Independent Operators Policy

PURPOSE

[Organization Name] has established the following policy to outline its requirements of all operators/contractors performing work at our facilities and on our property. This policy will outline the necessary safety rules and regulations. Operators are required to follow the guidelines listed in this policy.

Note: for the purposes of this policy, “operators” will be used interchangeably with “contractors.”

DEFINITIONS

**Contractor** – A contractor is any person, consultant, or company that provides an on-site service to the company for monetary compensation. This could include but not be limited to: electricians, plumbers, roofers, lawn maintenance, or snow removal. (Also known as operators.)

**Subcontractor** – A sub-contractor is any person or company that provides an on-site service to the contractor or client that is hired by and working for a contractor.

**POLICY**

The guidelines listed in this policy are for the protection and guidance of operators and are a condition of contracted services with [Organization Name]. Misconduct or failure to follow the rules and responsibilities may lead to the operators’ removal from company property and /or suspension or termination of the contract.

[Organization Name] expects that all operators performing work for our organization will do so in a safe and healthy manner, following the necessary rules of conduct.

Note: this policy is intended to provide contractors with minimum requirements for health and safety performance. It is not all inclusive of the requirements specified by the *Occupational Health and Safety Act* and its pertinent Regulations.

Expectations

The operator is required to ensure that their workers are made aware of and abide by the requirements detailed in [Organization Name]’s health and safety policies and emergency response procedures.

**No operator is permitted to perform work on any project after hours or on weekends unless they assume full responsibility for the location, including: supervision, first aid, emergencies, reporting, and inspections, etc.**

**The operator is required to provide the following:**

* A copy of their Health & Safety Program;
* Any Engineered (stamped and signed) design drawings and specifications of equipment of structures (as may be required);
	+ Proof that appropriate insurance coverage has been obtained and maintained as outlined in the contract (i.e. liability insurance and current Workplace Safety and Insurance Board “Certificate of Clearance”);
	+ A WSIB Injury Summary report;
	+ Proof of training, certifications, and/or licences for the type of work they will perform and/or type of equipment, machine, or vehicle they will be operating must be provided to [Organization Name]; and,
	+ Safety Data Sheets (SDS) for WHMIS controlled products are provided to [Organization Name] electronically in advance of bringing any controlled products into the facilities or onto the property and a copy is on site at all times.

**Operators must also ensure that**:

* Workers have the appropriate training to perform their work safely (maintain documentation);
* Workers are equipped with the proper personal protective equipment to conduct the work and know how to use it as required;
* Workers know the requirements for the use, limitations, and maintenance of the personal protective equipment;
* Workers know how to report unsafe conditions, injuries, and accidents to the organization’s contact person;
* Workers become familiar with the site emergency response plan as well as know the location of emergency systems (i.e. phones, first-aid kits, emergency numbers, and safety stations etc.);
* Workers are encouraged to participate in site safety;
* Workers are instructed to cooperate with [Organization Name] management and supervision, as well as governing authorities (e.g. Ministry of Labour, WSIB);
* A safe and clean work area is maintained at all times;
* Workers attend safety orientation as may be required;
* An early and safe return to work program is implemented and they take all necessary measures to accommodate injured workers on the project;
* A competent person is assigned to act as a supervisor for their workers;
* All equipment, tools, and machinery are maintained in safe working order and have records of pre-use inspection and/or maintenance available for review;
* Contractors are permitted to enter only those areas where their work is being performed;
* The operator’s manuals are available on site for the workers to review; and,
* **MAY NOT SUBCONTRACT ANY WORK WITHOUT PRIOR WRITTEN APPROVAL FROM THEIR** [Organization Name] **CONTACT PERSON.**

