

## CONTRACTOR SAFETY COMPLIANCE



### HEALTH AND SAFETY PROCEDURE

No.: H&S 1.5

Issue Date: June 29/12  
Date Reviewed: Sep 30/19  
Next Review Date: Sep 30/20

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Status: Approved

Any omissions or correction should be brought to the attention of the Originator.

### Overview

This Procedure follows the City of Vaughan's Corporate Occupational Health and Safety Policy.

The City of Vaughan will ensure that contractors working for the Corporation will perform their duties in accordance with current Health and Safety standards, including the Occupational Health and Safety Act, as well as applicable City of Vaughan Corporate policies and procedures.

### Purpose

To ensure the compliance of contractors with occupational health and safety legislation to minimize any potential liability from the City of Vaughan. It also ensures that contractors undertake safe work practices that will eliminate workplace accidents.

### Background

The City of Vaughan contracts out many services or projects either through utilizing a bidding process established by the Purchasing Services Department OR through low value and/or emergency services/projects directly hired by a Department. When hiring an independent contractor to provide services for the City of Vaughan, the City may be named the "employer" or "constructor" under the *Occupational Health and Safety Act (OHSA)*.

### DEFINITIONS:

Contracted Service: for the purpose of this document includes **any** persons, contractors, and subcontractors, hired by the City of Vaughan to perform work on its behalf.

Originator:

A handwritten signature in black ink, appearing to read 'Frank Kraljevic'.

Frank Kraljevic,  
OCHRO, Workplace Health & Safety Specialist

Approved By:

A handwritten signature in black ink, appearing to read 'Demetre Rigakos'.

Demetre Rigakos,  
Chief Human Resources Officer

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Bid Specifications/Contract	for the purpose of this document includes any written agreement or information created for the purpose of obtaining contracted work/service.
Corporate Bid Document	is referred to as the corporate standard bid document for acquiring bids issued through purchasing services. The sections of the Corporate Bid Document referred to in this procedure shall apply to all contracted services or construction.
Construction	includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, or concreting, the installation of any machinery or plant, and any work or undertaking in connection with a project but does not include any work or undertaking underground in a mine;
Service work	includes major services other than construction such as janitorial, window cleaning, snow plowing, sewer cleaning, waste management, street sweeping, electrical street light services, tree planting etc
Constructor	Means a person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer.
Employer	Means a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.
Maintenance vs. Construction	According to the Ministry of Labour's Construction vs. Maintenance Policy, contract work is considered construction if the contract activities are mentioned in the OHSa definition of "construction" and are performed on objects mentioned in the OHSa definition of "project". Those "construction" activities not performed on objects mentioned in "project" would be industrial or maintenance. For example, if an alteration, repair or dismantling is performed on a building, bridge, or structure, this is construction. However, if the same activities are carried out on machinery or equipment this would be industrial. Other examples are structural maintenance, which is considered to be construction, and routine plant maintenance, which is industrial, and installation, which is construction.

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**Owner** Includes a trustee, receiver, mortgagee in possession, tenant, lessee, or occupier of any lands or premises used or to be used as a workplace, and a person who acts for or on behalf of an owner as an agent or delegate.

## **PROCEDURE**

The Occupational Health and Safety Act assign obligations to any corporation that uses third parties, including contractors or subcontractors, to perform work at a workplace. This guidance information is designed to outline these obligations when contracts for services/projects are undertaken on City of Vaughan property. The assignment of responsibility for health and safety at the work site depends on the roles assumed by the various parties involved with the contract work. Several serious accidents pertaining to contract work in Ontario have highlighted the need for the Corporation to review its health and safety practices with respect to contracting and to establish information to:

- i. Protect the health and safety of City and service providers' employees;
- ii. Meet Corporate obligations;
- iii. Minimize Corporate and individual liability.

## **CONTRACTOR SELECTION PROCESS UNDER THE STANDARD BID PROCESS WITH THE PURCHASING SERVICES DEPARTMENT:**

1. This Contractor's Safety Compliance procedure shall be in effect from the development of any bid specifications/contract until the contract has been awarded and terminated.
2. The Purchasing Services Department shall ensure that the Occupational Health and Safety Act and Safety Standards sections of the Corporate Bid Document (**Appendix A**) are included with the specifications/contract even if the complete Corporate Bid Document may not be utilized for the service or project. **No modifications** to this process shall be made without written approval from the contracting departments' Director in consultation with the OCHRO, Workplace Health and Safety Specialist.
3. Upon receipt of any bid specifications/contract, the purchasing services department shall ensure that health and safety compliance items noted within the contract have been complied with. If the bid specifications/ contract are incomplete, the bid/contract should not be processed until the necessary compliance items have been complied with.
4. Upon the determination of the successful bidder or **prior** to award of any contract, the purchasing services department shall forward copies of the Workplace Safety & Insurance Boards' recent NEER Firm Summary Statement or CAD-7 Firm Statement to the Office of the Chief Human Resources Officer (OCHRO), Workplace Health and Safety Specialist for review. Any comments from the OCHRO, H&S Specialist shall be issued in writing to the Purchasing Services Department or contracting department within a reasonable time. The purchasing services department shall ensure each contractor provides a WSIB

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Certificate of Clearance prior to the commencement of any work/project.

