



WORKING WITH CONTRACTORS

Contractor Safety Kit

Contractor Safety Article

You are responsible for any workers, temporary employees, contractors or subcontractors. Reduce your uncertainty with their safety by using this information.

Contractor Best Practices

Reinforce the value of your contractor's well being by following these best-practices to keep your workplace safe and aware.

Contractor Supervisor Kit

Use this contractor safety talk to remain aware of all the hazards you need to be alert of when working with contractors.

Safety Article

Safety for Host Employers and Contractors



DEFINING THE PROBLEM

As a host employer you may find yourself responsible for the safety and health of your workers, temporary workers provided by staffing agencies, and workers employed by other contractors or subcontractors, such as electrical contractors, machine installation or maintenance vendors, or long-term contractors that provide ongoing services such as building cleaning and maintenance.

This can create several challenges and hazards for you and your workers, and contractors and their

employees.

To keep it simple, we will be referring to contractors, subcontractors, and staffing agencies as “contractor/s” and their respective employees as “contractor employees”.

THREE REASONS FOR CONCERN

1. CONTRACTORS ARE VULNERABLE

Contractor personnel are unfamiliar with your machinery and work processes which makes them

vulnerable to accidents and injuries.

- You don't get to train them the way you do your own workers.
- They don't know their way around your site.
- They're more likely to inadvertently work on energized equipment or improperly enter confined spaces.

2. CONTRACTORS CAN PUT YOUR WORKERS AT RISK

Having contract workers on your site can compromise your safety program and put your own workers at risk.

- Contract workers who aren't familiar with your safety systems may inadvertently shut off or disable key controls or start up processes or equipment.
- Workers unfamiliar with your workplace or processes may accidentally cause a leak or spill or even start a fire or explosion.
- Your workers may not be aware of the hazards associated with the work contract workers are performing.

3. YOU COULD BE LIABLE FOR CONTRACTORS' INJURIES

Various OHS and OSHA legislation in both Canada and the US hold host employers at multi-employer work sites responsible for contractor injuries.

SETTING THE GOALS

The safety of everyone on site is enhanced when you have reliable systems in place for coordinating tasks, jobs, and projects and communicating safety procedures, hazards, and injury & illness information.

The goal is to ensure that before coming on site, contractors and their workers are aware of:

1. The types of hazards that may be present.
2. The procedures or measures they need to use to avoid or control their exposure to these hazards.
3. How to contact the host employer to report an injury, illness, or incident or if they have a safety concern.

And, that host employers and their workers are aware of:

1. The types of hazards that may arise from the work being done on site by workers employed by contractors.
2. The procedures or measures needed to avoid or control exposure to these hazards.
3. How to contact the contractor – and who to contact if they have a safety concern.
4. What to do in case of an emergency.

THE SOLUTION

So, how do you successfully make this happen? The Occupational Health and Safety Administration offers these suggestions for establishing effective communication and coordination between host employees and contractors.

ESTABLISHING EFFECTIVE COMMUNICATION

Each host employer establishes and implements a procedure to ensure the exchange of information about hazards present on site and the hazard control measures in place. Thus, all workers on the site are aware of worksite hazards, and the methods and procedures needed to control exposures to them.

Getting There...

- The host employer communicates with contractors to determine which among them will implement and maintain the various

parts of the safety and health program, to ensure protection of all on-site workers before work begins. These determinations can be included in contract documents that define the relationships between the parties.

- The host employer establishes and implements procedures to exchange information with contractors about hazards present in the workplace and the measures that have been implemented to prevent or control such hazards.
- The host employer gathers and disseminates information sufficient to enable each employer to assess hazards encountered by its workers and to avoid creating hazards that affect workers on the site.
- Contractors regularly give the host employer any information about injuries, illnesses, hazards, or concerns reported by their workers and the results of any tracking or trend analysis they perform.
- Each contractor establishes and implements a procedure for providing the host employer with information about the hazards and control measures associated with the work being done by its workers and the procedures it will use to protect workers on the site.
- The host employer gives contract employers the right to conduct site visits and inspections and to access injury and illness records and other safety and health information.
- The host employer communicates with contractors and their workers about nonroutine and emergency hazards and emergency procedures.
- Information is communicated before work starts and, as needed, if conditions change.

ESTABLISHING EFFECTIVE COORDINATION

Host employers and contractors coordinate on work planning, scheduling, and resolving program differences to identify and work out any concerns or conflicts that could impact safety or health.

Getting There...

