

Starland County

Contractor Safety Program

Purpose and Overview

As part of the Starland County's commitment to workplace safety the Starland County Contractor Safety Program has been developed to ensure that all contracted workers, including prime contractors, general contractors, and sub-contractors, meet or exceed the standards set out by the Alberta Occupational Health & Safety Act, its Regulations and Code.

This Contractor Safety Program sets out rules and guidelines that County staff must adhere to when contracting out work. These rules and guidelines describe the roles and responsibilities of parties involved and outline the processes to be followed before work is to be tendered, after the contract has been awarded, and while work is being carried out. The contractor's safety and the safety of his/her co-workers, visitors and other persons are foremost among the Starland County's priorities. We are committed to providing an environment and workplace, which is safe and free from hazards. The management team has the responsibility, and will take the necessary steps (has the right to stop work for non-compliance of any safety violations), to ensure the workplace continues to be safe. This is why contractor occupational health and safety performance is considered as an important factor in awarding and renewing Starland County contracts.

The Starland County Contractor Safety Program contains:

1. Application
2. Roles and Responsibilities
3. Assigning Prime Contractor
4. Starland County as Prime Contractor
5. Definitions
6. Appendices

1.0 Application

This policy applies to contractors, sub-contractors, and their employees whom are performing work on behalf of the Starland County.

Contractors or sub-contractors providing incidental services such as janitorial work, data base administration, assessment services, GPS data collection, or other long term resident services are not covered by this program.

2.0 Roles and Responsibilities

Prime Contractor

- Maintain a safe workplace in compliance with the Alberta Occupational Health and Safety Act, Regulation and Code.
- Notify Workplace Health and Safety and Investigate Serious Incidents that occur at the worksite including:
 1. Fatality.
 2. Worker being hospitalized for two or more days.
 3. Unplanned explosion, fire or flood causing or having the potential to cause or having the potential to cause serious injury.
 4. Collapse or upset of crane, derrick, or hoist.
 5. Collapse or failure of building or structural component.
- Do not disturb the scene of an accident reported except as is necessary in:
 1. Attending to persons injured or deceased;
 2. Preventing further injuries;
 3. Protecting property that is endangered as a result of the accident.

Starland County reserves the right to stop work and re-evaluate contract if notification is not reported to Starland County Corporate Safety Services

Contractor

Every contractor who directs the activities of an employer must ensure, as is reasonably practicable to do so, that the employer complies with the Alberta Occupational Health and Safety Act, Regulation and code in respect of that work site.

Employer

Every employer is required to do everything reasonably practicable to ensure the health and safety of all workers at the work site (including other contractors at the site that the employer's work may affect).

3.0 Assigning Prime Contractor

In situations where Prime Contractor responsibility, as defined by Section 3 of the Act, is to be assigned to another party through contractual obligation by Starland County, the Rules and Procedures established in this section shall be adhered to.

3.1 Tender Process

For all contracts to be tendered where Prime Contractor responsibility is to be assigned, Starland County requires that all Bidders provide proof, to its satisfaction, that the Bidder is competent to discharge its responsibilities as Prime Contractor under the Act.

Proof in this instance must be in the form of either a Certificate of Recognition (COR) which is relevant to their industry and which is recognized by Alberta Employment, Immigration and Industry; Workplace Health and Safety or an established and maintained system or process used by the Bidder to ensure compliance with The Act.

If a Bidder has not obtained a valid COR, Starland County will also accept a valid Temporary Letter of Certification (TLC) issued by the Alberta Construction Safety Association (ACSA).

Confirmation that the bidder possesses a valid COR or TLC will be obtained by Starland County through the ACSA. In instances where a bidder does not possess a valid COR or TLC, documentation of an established and maintained safety system or process must be provided to Starland County before work begins.

All contracts to be tendered which involve the transfer of Prime Contractor responsibilities must include in the Instructions to Bidders the following text:

"All Bidders should be aware that the Company which is awarded the contract will assume the responsibility of Prime Contractor, under Section 3 of the Alberta Occupational Health and Safety Act, and sign a written contractual agreement as documentation of this transfer of responsibility.

In order to ensure that Bidders are competent to discharge their responsibilities as Prime Contractor a contract will only be awarded to Bidders who, prior to the time fixed for receiving tenders, possess a Certificate of Recognition (COR) which is relevant to their industry and which is recognized by Alberta Employment, Immigration and Industry; Workplace Health and Safety, or an established and maintained system or process used by the Bidder to ensure compliance with The Occupational Health and Safety Act, its Regulations and Code.

For bidders who have not obtained a Certificate of Recognition, a valid Temporary Letter of Certification (TLC) issued by the Alberta Construction Safety Association (ACSA) will be considered acceptable.

Starland County will confirm that the Bidder possesses a valid COR or a TLC through the ACSA. In instances where a bidder does not possess a valid COR or

TLC, documentation of an established and maintained safety system or process must be provided to Starland County before work begins.”

3.2 Prior to Commencing Work

In cases where the bidder who is awarded the contract does not have a valid COR or TLC, the adequacy of the system or process which the contractor uses to ensure compliance with The Act, its Regulations and Code will be evaluated against a pre-determined set of criteria to be established by Starland County Corporate Safety Services.

In cases where the evaluation reveals the Contractor’s safety system to be inadequate the decision to award the contract must be reevaluated to determine whether or not the risks posed by the Contractor’s safety system requires the contract to be awarded to another bidder.

After a contract has been awarded that requires the transfer of Prime Contractor title and responsibilities, and there has been confirmation of a valid COR, TLC, or appropriate safety system, the winning bidder will be required to sign a “Transfer of Prime Contractor Responsibility Agreement” which will be provided by the Corporate Safety Services.