- Once the contract has been approved, the Contracting Department Representative must determine the Department's role in the contract (e.g. is the contract a service agreement vs. construction work – see definition on page 2) – The OCHRO, Workplace Health and Safety Specialist can assist in determining the Department's role in the contract. If the contracting Department will have a role in the service or project or the service or project will be on City premises, the contracting department will be required to complete the Pre-Construction/Service checklist (**Appendix B**) prior to the commencement of any work/service.

## **CONTRACTS HIRED DIRECTLY BY A DEPARTMENT**

- Staff preparing **any** bid specifications/contract shall ensure that Occupational Health and Safety and Safety Standards sections of the Corporate Bid Document (**Appendix A**) are included with the specifications/contract even if the complete Corporate Bid Document is not utilized for the service or project. **No modifications** to Appendix A shall be made without written approval from the contracting departments' Director in consultation with the OCHRO, Workplace Health and Safety Specialist. Once the contract has been approved, the Contracting Department Representative must review and complete the Pre-Construction/Maintenance checklist prior to the commencement of any work/service.
- The Contracting Department must obtain and review copies of the Workplace Safety & Insurance Board recent NEER Firm Summary Statement or CAD-7 Firm Statements. Copies can be forwarded to the OCHRO, Workplace Health and Safety Specialist for review. Any comments from the Workplace Health and Safety Specialist shall be issued in writing to the Contracting Department within a reasonable time. The Contracting Department shall ensure each contractor provides a WSIB Certificate of Clearance prior to the commencement of any work/service.

Bidders who have been confirmed as Independent Operator Status under the Workplace Safety and Insurance Act (WSIA) shall submit either a clearance certificate from the WSIB or proof of Independent Operator Status upon being awarded the Contract. (Independent Operator Status is done through completion of the Workplace Safety and Insurance Board's - WSIB Independent Operator questionnaire and signed by both parties). Independent Operator questionnaires are available on the Workplace Safety and Insurance Board's website

## **AFTER THE CONTRACTOR HAS BEEN SELECTED:**

- The attached Pre-Construction/Service meeting checklist (**Appendix B**) shall be reviewed by the Contracting Department with the Contractor. **The Pre-Construction/Service checklist MUST be reviewed and completed prior to the start of any work and kept on file by the contracting department for review. This pre-construction/service meeting checklist is used to identify any potential hazards and necessary controls in the scope of work prior to work commencing.**

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2. The contractor shall provide the city contracting department with copies of any applicable Health and Safety Procedure/ Policy relevant to the project/service. In the absence of an internal corporate procedure/policy, the contractor will be required to comply with the relevant City procedure or appropriate section of the *OHS*A or applicable regulation shall be noted as the minimum standard to be followed by the contractor. The pre-service/contract checklist (appendix B) shall be completed prior to start of any work/service and filed by the city contracting department for review by internal or external parties.
3. Any further health and safety documentation deemed necessary shall be reviewed and copies kept on file by the Contracting Department (i.e. training records, MSDS's, hazardous chemical/material lists, designated substances control program, specific emergency procedures, competent supervisor designation...etc). The OCHRO, Workplace Health and Safety Specialist may request copies of documentation at anytime from the Contracting department.
4. Equipment and materials to be used as specified by the contract may be reviewed by the Department's contract representative for health and safety standards/codes/regulatory compliance if applicable (e.g. equipment/materials may have potential to injure city staff or public). The OCHRO, Workplace Health and Safety Specialist can be available to assist with this inspection.
5. Contractor's Safety Compliance procedure shall be in effect from the development of any bid specifications/contract until such time as the contract has been executed and terminated.

**For Construction Projects Only: With the exception of a "Turn Key" operation which clearly outlines The City of Vaughan is not the "Constructor", the City of Vaughan contracting department shall ensure that any observations on the project are strictly done for the quality control purposes. The contractor is ultimately responsible for the project and must ensure the site safety on the project at all times. If a serious health and safety violation is identified, the city representative shall inform the Site Supervisor in charge of the infraction. Should repeated violations occur on the site, the City of Vaughan contracting department shall inform the Ministry of Labour of the contraventions. For turn key operations, the pre-service checklist is not required.**

## **MONITORING THE SERVICE/PROJECT FOR THE DURATION OF THE CONTRACT**

For Service Contracts, regular site visits by a competent City of Vaughan Department representative should be conducted to ensure quality control. Should a health and safety issue arise during the site visit, the City representative shall verbally inform the Supervisor in charge of the work. The City representative shall follow up the non-compliance safety issue with the contractor.

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## **CONTRACTOR HEALTH AND SAFETY NON-COMPLIANCE**

For **minor violations** that do not present a significant hazard, the City employee identifying the hazard should notify the Site Supervisor responsible for the site so that he/she can take appropriate action to rectify the hazard.

