

**HALIFAX REGIONAL MUNICIPALITY
CORPORATE OCCUPATIONAL HEALTH AND SAFETY MANUAL**

SUBJECT: CONTRACTOR SAFETY MANAGEMENT POLICY

SECTION: 12:00

Approval Date: May 6, 2008

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Approved By: Dan English, CAO

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12.01 POLICY STATEMENT

The Halifax Regional Municipality (HRM) is subject to the *Nova Scotia Occupational Health and Safety Act* (the *Act*) when contracting for the services of external contractors, and suppliers. This policy has been developed to confirm HRM's commitment to maintaining a safe and healthy work environment and to prevent workplace accidents and illness.

12.02 DEFINITIONS

“Contractor” means a person who contracts for work to be performed at the premises of HRM or contracts for work on a HRM project and includes a sub-contractor

“Employee” means a person who is employed or contracted to do work by a contractor

“HRM Employee” means persons who are employed directly with HRM

“Employer” means a person other than HRM who employs one or more employees or contracts for the services of one or more employees

“Supplier” means a person who manufactures, supplies, sells, leases, or distributes or installs any tool, equipment, machine or device or any biological, chemical or physical agent to be used by an Employee or Employee

“HRM Representative” means a person appointed by the director, manager or supervisor of the business unit to oversee the contractor or supplier

12.03 POLICY OBJECTIVES

The objective of this policy is to establish and clarify the duties and procedures of each party in carrying out their responsibilities under the *Act*. It will help clarify the procedures necessary to reduce incidents

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or accidents, damage to equipment or property and ensure the health and safety of all HRM Employees and those of the Contractor.

12.04 APPLICATION

General

This policy is meant to compliment the *Act* and in the event of any conflict between this policy and the *Act*, the *Act* will prevail.

HRM

This policy applies to all members of management and employees of the HRM that are involved with or are requesting the contracting of work on behalf of HRM, or that work with or in the vicinity of external contractors or are involved with the procurement of external contractors.

Contractors and Suppliers

This policy applies to anyone that undertakes work or work on a project for HRM by way of contract. All contractors utilized by HRM and their employees will comply with the *Act* and applicable regulations, as well as any applicable HRM policies or practices. This policy also applies to anyone who acts as a Supplier in relation to HRM directly or any of its external contractors.

12.05 ENFORCEMENT & ADMINISTRATION

HRM

HRM to the extent of it's ability and authority will take all reasonable steps to monitor all contractors and suppliers for compliance with the Act, regulations and HRM safe work practices and procedures. In the event of a noncompliance, HRM will take the necessary steps to ensure compliance is achieved.

It will be the responsibility of each director, manager and supervisor of the business unit contracting for

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services, to ensure that this policy and all other applicable policies and procedures are being adhered to. The director, manager, or supervisor of the business unit shall appoint an HRM Representative to oversee the contract work and/or the supplier. The name of the Representative and contact information shall be provided to HRM procurement and the Contractor or Supplier as the case may be.

Inspections will be conducted and documented by the HRM Representative for the purposes of ensuring that work is being conducted in a safe and healthy manner and to ensure compliance with the *Act*. In the event of non-compliance with the *Act* the HRM Representative shall ensure appropriate corrective action is taken as required.

At anytime during contracted work, a Corporate Safety Officer in addition to the HRM Representative may conduct a site inspection and take or order whatever corrective action is deemed appropriate at the time.

When safety violations are observed by the HRM Representative, the Corporate Safety Officer or any HRM employee, the appropriate director, manager, or supervisor will ensure corrective action is immediately taken and a **Contractor Safety Violation Report** (appendix "B") will be completed and sent to the Manager of Procurement, Financial Services as well as the Corporate Safety Office.

All contractors and suppliers at the time of tendering are required to agree to the HRM's mandatory minimum Health and Safety requirements as stated in the tender document, as well as complete a "Contractor Health and Safety Questionnaire" (Appendix "A").

12.06 POLICY DIRECTIVES

Policy Review

This policy shall be reviewed as required to ensure it remains current, meets the requirements of HRM

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work practices and compliance with applicable legislation. Review of this policy will be done in consultation with HRM Joint Occupational Health and Safety Committees and representatives.

Posting Requirements

This policy is to be readily accessible to all employees, contractors, and suppliers, and shall be posted on the Corporate Safety Website, and distributed to all Business Units for insertion in their safety manuals.

Each Business Unit will be responsible and accountable for developing, implementing, supervising, and the training of employees in this policy.

12.07 RESPONSIBILITIES

The general duties and responsibilities of HRM, HRM employees, contractors, suppliers and their employees and others are set out in the *Act*. Generally, the provisions require each individual ensure to the extent of their authority and ability to do so, the health, safety and welfare of workers.