3.3 Incident/Accident Reporting

Starland County requires the reporting of all incidents to Starland County Corporate Safety Services, which includes a sudden or unforeseen event while conducting work authorized by Starland County that could cause or has caused:

- An injury or illness;
- An unplanned release to the environment; or
- Contravention of a regulatory requirement.

4.0 Starland County as Prime Contractor/No Prime Contractor Required

Whether there is a legal requirement or not, all instances where Starland County directs the actions of one or more employers through a contract Starland County will remain as Prime Contractor. In these instances it is the responsibility of Starland County to ensure that all workers, employers and contractors understand and comply with the Alberta Occupational Health and Safety Act, its Regulations and Code. In order to comply with this provision of Act the rules and procedures established below must be adhered to at all times when any work is to be contracted out where Starland County remains as Prime Contractor.

4.1 Orientation

At the time of hire Starland County shall orientate the worker, employer(s), or contractor by:

1. Completing the Starland County Contractor Health and Safety Orientation with Corporate Safety Services.
2. Completing and signing the Contractor Health, Safety and Liability Agreement.
3. Perform a worksite hazard identification assessment.

4.2 Inspections

In order to ensure compliance with The Act, regular worksite inspections should be carried out by Starland County Safety Services. The written inspection form should document any necessary actions to be taken, who is responsible for their completion and projected timelines for any identified unsafe condition and/or work practice. All Employers/Contractors are required to ensure due diligence that the corrective actions were completed in a timely manner.

5.0 Definitions

As per the Alberta Occupational Health and Safety (OH&S) Act:

Contractor: A person, partnership or group of persons who, through a contract, an agreement or ownership, directs the activities of one or more employers involved in work at a worksite.

Employer: A person who is self-employed in an occupation, a person who employs one or more workers, a person designated by an employer as the employer's representative, or, a director or officer of a corporation who oversees the occupational health and safety of the workers employed by the corporation.

Owner: In respect of a work site means the person in legal possession of the work site or, if the person in legal possession does not request the work, the person with an ownership interest in the work site who requests that the work be done.

Prime Contractor: The contractor, employer or other person who enters into an agreement with the owner of the work site to be the prime contractor, or, if no agreement has been made or if no agreement is in force, the owner of the worksite.

Worker: A person engaged in an occupation.

Work Site: A location where a worker is, or is likely to be, engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation.

6.0 Appendices

Starland County

Transfer of Prime Contractor Title and Responsibilities Agreement

Name of Contractor: _____

Project Description: _____

Contractor Representative: _____

County Representative/ _____

Project Manager

The Contractor agrees to comply with the Alberta Occupational Health and Safety Act, its Regulations and Code.

The Contractor understands of the roles and responsibilities of Prime Contractor as outlined in the Alberta Occupational Health and Safety Act, its Regulations and Code.

The Contractor agrees to carry out its work in a healthy and safe manner and ensures that all work is carried out with competent supervision and workers. Competency is measured by education, training, experience and industry standard.

The Contractor will ensure that only authorized employees, visitors and other persons to be allowed on this project. The Contractor will ensure the protection of all visitors and other persons to the site and that they will comply with the site safety rules including appropriate PPE.

The Contractor agrees to report all incidents to the Starland County Corporate Safety Services Department which include a sudden or unforeseen event while conducting work authorized by the Starland County that could cause or has caused:

- An injury or illness;
- An unplanned release to the environment; or
- Contravention of a regulatory requirement.

All sub-contractors of the Contractor are the responsibility of the Contractor and the Contractor must ensure that all of their sub-contractors are aware of and meet the health and safety requirements of the Alberta Occupational Health and Safety Act, its Regulations and Code.

I (we) of _____ (contractor name) do agree to accept the title and responsibilities of Prime Contractor, as outlined in the Alberta Occupational Health and Safety Act, its Regulations and Code, for the aforementioned project located at:

and hereby indemnify the Starland County, its Councilors, directors, officers, employees, contractors, agents and representatives from and against any and all liabilities, losses, costs, damages, legal fees, disbursements, fines, penalties, expenses, all manner of actions, causes of action, claims, demands and proceedings which result from a failure to properly discharge the responsibilities of Prime Contractor as outlined in the Alberta Occupational Health and Safety Act, its Regulations and Code.

Contractor Representative Signature

Starland County Representative

Date: _____

EVALUATION OF CONTRACTOR HEALTH & SAFETY PROGRAM

When evaluating the contractor's Health and Safety program, the program must include all documents, information and matters that are prescribed below.

An Occupational Health and Safety program must include:

- A statement of the employer's policy with respect to the protection and maintenance of the health and safety of the workers.
- The identification of existing and potential risks to the health or safety of workers at the place of employment and the measures, including procedures to respond to an emergency, that will be taken to reduce, eliminate or control those risks.
- The identification of internal and external resources, including personnel and equipment that may be required to respond to an emergency.
- A statement of the responsibilities of the employer, supervisors, and the workers.
- A schedule for the regular inspection of the place of employment and of work processes and procedures.
- A plan for the control of any biological or chemical substance handled, used, stored, produced or disposed of at the place of employment and where appropriate, the monitoring of the work environment.
- A plan for training workers and supervisors in safe work practices and procedures, including any procedures, plans, policies or programs that the employer is required to develop pursuant to the applicable Occupational Health and Safety Acts and Regulations of Alberta that apply to the work of the workers and supervisors.
- A procedure for the investigation of accidents, dangerous occurrences and refusal to work.
- A system of measuring of the activities to ensure the health and safety system is working.
- A procedure to review and, where necessary, revise the occupational health and safety program at specified intervals that are not greater than three years and whenever there is a change of circumstances that may affect the health or safety of a worker.