The City's representative will determine:

- If this is a first offense, verbally inform the constructor of the violation and request that he/she take action to correct it as soon as possible.
- On the second offense, provide written documentation of the violation of the contract agreement to the constructor. See form 9 – Notice of Contractor Non-Compliance to document the violation.
- If a third offense occurs, discuss the situation with your manager, and review the actions taken by the constructor to correct the violations. Consideration to notify the Ministry of Labour to investigate should be considered at this stage. If deemed appropriate, contact the OCHRO, Workplace Health and Safety Specialist and Legal Department for advice.

Provide a copy of the form 9 – Notice of contractor noncompliance to the purchasing department so that it may be included in the contractor's file for future reference or consideration. If purchasing was not involved in retaining the contractor, the department should file any non-compliance in a department file for future consideration or reference.

For **major violations where a dangerous circumstance exists** (A dangerous circumstance means that there has been a contravention of the OHS Act or regulations which poses a danger, and any delay in controlling the danger may seriously endanger a worker) the contractor Supervisor shall be notified immediately of the dangerous circumstance. If the contractor fails to address to the dangerous circumstance in a timely manner, consideration should be given to contact the Ministry of Labour to investigate.

Follow up the verbal notification with a written summary of the dangerous circumstance to the Contractor. The notice of non-compliance form (form 9 attached) can be used for this purpose. Retain a copy of all notices of non-compliance in the contract file. If necessary, forward any written correspondence to Purchasing Services or retain a copy in the department file for future reference if the contract was

The City's representative will review the situation with a senior manager of the division engaging the service provider to determine if addition action is necessary.

**UNDER NO CIRCUMSTANCES SHALL A CITY EMPLOYEE DIRECT A CONTRACTORS WORKER OR DIRECT ANY HEALTH AND SAFETY DIRECTION/CONTROL OVER THE PROJECT/SERVICE, UNLESS THERE IS IMMEDIATE DANGER TO LIFE OR HEALTH.**

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**REGULATORY REFERENCES/CODES/STANDARDS:**

***Occupational Health and Safety Act***

*Section 23*

*Section 25, 26*

*Section 27*

*Section 29*

*Section 32*

*Duties of the Constructor*

*Duty of the Employer*

*Duties of the Supervisor*

*Notice of Owners*

*Duties of Directors and Officers of a Corporation*

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**TO BE PROVIDED TO THE BIDDERS PRIOR TO BE AWARDING THE CONTRACT**

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**1. WORKPLACE SAFETY AND INSURANCE BOARD (WSIB)**

The Contractor shall submit to the Owner, prior to the issuance of the Contractor's last payment of each year, and at any other time when requested to do so, a statement from the Workers' Safety Insurance Board that all of the assessments the Contractor or any Subcontractor is liable to pay under the Worker's Safety Insurance Board Act or successor legislation have been paid.

Bidders who have been confirmed as Independent Operator Status under the Workplace Safety and Insurance Act (WSIA) shall submit either a clearance certificate from the WSIB or proof of Independent Operator Status upon being awarded the Contract. (Independent Operator Status is done through completion of the Independent Operator questionnaire and signed both parties). Independent Operator questionnaires are available on the Workplace Safety and Insurance Board's website.

**2. OCCUPATIONAL HEALTH AND SAFETY**

2.1 The following requirements and conditions shall be included in all agreements with Contractors (and sub-Contractors) engaged by or on behalf of the Corporation of the Owner.

- i. Contractors with known poor safety records or with inadequate qualifications or equipment may not be considered for award.
- ii. Contractors acknowledge that they have read and understood the Occupational Health and Safety Act OHSA (R.S.O. 1990 C. 0.1) and regulations relating to the proposed work.
- iii. The Contractor shall comply with all health and safety requirements established by the Occupational Health and Safety Act (OHSA) and regulations, the Owner and any applicable industry standards. The Contractor agrees to assume full responsibility for the enforcement of same.
- iv. The Contractor shall participate in a pre-project meeting to verify its full understanding of the major contractual requirements and expectations in the area of health and safety before the start of any work.
- v. The Contractor shall understand that its performance may be monitored and that their overall performance will be a major consideration for future contracts with the Owner. The frequency and detail of ongoing project monitoring will be dependent upon the nature of the work and safety precautions specified.
- vi. The Contractor shall allow access to the work site on demand to representatives of the Owner.
- vii. The Owner may take all action necessary to support the Contractors health and safety efforts and to ensure that the Owner owned and controlled environments in the vicinity of the project are free from hazards.
- viii. The Contractor acknowledges and agrees that any breach or breaches of health and safety requirements, whether by the Contractor or any of its sub-contractors may invalidate the contract.



