

A Safe Workplace

A Workplace Safety and Health Manual for Your Community

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| Subject: | Contractor Safety | Effective: April 01, 2005 Revised: April 1, 2011 |

The Manitoba Workplace Safety and Health Act and Regulations, section 7.4(5) states "a workplace safety and health program must include a statement of the procedures to be followed to safeguard safety and health in the workplace when another employer or self-employed person is involved in work at the workplace that includes

- (i) criteria for evaluating and selecting employers and self-employed persons to be involved in work at the workplace, and*
- (ii) procedures for regularly monitoring employers and self-employed persons involved in work at the workplace."*

Council as a Contractor

If council contracts with an outside company or self-employed person to do certain work and direct their activities, then council becomes the prime contractor under *The Workplace Safety and Health Act* unless specified otherwise in a contract document. This does not mean that council takes over the safety and health responsibilities of the contracted employer or self-employed person such as training, supervision or managing the safety and health hazards that fall under their control but it does mean that council is responsible for managing the safety and health risks that fall under your control.

When there are multiple contractors hired to perform work on a project one of them must be designated as prime contractor in the contract document.

Your responsibilities as a council, as it relates to contractors or self-employed persons working in your community are outlined in the sections below:

- Criteria for Evaluating and Selecting Contractors and Self-employed Persons
- Information Exchange System
- Procedures for Monitoring Contractors and Self-employed Persons

Criteria for Evaluating and Selecting Contractors and Self-employed Persons

Council must ensure that all contractors and self-employed persons meet the following criteria:

1. appropriate certification for their field of work;
2. provide a letter of good standing from the Workers Compensation Board; and

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3. provide a risk management plan. A risk management plan identifies the risk and outlines the measures to control it.

Information Exchange System

Council must ensure that there is a system of information exchange between council and contractors and self-employed persons. Council must identify any known hazards to the contractor or self-employed person. The following should be considered:

- prior to work beginning on any construction project, a pre-construction meeting should be held to discuss pertinent information;
- responsibilities for effective safety control should be determined;
- where council is considered the prime contractor only, minutes of meetings must be taken and reviewed at next scheduled meeting;
- scheduled meetings should include exchange of up to date safety information and a review any new information;
- contractors and self-employed persons must provide a copy of all the Material Safety Data Sheet (MSDS) to all site personnel; and
- MSDS must be kept in a common area for construction projects.

Procedure to Monitor Contractors and Self-employed Persons

Council must ensure the following monitoring is conducted as it relates to work performed by contractors or self-employed persons:

1. ensure that all contractors or self-employed persons follow the requirements of the community workplace safety and health program; and
2. ensure that all contractors and self-employed persons follow the requirements of their own workplace safety and health program.

Pre-qualification Process

A Contract Employer Compliance Questionnaire outlines the safety and health qualifications of a contractor or self-employed person. A copy of the questionnaire is attached. This form can assist council in developing a pre-qualification list of contractors or self-employed persons.

As part the process, councils may request that contractors complete this on an annual basis.

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Council as a Prime Contractor

If council is undertaking a construction project which involves more than one employer or self-employed person there must be a prime contractor for the project. If council does not contract with someone else to coordinate and manage work on the construction project, council takes on the responsibility of the prime contractor.

The prime contractor is legally responsible for:

- a) setting up an effective system to ensure everyone involved in work on the project meets their legal safety and health obligations;
- b) coordinating, organizing and monitoring work on the project to ensure reasonable and practicable precautions are in place to effectively control safety and health hazards;
- c) coordinating the safety and health programs of contracted employers;
- d) conducting pre-construction meetings and regular inspections on site between the contractor and council where the following should be discussed:
 - all known and potential hazards are identified;
 - these hazards are communicated to all who are working on the project; and
 - the contractor(s) and/or council will develop a plan to control or eliminate these identified hazards; and
- e) ensure a sign is erected that states:
 - the name of the of the prime contractor;
 - the location of first aid service;
 - the name of who can be contacted about safety and health matters at the site; and
 - the name of the workplace safety and health representatives.

Community Responsibilities

Council must ensure that:

- contractors and self-employed persons are evaluated and selected based on the criteria outlined;
- a system for information exchange is implemented; contractors and self-employed persons are monitored as per the manual; and
- where council is the prime contractor, a pre-construction meeting is conducted as outlined.

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Attachments

- Contract Employer – Compliance Questionnaire