be responsible for providing authorization and access to municipal property.
- If Contractors are required to work on municipal property outside of regular business hours, the Project Coordinator will advise Management of the activity details and duration on the premises.

### *Contract Requirements*

A Contractor will not commence work without a written agreement. The Municipality retains the right to revoke site access for contractor workers who violate any health and safety standard and/or procedure.

## **7. Related Documents/Legislation**

Appendix A - Contractor Health & Safety Agreement

Appendix B - Contractor Qualification Checklist

Occupational Health & Safety Act, 1990