- ix. The Contractor acknowledges and agrees that any damages or fines that may be assessed against the Owner by reason of a breach or breaches of the OHSA by the Contractor or any of its sub-Contractors will entitle the Owner to set off the damages so assessed against any monies that the Owner may from time to time owe the bidder under this contract or any other contract what so ever.
  - x. Where required by the *Occupational Health and Safety Act* and its regulations, the Contractor shall register the project with the Ministry of Labour's Construction Health and Safety Branch within thirty (30) days of undertaking the project and prior to starting work on the site. The Contractor shall pay all registration fees. A copy of the registration must be posted in a visible location at the site, and submitted to the City's representative before starting work on site.
- 2.2 The Contractor shall provide a list and post in a conspicuous place at the worksite all controlled hazardous materials or products containing hazardous materials, all physical agents or devices or equipment producing or omitting hazardous physical agent and any substance, compound, product or physical agent that is deemed to be or contains a designated substance in accordance with the Workplace Hazardous Materials Information System (WHMIS) as defined under the Occupational Health and Safety Act and shall provide appropriate Material Health and Safety Data Sheets for these substances used for the performance of the required work, all prior to the performance of said work.
  - 2.3 Where hazardous materials, physical agents and/or designated substances are used in the performance of the required work, the successful Contractor shall ensure that the requirements of the Occupational Health and Safety Act and associated regulations are complied with.
  - 2.4 The Contractor shall follow Workplace Hazardous Materials Information Systems (WHMIS) requirements and ensure all employees are given required training and support.
  - 2.5 The Contractor shall have a clearly defined and written emergency plan for workers, which includes but not be limited to a process for addressing a critical injury, occupational illness, accident or incident as defined by the *Occupational Health and Safety Act*. The plan must be readily available. If work is on a project, the emergency plan shall be posted on site prior to any work commencement.
  - 2.6 The Contractor agrees at all times to comply with Occupational Health and Safety Standards in the workplace and further agrees to adhere to Health and Safety Standards set out in applicable statutes and regulations and to comply with written Health and Safety Policies and Procedures of the Owner.
  - 2.7 A copy of the most current version of the Act and the Regulations as well as the Contractor's health and safety policy and procedure manual are available at the Contractor's office within the Working Area, or, in the absence of an office, in the possession of the supervisor responsible for the performance of the Work.
  - 2.8 The Contractor shall ensure its supervisory employees are Competent Persons as defined in the Occupational Health and Safety Act, and carry out their duties in a diligent and responsible manner with due consideration for the health and safety of the workers; and all Subcontractors and their employees are properly protected from injury while they are at the work place.

### **3. SAFETY STANDARDS**

It is the responsibility of the Contractor to work in a safe and orderly manner so as not to constitute any safety hazards and compromise the safety of workers. The following standards are some of the standards which must be complied with, but not limited to the Contractor when working on the project:

- 3.1 The Contractor will be responsible for the placement of appropriate physical barriers between the work area, public and staff occupied areas.

- 3.2 The Contractor shall control pedestrian and vehicular traffic as required and in accordance with current Ministry of Transportation Book 7 for Traffic Control Devices.
- 3.3 When operating Equipment in a School Zone or Playground appropriate physical barriers and personnel shall be in place to ensure the safety of the public.
- 3.4 No loose clothing, jewelry shall be worn in the vicinity of moving or rotating equipment. Long hair shall be tied back or tucked away to prevent entanglement hazards.
- 3.5 The Contractor shall not operate, tamper or alter with the Owner's equipment unless given express permission to do so.
- 3.6 Housekeeping standards are to be maintained in the work area. Debris and material are not to be allowed to accumulate.
- 3.7 Keep extension cords and hoses off the floor and out of traffic aisles. Highlight any tripping, slipping, or bump hazards by using cones, hazard tape or other means appropriate to the situation.
- 3.8 The Contractor shall have and use a "Lock, Tag and Try" procedure that, as a minimum, meets the requirements of the Regulations made under the Occupational Health and Safety Act.
- 3.9 The Contractor is responsible for ensuring that all reasonable precautions for the protection and safety of workers in addition to those listed above are maintained.
- 3.10 The Contractor shall provide written notice to the Owner in advance of the need to close any exit or emergency exit, electrical system etc. that may affect a potential evacuation of an Owner's workplace or facility.
- 3.11 The contractor shall provide a list of all controlled hazardous materials or products containing hazardous materials, all physical agents or devices or equipment producing or omitting physical agent and any substance, compound, product or physical agent that is deemed to be or contains a designated substance in accordance with the Workplace Hazardous Materials Information System (WHMIS) as defined under the Occupational Health and Safety Act and shall provide the appropriate Material Health and Safety Data
- 3.12 In accordance with the *Designated Substances Regulations*, the City Representative will advise the contractor of any known designated substances in the workplace prior to the work commencing. Where the Work involves potential worker exposure to a Designated Substance, the Contractor shall:
  1. Propose a work plan for Work which includes
    - (a) methods to be used to limit worker exposure to the substance to the extent possible and, in any case, to within exposure limits specified in the applicable *Designated Substance Regulation* made under the *Occupational Health and Safety Act* and
    - (b) methods to ensure compliance with other requirements of the applicable *Designated Substance Regulation*;
  2. Review and discuss the work plan with the designated City representative and sub-contractors prior to work in this area;
  3. Perform regular inspection of the work to monitor adherence to the applicable *Designated Substance Regulation* and work plan;

4. Take immediate action to ensure that non-compliance with *the Designated Substance Regulation* and/or the work plan, is addressed;
5. Document the results of inspections; and
6. Notify the City's representative immediately, by phone or fax, if non-compliance is noted.