Host employers:

- Include in contracts and bid documents any safety-related specifications and qualifications and ensure that contractors selected for the work meet those requirements.
- Identify issues that may arise during on-site work and include procedures to be used by the host employer and contractors for resolving any conflicts before work starts.

Host employers coordinate with contractors to:

- Ensure that work is planned and scheduled to minimize impacts on safety.
- Ensure contract workers are adequately trained and equipped before arriving on the worksite.
- Harmonize their safety and health policies and procedures to resolve important differences, so that all workers at the site have the same protection and receive consistent safety information.

Host employers and staffing agencies:

- Work together to deal with unexpected staffing needs by ensuring that enough trained and equipped workers are available or that adequate lead time is provided to train and equip workers.
- Make sure that managers with decision-making authority are available and prepared to deal with day-to-day coordination issues.

8 Best Practices

8 Best Practices for Contractor Management



Many companies, by necessity, must use contractors in their operations. Because your company could be held liable for violations committed by its contractors, it's important to take appropriate steps to manage them and ensure that they comply with the laws and your safety requirements. A recent report by the Campbell Institute, collected the best

practices from world-class EHS organizations for contractor management during crucial steps in the contractor life cycle.

8 BEST PRACTICES

The Campbell Institute research identified best practices for the following steps in the contractor

management life cycle.

PREQUALIFICATION

The majority of organizations involved in the study use or are about to use third-party prequalifying companies. One rationale for using external prequalifying agencies is due to the size and number of projects involving contractors that these organizations have, many of which are located all over the world. The widespread use and large scope of contractors in global organizations often requires the services of prequalifying companies to handle a large part of the initial vetting process. Note, however, that using a third party to prequalify may exclude smaller contractors who can't afford the related costs.

In addition, all of the organizations in the study assess contractors based on their safety statistics, such as incident rate, fatality rate, workers' comp claims, injury logs, environmental reports and regulatory citations. The organizations require contractors to submit these statistics for a given time period, typically the last three years.

Lastly, most of the research participants have some form of internal scale, checklist or metric for which a contractor must receive a "passing grade" to be approved for work. For example, one company assigns contractors a letter grade (A, B, C or D) based on standard safety statistics, presence of written safety programs, leading indicators and performance evaluations. Contractors must get a grade of A or B to receive a contract.

Other organizations don't assign grades but still maintain a rating system. For example, one company calculates a Contractor Safety Performance Metric that's based on OHS history, proof of permits and licenses, and documented safety practices and policies.

PRE-JOB TASK AND RISK ASSESSMENT

Two-thirds of research participants have a method to evaluate the risk rating of the work to be performed—typically using a risk matrix—to place contractors in a predetermined risk category. One company, for instance, performs an initial risk assessment based on the broad scope of work and a second assessment based on the contractor's detailed work procedure. It uses a risk matrix and assigns point values for severity, frequency and probability to calculate the risk associated with a given project. Contractors for projects with higher risk ratings must provide additional written safety programs.

Projects that require the use of contractors also often require the use of subcontractors. Most research participants specify that the general contractor is in charge of hiring subcontractors and managing their safety. In such situations, subcontractors are held to the same standards as general contractors—but it's the general contractor's responsibility to apply those standards. This responsibility is yet another reason for companies to be diligent about hiring reliable and accountable general contractors from the start. In one organization, for example, part of the prequalification process for contractors is the evaluation of their standards and procedures for qualifying subcontractors.

CONTRACTOR TRAINING AND ORIENTATION

All organizations require safety orientations and skills training of contractors for them to be approved for work. These orientations and trainings are provided on site, although the methods may vary slightly. For instance, at one organization, contractors attend a Contractor HSE Alignment Kickoff meeting with hazard awareness and compliance training to be completed within one week of the start of work. Another company's general safety orientation includes a contractor safety video with a test directly afterwards. Contractors are given two tries to pass the test (passing grade = 80%) and aren't allowed to

work otherwise.

In addition, all the organizations require special permits or training for specific kinds of work, such as confined space entry, electrical work, hot work, energy control and work at elevations. The organizations may also provide specialized safety training, including hazard identification, PPE, LOTO, fall prevention, etc.

MONITORING OF JOB

Every organization in the study has periodic assessments during the contract term, which varies from daily checklists and/or safety talks to weekly walkthroughs, monthly and yearly assessments. One organization, for example, performs daily inspections of contractor work to ensure that it's in compliance with the Pre-Task Safety Plan submitted before the start of work. It also requires contract employees to submit a minimum of two safety observations per month.

The maintenance of incident logs is also crucial to monitoring contractor safety during a project. At one organization, contractors must maintain incident and near miss report logs to ensure that proper corrective actions are implemented.