**Operator-Specific Safety Roles and Responsibilities:**

* All work performed by contractors will be done in a safe and professional manner and work areas will be kept clean and tidy;
* All workers operating a vehicle must have a current and valid driver’s licence;
* Failure to comply with these safety rules may result in an infraction form being completed, including suspension or cancellation of the contract and/or exclusion from future contract bids;
* All workers must wear the required personal protective equipment (“Green Patch” – C.S.A. approved footwear, adequate eye protection, hearing protection);
* Hearing protection must additionally be worn at all times in designated areas or when performing any related operation that may cause harmful noise;
* Contractors performing work during [Organization Name] operational working hours are subject to additional safety rules to protect the safety of all employees, and to maintain output at expected levels. At minimum, the designated contractor and the area supervisor(s) will discuss the work in advance;
* Every effort will be made to avoid risk to employees or impact on production and/or work activities. As necessary, area employees will be advised of the risks, precautions, or temporary arrangements to be followed during the performance of the operators’ work. The operator-designated contact and the supervisor(s) will update arrangements as necessary.
* The operator’s work performance, in regard to compliance with safety policies and the protection of employees, will be monitored by [Organization Name];
* Concerns will be communicated to the operator’s supervisor. Concerns are to be investigated and resolved promptly, and may involve management as necessary;
* All accidents and incidents must be immediately reported. The operator’s supervisor shall report all accidents to the [Organization Name] contact person;
* The operator shall investigate all accidents and incidents and must provide a copy of their investigation report and all supporting evidence/materials to their contact person;
* The operator is responsible for providing first aid and medical attention to their own personnel;
* The reporting to WSIB of accidents involving personal injury to the operator’s staff, WSIB claims management, and WSIB claims financial responsibility is the responsibility of the operator;
* Accidents that occur on company property that involve Ministry of Labour reporting responsibilities will be reported. The operator is expected to fully cooperate with any report and subsequent investigation; and,
* **Violence in the Workplace**: The operator will ensure compliance with the requirements of the *Occupational Health and Safety Act* regarding Violence in the Workplace.

**General Conduct**

* Any person under the influence of illegal drugs or alcohol or having the same in their possession will be immediately terminated from site;
* Any person using prescribed medication, that could affect the safety-sensitive nature of their work, are not allowed to perform their duties;
* Horseplay of any kind will not be tolerated;
* Individual portable music devices are not allowed;
* Defacing of company property will not be tolerated; and,
* Unauthorized removal of company property is cause for immediate termination from the site.

**Personal Protection Clothing**

* Every operator employee shall wear at a minimum the personal protective equipment required by [Organization Name]; and,
* Other personal protective equipment adequate in the circumstances for the protection of their employee.

**Use of Equipment**

* On certain occasions, operators may be permitted to use [Organization Name] equipment. This must first be approved in writing by the contact person;
* The operator shall ensure their workers are adequately trained or qualified to use such equipment, and is required to provide documentation of training and licences; and,
* Demonstration of the ability to safely operate the required equipment may also be required.

**Fire Hazards and Hot Work**

* Any operations, which by nature constitute a fire or safety hazard, shall be conducted in such a manner as to minimize such hazards;
* All canvas and tarpaulins, must meet CSA or underwriters standards for fire resistance;
* All flammables and combustibles must be stored as required by the OHSA or Regulations; and,
* Hot work such as cutting, welding, or grinding require a hot work permit:
	+ This will also require a person for fire watch;
	+ This will also require a fully charged and inspected fire extinguisher suitable for the application; and,
	+ Use and store compressed gas cylinders according to accepted safe practices and regulations.

**Barricades**

* Where surface work is being done such as concrete scarifying, excavating, trenching, or activities involving spillage of water or slippery substances, or where overhead work is being done, then sufficient barricades, warning signs or barrier tape must be used;
* Barricades must be rigid and complete. Barricade tape must be brightly coloured and clearly visible; and,
* Overhead work must be clearly indicated below with barricades or warning tape.

**Guardrails**

* A guardrail is required when a worker is exposed to a fall of 2.4 meters, or more than 7 feet 10 inches to a fall of 1.2 meters (4 feet) into a path / equipment of a work area; and,
* The guardrail shall consist of a top/intermediate rail and a toe board and be constructed to withstand loads when applied. Refer to Section 26.3 in the *Occupational Health and Safety Act*.