**NOTICE OF CONTRACTOR NON-COMPLIANCE****SECTION 1: TO BE COMPLETED BY A CONTRACTING DEPARTMENT REPRESENTATIVE OR THROUGH OBSERVATION BY THE CITY OF VAUGHAN REPRESENTATIVE**

Department affected by Contract Work: \_\_\_\_\_

Nature of Contract Work: \_\_\_\_\_

Project/Contract Number: \_\_\_\_\_

Contracting Department: \_\_\_\_\_ Division/Section: \_\_\_\_\_

Contact Person/Job Title: (Please Print) \_\_\_\_\_

Description of the Concern Related to Contract Work: (attach photo or drawing if applicable)

Corrective Actions Taken by Contractor: \_\_\_\_\_

Notice Issued By: (Please Print) \_\_\_\_\_ Signature: \_\_\_\_\_

Date Issued: \_\_\_\_\_ Time Issued: \_\_\_\_\_ ☐ A.M. ☐ P.M.  
Day/Month/Year**SECTION 2: TO BE COMPLETED BY CITY OF VAUGHAN MANAGER/SUPERVISOR RESPONSIBLE FOR THE CONTRACTOR ONLY IF FURTHER ACTION REQUIRED (only if the contractor did not take immediate corrective action for the concerns noted)**

Description of Outstanding Concern: \_\_\_\_\_

Assistance Requested From:

- ☐ Human Resources Services  
☐ Purchasing Services  
☐ Ministry of Labour

- ☐ Manager/Director  
☐ Legal Department  
☐ Other: \_\_\_\_\_

Name of Person(s) Contacted for Assistance: \_\_\_\_\_ Time: \_\_\_\_\_

Further Action Taken By Above to Resolve Concern: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_  
Day/Month/Year

**Copies:**

- Contractor
- Office of the Chief Human Resources Officer (OCHRO) – Workplace Health and Safety Specialist
- Contracting Department
- Purchasing Services

## **PRE-CONSTRUCTION/SERVICE MEETING CHECKLIST**

The Contractor shall comply with all applicable Occupational Health and Safety legislations without limitation and shall ensure compliance with the health and safety measures set out below. This is not an all inclusive nor exhaustive list of health and safety items requiring compliance for the duration of this project/service. It attempts to highlight the main areas that should be considered at the beginning of every project/service agreement where the City of Vaughan is deemed the owner of the lands. This list does not remove or reduce the responsibility of every Contractor and Employer to comply with the Occupational Health and Safety Act, Regulations and any other applicable law. Contractors may supplement this list with additional health and safety requirements of their organization.

**Project/Service Name:** \_\_\_\_\_

**Project/Service Number:** \_\_\_\_\_

**Consultant/Contractor:** \_\_\_\_\_

**Legal Name:** \_\_\_\_\_

√ the following applicable areas to the contract must be reviewed and checked off at the pre-construction meeting and required documentation (eg. permits, training records, contact information, etc...) must be attached to this list for reference. Areas which do not apply to the contract must be marked as "NA – not applicable".

### **GENERAL – this section to be completed for all contracts.**

#### ☐ **Accidents**

An accident reporting and recording system must be in place. The City of Vaughan Contact person must be immediately notified of all critical injuries and/or fatalities as noted under the Occupational Health and Safety Act.

#### ☐ **Appointment of Supervisor**

Only competent persons as defined under the Occupational Health and Safety Act shall supervise. Where an Employer has more than 5 workers on a construction project, a supervisor shall always supervise the work. For service contracts, a supervisor must be available to workers and must assess work areas and operations as deemed necessary for the health and safety of workers. The contractor shall provide the City of Vaughan contract representative with proof competency.

#### ☐ **Equipment used for the service/project**

Equipment must NOT be altered and be maintained in good condition with service records available for review. Any equipment over 10 horsepower must be inspected prior to each use and must have the operating manual on site for review by workers. Operation of equipment, machines and vehicles must comply with applicable Regulations. The contractor shall supply their own equipment for the service/project. The City of Vaughan shall not provide the contractor with any city owned/leased equipment.

#### ☐ **Health and Safety Policy and Program**

Contractors must have a health and safety policy and program as noted under the Occupational Health and Safety Act. A copy of this shall be provided at the site or to the City of Vaughan contact Representative

#### ☐ **Mandatory Health and Safety Awareness training for Worker and Supervisors**

Contractors must provide the contracting department with a proof of training in OHS awareness for all Workers and Supervisors who will be involved in the contract work. The contractor must also provide proof of training for any subcontractors for the duration of the project or service agreement.