HRM

HRM is an owner and employer under the *Act* and like all employers and owners will continue to be responsible for compliance with the *Act*. As owner of the property HRM will make every precaution reasonable in the circumstance to maintain their land or premises used as workplace in a manner that will ensure the health and safety of persons at or near that workplace, and in a manner that is in compliance with the *Act* and regulations.

HRM will provide to any contractor, or person that may be performing a workplace activity, any information that is known by HRM or information that HRM could reasonably be expected to know, that would be necessary to identify, eliminate, or control hazards relating to the health and safety of persons at the workplace.

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Duties the Business Unit Director, Managers and Supervisors

Workplace health and safety has been assigned by HRM to each Business Unit Director. Each Business Unit Director, Manager and Supervisor will familiarize him or herself with the provisions of the *Act*.

It is the responsibility of the Business Unit Director, Managers and Supervisors to provide information, instruction, training, supervision and facilities necessary for the health and safety of HRM employees while working with or in the vicinity of external contractors.

Ensure HRM employees, are familiar with any health or safety hazards they may be exposed to while working with or in the vicinity of external contractors and suppliers and to implement appropriate corrective action to prevent such exposure.

Ensure compliance with the *Act* and applicable regulations and this policy.

Appoint an HRM Representative who is trained and competent to deal with external contractors and suppliers.

Ensure inspections are conducted and documented for any contracted work their business unit is involved with to ensure that both HRM employees and external contractors, suppliers and their employees are working in a safe manner and utilizing the appropriate protective devices, measures and procedures required.

Ensure the Chief Administrative Officer is informed of any significant contractor activity, any work related death, or any decision of the business unit related to health and safety that may have negative implications;

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Ensure the investigation of all near misses, personal injuries and property damage involving workers or external contractors under their control, and to report these findings to the Health and Safety Committees and the Corporate Safety Section of HRM.

Evaluate health and safety performance of all contracted work and provide feedback to the Procurement Department.

HRM Employees and those of External Contractors

Every employee shall work in compliance with the *Act* and applicable regulations;

Adhere to all safety programs, policies, safe work procedures and safety directives relating to health and safety performance;

Take all reasonable precautions in the circumstance to protect their health and safety and the health and safety of others at or near the workplace;

Report all safety hazards or unsafe conditions using the following protocol, immediate supervisor, manager, safety committee, safety representative or the Department of Environment and Labour, if the situation is not appropriately resolved;

Report all personal injuries, property/equipment damage, or near miss incidents to your supervisor. In the event of a personal injury, obtain first aid or other medical assistance immediately;

Use all personal protective equipment as required by regulation, HRM policy, or at the direction of a supervisor;

Use only machinery, tools, or equipment for which you have been properly trained in and authorized to

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use;

Co-operate with the Joint Occupational Health and Safety Committees, safety representative, the employer, external contractors or any person performing a duty under the Occupational Health and Safety Act and regulations;

Contractor

Every contractor shall take every precaution that is reasonable in the circumstances to ensure the health and safety of persons at or near the workplace or project;

Comply with, and ensure that every sub contractor, employee, self-employed person and employer performing work at the workplace complies with the Act and applicable regulations and HRM safe work practices, policies, procedures and safety program;

Must co-ordinate their work in a manner that will ensure the health and safety of other workers, HRM employees or people at the workplace;

Take appropriate corrective or disciplinary action against any sub contractor or employee in contravention of health and safety legislation, which may include but not limited to the suspending of work until appropriate corrective action is implemented;

Ensuring that any directives or orders issued by the Department of Environment and Labour are appropriately addressed in a timely manner and that the HRM Representative is immediately informed of any such directives or orders.

Communicate all information necessary for the health and safety of persons at the workplace;
Contractors shall assign a trained and competent person to oversee health and safety while working on

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HRM property and shall provide the name and contact information of such person. The assigned person shall coordinate, cooperate and communicate with the HRM Representative for the purposes of ensuring the health and safety of the workplace.

Contractors will be responsible for providing and maintaining certified first aid responders and applicable first aid supplies on site

Contractors are responsible for the development of emergency procedures, including the transportation of an injured employee to the hospital if required

Contractors will be required to conduct hazard assessments and implement appropriate control measures, maintain their work site in a clean and orderly manner and to ensure appropriate supervision and trained, competent staff are on site

Where required by legislation, contractors will be required to establish and maintain the appropriate safety committees or representatives.