**Housekeeping and Chemicals**

* All reasonable precautions shall be taken to prevent generated dust from contaminating adjacent work areas, machinery or equipment;
* All rubbish shall be accumulated and removed from the worksite at the end of each day at Contractor’s expense;
* All salvageable material, which belongs to [Organization Name], will be disposed of through the contact person;
* It is the responsibility of the Contractor to ensure all toxic and hazardous substance brought onto [Organization Name] property is disposed of in compliance with environmental regulations; and,
* Chemicals may not be brought onto [Organization Name] property or inside its facilities without prior written consent and approval.

**Utility Shutdown/Start-up**

* Before shutting down or starting up any utility, the designated contact person must be notified in writing 24 hours in advance; and,
* Adequate warning must be provided in advance including the reason for shutdown or start up and what equipment, areas, or processes may be affected.

**Lockout and Confined Space**

* Lockout procedures shall be used when working on any equipment to ensure a “Zero Energy State” as per C.S.A. Standards and legislated requirements before work proceeds;
* The operator shall ensure affected persons are trained, qualified, and follow applicable standards and regulations; and,
* Confined space procedures must be followed prior to and during entry of any space where the accumulation of a hazardous gas, vapour, dust, fume or the creation of an oxygen deficient atmosphere may occur.

**Roof Work and Protection**

* When working on the roof, the roof surface, flashing, sumps, drains, copings and gutters must be protected from damage and be fully protected from risk of accidental chemical discharge;
* All safety precautions must be taken to ensure the safety of workers on the roof to prevent falls; and,
* Permission must be obtained from the contact person prior to going onto the roof or performing roof work.

**Emergencies**

* In case of an emergency (fire, chemical spill, and/or site evacuation) operators and their workers will safely stop what they are doing and proceed to the emergency gathering area as outlined in the site-specific emergency response plan;
* Contractors must remain in the gathering area to be accounted for by the spotter or receptionist; and,
* All communications to public/media concerning an emergency will be made through the [Organization Name] manager’s office.

**Smoking**

* Smoking is not permitted in the buildings or any enclosed workplace;
* Smoking is strictly prohibited near flammable or combustible gases and materials and all storage areas. Obey all signage in areas forbidding smoking; and,
* Smoking is only permitted in designated areas outside of the buildings.

**General Transportation and Parking**

* Contractors’ vehicles will be parked as directed by the designated contact person;
* Parking lot speed limit for all vehicles is 15 kilometers per hour, unless otherwise posted; and,
* No one is permitted to ride on the outside of any moving vehicle or mobile equipment.

**Ladders**

Maintenance and Inspection

* Ladders must be visually inspected daily or prior to use, as applicable;
* Any ladder found to be defective shall be taken out of service immediately and tagged; and,
* Once tagged, the ladder must not be used. The tag shall read “DO NOT USE”.