BOTTOM LINE

Managing contractors and avoiding liability for their safety violations can be complicated. But adopting the best practices for contractor management discussed in the Campbell Institute report can help you overcome some of the challenges.

SUMMARY OF 8 BEST PRACTICES

1. Use of third-party prequalifying companies.
2. Assessment of contractor safety statistics.
3. Internal scale or checklist to assign grades to contractors during prequalification.
4. Risk rating for work to be performed by contractor.
5. Placing general contractors in charge of subcontractor safety and holding them to owner standards.
6. Verification of contractor certifications and permits.
7. On-site safety orientations.
8. Periodic, scheduled assessments during contract term.

MINE AND SUPERVISOR CHARGED IN DEATH OF CONTRACTOR'S WORKER

A mine hired a contractor to install poles and related equipment for a new power line. One of the contractor's workers was killed while working in close proximity to an existing energized power line. The government charged the mine with six OHS violations, including failing to ensure that people were protected from hazards and failing as a principal contractor to ensure that employers performing work complied with the laws. It also charged a supervisor with two safety violations [The Iron Ore Company of Canada, Govt. News Release, April 30, 2013].

Traps To Avoid

Failing to Properly Supervise Contractors

Employers have a duty to protect the health and safety of workers in the workplace. As part of that duty, employers must supervise all contractors to ensure that they comply with the OHS laws and don't endanger workers—whether the employer's or the contractor's. And at multi-employer worksites at which there's a prime contractor or constructor, the prime contractor or constructor must supervise the other contractors on the job. If it doesn't and a contractor commits a safety offence, it could be held liable. That's what happened to a prime contractor in BC.

PRIME CONTRACTOR FAILED TO PROPERLY SUPERVISE PAINTING CONTRACTOR

At a residential construction site, a painting contractor and one of his workers were injured in a fall from a ladder on a roof. Neither was wearing fall protection. The prime contractor for the site was issued an administrative penalty for OHS violations and appealed, arguing that the painting contractor was at fault and it had exercised due diligence to ensure the contractor complied with the OHS laws.

The Tribunal disagreed. The issue wasn't whether the prime contractor was directly at fault for the painting contractor's OHS violations but whether it had in place at the worksite appropriate systems and procedures to ensure contractors complied with their safety obligations under the OHS laws. To fulfil this duty, a prime contractor must have both a generally effective system in place as well as specific systems relevant to the particular workplace and contractor, said the Tribunal. And a prime contractor can't merely assume that contractors will work safely; it must proactively ensure such safe work takes place.

Here, the prime contractor had a general oversight system, but failed to effectively oversee this specific worksite and the painting contractor. It gave the painting contractor an orientation and explained what his duties were. But it didn't otherwise supervise him. The prime contractor assumed that the painting contractor would comply with his obligations but didn't demand to see any of the basic features of proper safety planning from him relevant to the worksite, noted the Tribunal. In addition, the prime contractor knew that the painting contractor was attending the worksite at irregular and unscheduled hours, without contacting the site superintendent and thus without direct supervision.

The Tribunal explained that because contractors aren't always motivated to comply with their safety obligations, multi-employer jobsites place an added supervisory duty on the prime contractor, who's in the best position to control and ensure safety on such jobsites. So although the painting contractor was obviously at fault, the prime contractor's failure to adequately supervise him in all the circumstances reflects, in turn, a breach of its own safety obligations, concluded the Tribunal [WCAT-2013-03358 (Re)].

SOLUTION: ENSURE CONTRACTORS ARE ADEQUATELY SUPERVISED

The basic lesson from this case is that whether you're an employer, prime contractor or constructor, you can't assume that contractors will comply with their safety obligations. You must adequately supervise them while they're working for your company to ensure that they do what they're required to do. To ensure that you adequately supervise contractors:

TAILOR THE LEVEL OF SUPERVISION TO THE LEVEL OF HAZARD

All work doesn't require the same level of supervision. That is, the greater the hazard, the greater the need for supervision of contractors. For example, particularly hazardous work, such as jobs involving confined spaces or work being done at heights, requires more direct supervision, such as having someone from your company physically monitor the contractor in the field. But for less hazardous work, you can usually rely on indirect supervision, such as requiring daily copies of all risk assessments conducted by the contractor.