#### ☐ **Notices**

The Ministry of Labour and City of Vaughan Contract Representative must be notified by the contractor:

- when a critical injury or death occurs at the workplace
- where an accident, explosion or fire causes injury at the workplace;
- where the employer is advised of an occupational illness.

☐ **Subcontractor Approval**

The contractor must submit to the City of Vaughan, any subcontractors who maybe considered for the project or service work. The City of Vaughan may retain the right to reject the subcontractor and require the contractor to either perform the work or retain another subcontractor at the City of Vaughan's discretion.

☐ **Violence and Harassment**

Contractors must abide by the City of Vaughan's violence and harassment policies. Contractors or Subcontractors involved in any violent situations while on contract with the City of Vaughan shall be dealt with accordingly. The City of Vaughan has a zero-tolerance approach to violence and Harassment in the workplace.

☐ **WSIB Coverage**

The constructor shall furnish evidence of compliance with applicable Worker's Compensation legislation, including provision of clearance certificates prior to commencement of work, at least every forty-five (45) days thereafter to establish coverage and prior to payment of any amounts due to the contractor under this purchase order.

☐ **WHMIS**

All hazardous materials used for the service/project must comply with the WHMIS Regulation. Workers handling hazardous materials must have WHMIS training. The contractor must provide a training record for staff who will be handling WHMIS controlled products. Any WHMIS controlled products used in City of Vaughan workplaces or projects must have the appropriate MSDS's pertaining to hazardous substances available on site and reviewed by contract staff.

☐ **Designated Substances Report as per the OHSa (Acrylonitrile, Arsenic, Asbestos, Benzene, Coke Oven Emissions, Ethylene Oxide, Isocyanates, Lead, Mercury, Silica, Vinyl Chloride).**

The City of Vaughan representative must provide a report and advise the contractor of any Designated Substances present on City of Vaughan property. The contractor shall advise the City of Vaughan representative of any designated substances used along with the necessary controls that will be in place at the project/service for the duration of the contract. The contractor shall immediately notify the City of Vaughan Representative of any identified designated substances that have been disturbed or damaged during the contract work/service.

☐ **Confined Space Entry**

Confined spaces are to be identified and the contractor is expected to comply fully with the regulations where confined space entry is expected. The City representative must be notified of any confined space entry and be provided with a copy of the confined space entry permit and coordination document if more than two employers will be involved in the confined space while on City property. This shall be done prior to the entry.

☐ **Use of City Equipment, Devices, etc.**

Contract staff are not permitted to use or operate City's equipment, devices, machines, vehicles, tools (powered or non-powered) to carry out any of the construction or service work.

**SERVICE CONTRACTS – This section to be completed for Service Contracts (non-construction) ONLY**

☐ **Emergency Procedures and Communication**

The Department must review any sign in procedures, or site-specific emergency procedures with contractor should a building emergency take place such as fire evacuation, building lock down due to violent threat. The contractor should be shown the site's designated assemble areas and building's designated safe area(s).

☐ **Housekeeping**

Work areas must be kept clear of materials and chemicals properly stored to avoid unnecessary exposure or potential slip and fall hazards.

☐ **Electrical /Mechanical Hazards and Lockout**

The Contractor shall ensure that qualified competent workers, as specified in the *Regulations under the Occupational Health and Safety Act*, perform all work on or near electrical equipment or installations. The Contractor shall ensure that all electrical equipment in use during performance of the work is appropriately designed, located, and inspected so as to prevent a hazard to workers or the public. The Contractor shall ensure that all workers performing work on or near electrical equipment and/or installations are provided with, and use, appropriate personal protective equipment. The Contractor shall comply with requirements of the *Regulations for Construction Projects* and *Regulations for Industrial Establishments* respecting electrical hazards.

☐ **Other:** list and discuss controls for any other hazards in the service contract not identified or listed above:

☐ \_\_\_\_\_ :

☐ \_\_\_\_\_ :

**CONSTRUCTION TYPE WORK – This section to be completed for Construction Projects ONLY**

☐ **Notice of Project – Construction Services**

Section 6 of the OHSA requires that a Notice of Project be filed with the Ministry of Labour. The contractor shall be responsible for supplying notice to the Ministry of Labour and provide the City with a copy of the notification.

☐ **Registration of Constructors and Employers Engaged in Construction**

Project Registration Form must be completed by all Employers/Constructors involved the project. This form can be obtained through the Ministry of Labour and copies must be kept on site or posted for the duration of the employers/Constructors' work on the project.

☐ **Emergency Procedures and Communication**

The Constructor must have written emergency procedures and procedures must be posted and reviewed with by all workers on the site/project.

☐ **Posted Information**

Notices must be posted identifying constructor and health and safety representative(s), if required. The contractor must post a copy of the Occupational Health and Safety Act and Construction regulations, specific written emergency procedures, address and phone number of the nearest Ministry of Labour office, valid certificate of first aiders on site during work hours, Emergency Contract Names, Ministry of Labour inspections or orders, health and safety policy.