Proper Use of Ladders

* Ladders must be C.S.A. approved and rated for their use and application;
* Ladders should not be placed against flexible or moveable surfaces;
* All portable ladders must have non-slip feet or be set-up so that the feet will not slip;
* Metal and reinforced ladders must not be used near energized electrical conductors;
* The ladder must be set up on a firm level surface and secured against accidental movement. Use a ladder equipped with non-slip feet appropriate for the situation. If its base is to rest on soft, un-compacted or rough soil, a mud sill should be used;
* The top of the ladder should be tied off or otherwise secured to prevent any movement. If this is not possible, given the type of ladder or circumstances of its use, one worker should hold the base of the ladder while it is being used;
* Ladders should not be erected on boxes, carts, tables, scaffold, or man lift platforms or on vehicles;
* Areas surrounding the base and top of the ladder should be clear of trash, materials and other obstructions;
* If the ladders are vertical and there is a risk of falling more than three (3) metres, a body harness and lifeline, or body harness and channel lock device, shall be used by workers climbing up and down or working from the ladders;
* When climbing up or down, workers should always face the ladder;
* Workers should not straddle the space between the ladder and another object;
* Maintain 3-point contact when climbing up or down a ladder. That means two hands and one foot or two feet and one hand on the ladder at all times. This is especially important when you get on or off a ladder at heights;
* Under no circumstances should a Worker attempt to hand carry materials or equipment, while climbing or descending a ladder. Tools, equipment, and materials should be placed in a container and raised and lowered by a rope or hoist if necessary;
* Never rest a ladder on its rungs, ladders must rest on their side rails only;
* If a ladder is used for access from one work level to another, the side rails should extend a minimum of 900 millimeters (3 feet) above the landing;
* Ladders should not be used horizontally as substitutes for scaffold planks, runways or any other service for which they have not been designed;
* If work to be performed on a ladder will cause heavy exertion by the worker or cause the worker to overextend to the sides, it is best to utilize a scaffold platform;
* Check all overhead areas for such things as power lines, etc.; and,
* According to regulatory requirements, there must be a minimum clearance of six inches between ladder rungs and any surface. This will ensure the Worker obtains a firm footing.

**Elevated Work Platforms**

* Elevating work platforms (EWPs) must be circle checked prior to each day’s use by each operator. EWPs must be operated in a safe manner as per the manufacturer's operating manual as well as in accordance with the *Occupational Health and Safety Act* and relevant regulations.

**Know Your Limits**

* Never work at heights if you are afraid to do so or if you are ill or subject to dizzy spells. Make this known to your supervisor and they will assign you to other suitable work.

**NON-COMPLIANCE**

1. The operator shall hold harmless the owner and their respective officers, employees, and agents for any failure by the contractor to comply with the requirements of these guidelines or their statutory responsibilities. The operator shall be responsible, financially and otherwise, for non-compliance:
2. The following penalties may be levied without recourse, at the discretion of [Organization Name], against the contractor for non-compliance:
3. Suspension or termination of the contract where the Contractor refuses and / or fails to fulfill their duties and responsibilities; and
4. Immediate ejection from the site of any offending person(s).
5. The operator shall be responsible for and shall fully indemnify [Organization Name] and their officers, employees, and agents for:
6. Any and all costs incurred due to charges, fines and convictions resulting from the operator’s failure to comply with these procedures or their statutory responsibilities which may cause delays to production or work activities;
7. Any and all costs incurred to defend any action resulting from the operator’s failure to comply with these guidelines or their statutory responsibilities; and
8. The operator’s failure to comply with these guidelines or their statutory responsibilities resulting from their failure to comply with these guidelines or their statutory responsibilities.
9. Where the responsibilities of the operator are not carried out in a timely manner, for any reason, others will perform the work and costs shall be back charged to the initial contractor.

**FORMS CHECKLIST**

The qualification process requires the contractor to provide the following:

* Copy of Workplace Safety and Insurance Board (WSIB) Injury Summary Report.
* Copy of Workplace Safety and Insurance Board (WSIB) Clearance Certificate. Please note: to comply with WSIB please send us your updated Clearance Certificate every 90 days. Independent Contractors must submit a current WSIB Independent Status Letter written to [Organization Name] at the beginning of every new project.
* Copy of Certificate of Insurance for General Liability and Damage Insurance.
Please note: Your Insurance certificate requires at least the minimum amount of liability coverage as required, with [Organization Name] recorded on the certificate as additionally insured.
* Copy of Safety Data Sheets (SDSs) (required for all controlled products to be used on the premises).
* Signed and completed Contractor Declaration.
* Copy of the Contractor’s Health & Safety Policy and Program (required if Contractor employs five or more persons).
* Copy of the Ministry of Labour Registration of Constructors and Employers Engaged in Construction (Form 1000 – required for construction projects only).
* Copy of all vehicle insurance certificates.