Supplier/Manufacturer

Every supplier shall take every precaution that is reasonable in the circumstances to ensure that any device, equipment, machine, material or item supplied is in a safe condition, provided with all required safety devices, manufacturers specifications and instructions pertaining to the safe use of the product;

Ensure that any device, equipment, machine, material or item supplied is in compliance with the *Act* and applicable regulations;

Communicate any instructions regarding the safe use and or safety equipment necessary for the safe use of any device, equipment, machine, material or item supplied;

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Maintain the supplied product in a safe condition, if it falls under their realm of responsibility;

Ensure that any biological, chemical or physical agent supplied is properly labelled and provided with the appropriate MSDS sheets required by regulation;

HRM Safety Officer

A resource that will provide assistance, advice and make recommendations to directors, managers, supervisors, joint occupational health and safety committees, external contractors, suppliers and employees in relation to health and safety matters;

HRM Safety Officers will perform the role of advisor/resource and will not assume the responsibility of directors, managers and supervisors for the implementation and enforcement of health and safety policies, safe work procedures/practices and the safety program;

Will utilize the authority assigned to them by senior management, for stopping or shutting down any HRM workplace or part of a workplace, projects or part of a project, or taking any equipment out of service, that poses or may pose an imminent danger to employees, external contractors, or people at or near a workplace, or that is in violation of the Occupational Health and Safety Act or applicable regulations;

Conduct as required, safety inspections and audits in the workplace, on projects or any site where a external contractor may be utilized by HRM and recommend control measures as required;

12.08 POLICY MONITORING

The Director in each business unit involved with contractors, or suppliers will ensure that monitoring the implementation of this policy takes place and that there is reporting on the performance and

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effectiveness of health and safety for contractors and contracted work..

HRM

HRM will actively monitor and audit compliance with this Contractor Safety Management Policy and legislated standards. Business Units may be audited and evaluated on their occupational health and safety performance and policy/program compliance at any given time, with or without previous notification.

12.09 REFERENCES

Occupational Health and Safety Act, Chapter 7 of the Acts of 1996, c.7, s.1

Reference Guide to the Occupational Health and Safety Act, Department of Environment and Labour, last printed on April 1, 2004.

APPENDICES

“A” - Contractor Health and Safety Questionnaire

“B” - Contractor Safety Violation Report

12.10 ENQUIRIES

All enquiries relating to the interpretation and application of this policy should be referred to;

HRM Corporate Safety
21 Mount Hope Avenue

Dartmouth, Nova Scotia
B3J 3A5
Phone (902) 490-1927
Fax (902) 490-7114
e-mail - corpsafety@halifax.ca

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APPENDIX "A"

CONTRACTOR HEALTH & SAFETY QUESTIONNAIRE

Contractors wishing to submit proposals to the Halifax Regional Municipality must complete this questionnaire and submit it to HRM Finance Department with their bid information

GENERAL INFORMATION:

Company Name: _____

Company Address: _____

Telephone Number: _____

INSURANCE/WORKERS' COMPENSATION COVERAGE:

Is your company covered by general liability insurance, automotive insurance, umbrella policies, etc., that would cover the cost of damages to, and incidents involving third parties? **9** Yes **9** No

Is your company in good standing with the Workers' Compensation Board for the Province of Nova Scotia? **9** Yes **9** No

If no, please explain _____

SAFETY PERFORMANCE:

Does your company have any non compliance or outstanding issues with the Nova Scotia Department of Environment and Labour, such as stop work orders, pending charges/prosecutions, or recent (within the last year) convictions or fines? **9** Yes **9** No

If yes, please attach a note explaining the details, including current status or resolution.

SAFETY PROGRAM:

Does your company have a written health and safety policy signed by management? Yes No

Does your company have written safety policies, procedures, and safe work practices applicable to the scope of work to be performed, including clearly defined safety responsibilities for managers, supervisors and workers? Yes No

How do you communicate your safety policies and procedures?

How often do managers/executive officers visit the work site? _____

Please explain how you conduct on site inspections, including how often they are conducted, what they cover and who conducts them?

SAMPLE

Does your company have a risk assessment procedure? Yes No

Does your company have a procedure in place for investigating incidents, accidents and near misses? Yes No

Please attach a list and contact information of all supervisors you will be using on site, as well as any safety coordinator or persons responsible for job site safety.

Do you provide on the job training to all employees? Yes No

Please indicate how you inform your workers, other workers or persons at or near the workplace of any workplace hazards to which they may be exposed.

Do you have a disciplinary policy in place for anyone committing health and safety violations? **Please describe:** Yes No

Do you have a Joint Occupational Health and Safety Committee or Representative? Yes No

Do you have a preventative maintenance program for tools and machinery? Yes No

Do you have a health and safety policy in place for incorporating subcontractors into the workplace ? Yes No

SAMPLE

Please provide any other information relating to other programs or activities that you believe demonstrates your company conducts their projects safely and in accordance with all health and safety requirements.

NOTE: PLEASE BE ADVISED THAT DURING THE TENDERING PROCESS OR AT ANYTIME DURING THE CONTRACTED WORK, HRM MAY REQUEST COPIES OF POLICIES, PROCEDURES, RECORDS OR DOCUMENTATION OF PROOF FOR ANY QUESTIONS ANSWERED ON THIS QUESTIONNAIRE.

DO YOU AGREE TO PROVIDE THIS INFORMATION IF REQUESTED ? Yes No

Signature

Date

Position / Title