☐ **First Aid**

The regulation for First Aid requires that a first aid station be in place and that a worker trained in first aid be immediately available. The WSIB First Aid regulation 1101 outline the requirements for a first aid station and how it should be equipped. The contractor must have in place the appropriate first aid materials and trained workers on site throughout the duration of the project. Names and location of the first aid kit and trained staff must be posted on the project's health and safety information board.

☐ **Fall Protection**

CSA approved fall protection and/or guardrail systems must be provided where required. Written rescue procedures must be available. This would apply to any work above 9 feet without a guardrail system or any work on a elevated work platform (e.g. sky lift). Workers using personal fall protection equipment must have approved Working at Heights (WAH) as required by Construction Regulation O. Reg. 297/13 under the OHSA.

☐ **Minimum Age**

No person younger than 16 years of age shall be employed or permitted on a construction project.

☐ **Service Contractors**

Service contractors include telephone, hydro, equipment repair and other maintenance personnel. The service contractor is generally responsible for their worker's health and safety, however, where they enter onto a project, the contractor shall take appropriate steps (e.g. hazards present on the project or work site) to ensure their activities and that of the project do not pose a hazard to each group and that the service contractor is complying with the worksite health and safety rules.

☐ **Protective Clothing, Equipment and Devices**

CSA approved protective headwear and footwear must always be worn while on the project. All contractors, sub-contractors and deliverers shall wear PPE as required. Eye and hand protection shall be worn where there is a likelihood of eye or hand injury. Respirator's will be required if there is a likelihood of inhalation of hazardous materials.

☐ **Working near bodies of water**

Appropriate first aid training and rescue equipment (e.g. life jackets, etc..) must be provided when working near bodies of water as noted under the Occupational Health and Safety Act.

☐ **Hygiene**

Potable drinking water must be available on work sites. Washrooms and clean-up facilities must comply with the Construction Regulations.

☐ **Housekeeping**

Project and work areas must comply with housekeeping requirements in the Construction and/or Industrial Regulations. Waste, including hazardous waste, must be disposed of accordingly and shall not accumulate at the workplace or project.

☐ **Signs**

All signs required in the Construction Regulations and AODA must be posted at appropriate locations. (eg. danger of overhead power lines signage, use other sidewalk, etc.)

☐ **Hot Tar, Bitumen Road tankers**

Must be operated by a competent worker. Must meet propane fired requirements. Any worker operating such equipment must have and provide proof of WHMIS and propane training. Training certificates must be submitted and attached to this meeting checklist.

☐ **Trenching, Excavating and Shoring**

The contractor is expected to comply with all aspects of applicable regulations. Soils shall be classified prior to any work and appropriate shoring and sloping requirements must be met depending on the soil classification (eg. Type 1, 2 or 3 soil). If a person could fall in the excavation, a barrier must be provided. Workers may not work alone in a trench at anytime.

☐ **Fencing and Public Way Protection**

It is expected that the public not be endangered by the project and where this may occur appropriate protection, including fencing, will be provided. If the project is located near a school zone, measures and barriers, if necessary, will be put in place to protect the health and safety of the public.

☐ **Fire Safety**

Fire extinguishing equipment shall be provided on a project or during any work involving heat, spark or flame. Fire Extinguishers shall be inspected, and workers trained/instructed on their use.

☐ **Traffic Control**

All workers must be protected from the hazard of traffic on the project and unrelated to the project. A written traffic protection plan must be provided to the City Project Representative. Traffic Control persons must have appropriate PPE (eg. CSA approved Safety vest, head protection, eye protection – if necessary) and must have received training. Workers who are required to work near moving equipment or vehicles will be required to wear a CSA approved safety vest.

☐ **Forms, Formwork, False work and Reshoring**

Must be designated by and the allowable working load established by a Professional Structural Engineer licensed to practice in the province of Ontario. Before the concrete is placed, formwork and false work shall be examined by a Professional Engineer who shall advise in writing that the installation is correct to the design specifications.

☐ **Reversing Vehicles/Equipment/Machines**

All projects will be planned so that vehicles, equipment and machines are not operated in reverse or are operated in reverse as little as possible. Signs must be posted when reversing will occur. Signallers must be used where required, have appropriate PPE (safety vests) and adequate training.

☐ **Electrical /Mechanical Hazards and Lockout**

The Contractor shall ensure that qualified competent workers, as specified in the *Regulations under the Occupational Health and Safety Act*, perform all work on or near electrical equipment or installations. The Contractor shall ensure that all electrical equipment in use during performance of the work is appropriately designed, located, and inspected so as to prevent a hazard to workers or the public. The Contractor shall ensure that all workers performing work on or near electrical equipment and/or installations are provided with, and use, appropriate personal protective equipment. The Contractor shall comply with requirements of the *Regulations for Construction Projects* and *Regulations for Industrial Establishments* respecting electrical hazards.



☐ **Work in Compressed Air**

No constructor or employee shall begin work at a project where a worker may be subjected to compressed air until the requirements of the applicable sections in the Construction Regulations are met.

☐ **Welding and Cutting**

Requirements of Construction Regulations must be met (eg. hot work requirements).

