

What is a contractor and why do we need them?

A person or company that is hired by another employer to perform temporary work is a contractor. The work is specific and carried out for a defined period of time.

Contractors are often hired to work for companies that do not have the skills or experience to work in a certain area. For example, cleaning process equipment may be contracted out to a company with employees who are trained to perform this type of work.

What should an Employer do before hiring a contractor?

A policy dealing specifically with contractors should be created and include the following:

- > Work and safety standards relevant to the contractor's work
- > Specific contractor hiring procedures
- > Examples of contracts with required information as outlined by the employer
- > Evaluation date to review the policy

What are employers responsible for?

Employers are responsible for taking the necessary precautions to ensure the safety of all employees working on-site, regardless if they are full-time staff or contract workers. These responsibilities include:

- > Developing and communicating a contractor safety program
- > Outlining the contractor's health and safety obligations in writing in the hiring agreement

- > Reviewing and forwarding a copy of the on-site health and safety program, rules and list of potential worksite hazards to the employee
- > Evaluating the contractor's health and safety program and discussing specific safety procedures for the work that will be performed
- > Educating the contractor on workplace hazards including providing a list of hazardous substances on-site that the contractor may come in contact with
- > Generic contracts or templates should be developed to ensure continuity of important information. The templates can be amended on a per contractor and project basis

The responsibilities and duties of the employer, as stipulated under section 25 of the *Occupational Health and Safety Act* (OHSA), must also be adhered to.

It is also important to **remember that an employer's health and safety obligations cannot be contracted out.**

What are contractors responsible for?

A contractor has several obligations when performing work for a company including:

- > Obtaining and reviewing copies of the contractor's and employer's health and safety programs as it relates to the work
- > Details of how specific safety procedures will be carried out
- > A list of job-related rules for workers to abide by
- > Proper safety and training documentation. For example, workers must have proof they are covered by the WSIB, a current work clearance certificate assigned less than 60 days from the date of issue, and WHIMS training if workers will be in direct contact with hazardous materials.

Communication

Even though contractors are not direct employees of the company, it is still important to address their on-site health and safety needs. Reviewing the project plan in advance by outlining job expectations and surveying the worksite will address these issues:

- > Emergency procedures
- > Hazardous work permit procedures
- > Contract employee supervision arrangements
- > Workplace inspection requirements
- > Toolbox/Tailgate meeting requirements
- > Accident notice and investigation requirements
- > Safety hazard information notification arrangements
- > Health and safety issue resolution procedures
- > Any pertinent information regarding the work being contracted

The Health and Safety Coordinator (or on-site OHS resource) and supervisor should provide an orientation and visit the worksite daily to verify that all procedures are being properly followed.

All parties have a role to play in maintaining open communication throughout the duration of the project.

Training

Contractors must show documents to verify their employees have been properly trained for the job they have been hired for.

A comprehensive training program should contain:

- > Training objectives and expectations upon completion
- > Competency standards
- > Resources necessary to complete the training
- > Training and re-training schedules
- > Records of completed training

Evaluation

The contractor safety policy should state when it will be reviewed and evaluated.

The contractor safety program should be reviewed at set time intervals or whenever conditions change within or outside the organization. These can include, but are not limited to:

- > Changes in government
- > Organizational restructuring
- > Accidents or near misses
- > Scheduled annual review of the program

All changes to the program should be made in writing and promptly distributed to the appropriate parties for review and implementation.

FAQs

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