LOOK FOR SAFETY VIOLATIONS AND INFRACTIONS

When supervising a contractor's work, you shouldn't merely ensure that the workers are doing

the job they were hired to do. It's important that you also identify any violations of the OHS laws and of your company's or the contractor's safety rules and procedures being committed by them—and then take appropriate steps in response. For example, if your site superintendent sees a roofing contractor's workers on a roof without appropriate fall protection, he should immediately speak to a supervisor for the roofing contractor, advise him of the infraction and require those workers to use proper PPE. And such infractions may also signal that this contractor needs more direct and frequent supervision than others.

5 WAYS TO CONNECT WITH CONTRACTORS

- 1. Prequalification:** Contractors must submit their safety stats—including total recordable incidents and fatalities—over a given time, usually three years. Set the bar high during prequalification and study the stats.
- 2. Pre-job task and risk assessment:** Before a contractor begins work, the hiring company must have a way to evaluate the risk of the work and to place contractors in a predetermined risk category. This helps companies and contractors understand the scope of work and have a chance to put additional written safety programs in place.
- 3. Training and orientation:** Contract workers require both safety orientation and skills training to be approved for work. They also require special permits or training for specific kinds of work, including confined space entry, electrical work, hot work, energy control, use of forklifts and working at heights. Check training records.
- 4. Job monitoring:** Contract workers must be assessed periodically through daily checklists, safety talks, weekly walkthroughs, and monthly and yearly assessments, for longer work. Some companies or organizations require contract employees to submit safety observations or report non-compliance or unsafe conditions.
- 5. Post-job evaluation:** Create and use post-work evaluations of contractors to ensure the work was done correctly and safely. Analyses of contractor claims, observations, and injury rates are some ways to measure the effectiveness of contractor safety training.

Contractors Safety Talk

What Workers Need to Know



WHAT'S AT STAKE

Workers all have their areas of expertise and they develop impressive skills through years of experience. But being an expert machine operator doesn't necessarily mean one is able to perform critical maintenance or repairs on that machinery.

That's why your employer likely needs to bring contractors in to conduct such work. However, contractors may be unfamiliar with your workplace and some of the hazards that they might encounter there.

WHAT'S THE DANGER

Your employer is required to ensure that safety is maintained in your workplace, not only for workers, but also for contractors. That means being careful about ensuring that contractors have good safety records and are qualified and certified to do the work, and also obtaining and checking references.

Still, your workplace may pose hazards that contractors are not aware of until the work they are performing causes an incident that either damages machinery or product, or injures contractors or other workers.

That’s why you are a vital part in the process of maintaining safety for all workers and contractors in your workplace.

HOW TO PROTECT YOURSELF

Workers should introduce themselves to contract workers who come on to their worksite. Ask them what work they will be performing and be alert for any potential safety issues that could arise from those activities.

Getting to recognize who is on the worksite will also help you spot new people who suddenly appear and may have been subcontracted by contractors.

Subcontractors may also be unaware of hazards, so it’s a good idea to talk to them to determine what work they will be doing and assess whether they are aware of how their actions might negatively impact their own and others’ safety.

If you have any concerns from your conversations, you should talk to your supervisor. Workers should also watch contractors and subcontractors working and report any safety or health concerns they observe. For example, contractors and subcontractors have been known to inadvertently disturb controls or start up or shut down processes or equipment.

Such actions could lead to a deadly incident. That’s why you need to stay vigilant for errors made by others and speak up when you see them.

FINAL WORD

You are responsible for ensuring your own safety, that of your co-workers and others, including contract employees who come into your workplace. If you witness a contract employee working unsafely, speak up.

CONTRACTOR QUIZ

- 1. Contractors may be experts in their fields, but they could be unaware of particular hazards in your workplace. **True or False**
- 2. If you see new contractors at your workplace you should?

- 3. Contractors have been known to inadvertently disturb controls or shut down or activate processes, with tragic results. **True or False**
- 4. As a worker, you are responsible for your own and others’ safety, including that of contractors on your worksite. **True or False**
- 5. If you chat with a contract worker and have concerns over his or her attitude toward safety, you should?

WHAT WOULD YOU DO?

You introduce yourself to some contract employees at your workplace and find out there is a major language barrier. Later, when you watch them working, you observe that they aren’t using personal protective equipment and seem to lack safety awareness. What should you do about it?

QUIZ ANSWERS

- 1. True 2. Introduce yourself. 3. True 4. True 5. Talk to your supervisor.

A thick red L-shaped graphic that frames the central text. It starts with a horizontal line at the top, then turns 90 degrees down to a vertical line on the right, and then turns 90 degrees left to a horizontal line at the bottom, ending with a vertical line on the left.

Continue With...

SafeSupervisor

You've also been given a 14-day complimentary pilot of SafeSupervisor for yourself, we will call you so you get the most out of this membership!