☐ **Demolition and Damaged Structures**

Safeguards must be in place prior to demolition. Only workers working on the project are allowed in, on or near the area. Hazardous substances must be removed and documented prior to demolition (e.g. asbestos, lead). If a structure is damaged, an engineer's report identifying the structural integrity of the structure must be completed to identify safeguards prior to demolition.

☐ **Tunnels, Shafts Caissons and Cofferdams**

Appropriate notices must be completed. Workers may not work alone. All aspects of the Construction Regulations must be complied with for this section.

☐ **Overhead Electrical Hazards**

The regulations are specific with respect to how close equipment can approach live-electrical lines. This is extremely important when there are concrete pumpers, loaders, backhoes, bucket trucks or stockpiles of gravel or other material is adjacent to overhead power lines. When preparing site plans the project manager or contractor should be aware of such hazard potentials. If necessary, signage warning of overhead power lines must be posted to warn drivers/operators who may come into contact with overhead electrical hazards.

☐ **Platforms, Runways, Ramps, Stairs, Landings and Ladders**

These access and egress measures must comply with all applicable building code and/or Occupational Health and Safety Act and Regulations.

☐ **Temporary Heat**

If utilized, it must not pose a fire hazard or situated near flammable materials and must be used as per the Construction Regulations.

☐ **Explosives**

Requirements identified in Construction Regulations must be followed, including appointing a competent supervisor.

☐ **Scaffolds and Work Platforms**

Scaffolding comes in many forms. The contractor must stipulate the scaffolding he/she will be using, and regular inspection and maintenance must be completed and documented for review by City of Vaughan's contract representative. It is important that the contractors' and sub-contractors' workers are trained in the use of scaffolding, and particularly where fall protection is required. Scaffolding must meet all requirements of Construction Regulations.

☐ **Suspended Platforms, Suspended Scaffolds and boatswain's Chairs**

Must meet rigging, anchoring and maximum load requirements. Must be inspected. Must be engineered where required. Workers must wear fall arrest. Refer to the window cleaning regulations under the OHSA for requirements. If window cleaning operation, notice of window cleaning operation must be completed and provided to the Ministry of Labour prior to the commencement of this operation.

☐ **Elevating Work Platforms (scissor lift, boom lifts, etc.)**

Must be certified by a structural engineer and meet applicable National Standards. Any elevating work platforms must be maintained and inspected with records kept on site. Workers must be properly instructed on the device and must have a certificate of training in fall arrest prior to work on the elevating work platform.

☐ **Cranes, Hoisting and Rigging**

Workers must be trained, as per identified training standards. Load rates must be identified and not exceeded. Regular inspections are required. Must meet requirements if using as a device to lift workers.

☐ **Derricks, Stiff-Leg Derricks, Similar Hoisting Devices**

These shall not be attached to a building or structure unless in accordance with the applicable sections in the Construction O. Regulation 213/91.

☐ **Tower Cranes**

No tower crane shall be erected at a project except in accordance with the applicable sections in the Construction Regulations. All applicable maintenance and erection inspection reports to be provided to the contracting department.

☐ **Cables, Slings and Rigging**

Shall meet requirements set under the Construction Regulations and be inspected as defined.

☐ **Roofing**

Barriers or a fall restricting system with evacuation procedures must be provided to the contracting department and used where required (e.g. if any worker is required to working within five feet of the edge of a roof or structure, proper barriers or fall restricting are required.) Roof hoists must be operated by a competent person and must have appropriate counter weights.

☐ **Explosive Actuated Fastening Tools**

Workers must be trained, and tools must comply with the Construction Regulations, under the Occupational Health and Safety Act for explosive actuated fastening tools.

☐ **Type 2 or 3 Asbestos works**

The contractor or subcontractor must submit a notice of asbestos removal or asbestos work to the Ministry of Labour prior to removal or work. Contractor's must provide certificates of training in Type 2 or 3 asbestos work.

☐ **Other:** list and discuss controls for any other hazards identified but not listed above:

☐ \_\_\_\_\_ :

☐ \_\_\_\_\_ :

Contractors are responsible to enforce and comply with the requirements of this checklist and applicable health and safety requirements. This list does not remove or reduce the responsibility of every Contractor and Employer to comply with the all Occupational Health and Safety Act, Regulations and any other applicable laws which apply to the project.

Contractors found not adhering to the health and safety standards established under the contract shall be advised. Contractors will also be advised that any future non-compliance with health and safety standards may be deemed a violation of the terms of the contract and subject to invalidation of the contract as outlined in the Occupational Health and Safety Section of the City of Vaughan's Corporate Bid Document

**Please attach any relevant health and safety information (e.g. emergency plans, training documents, contingency plans, health and safety policy and program manual, etc....) for discussion at the pre-construction meeting and for future reference.**

Name and Signature of Contractor acknowledging receipt of checklist and their responsibilities for Health and

Safety of the service/project: Contractor Representative Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City of Vaughan Representative: City Representative Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*A signed copy of this document is to be kept in the service/project file. If you have any questions regarding this form please contact your contact your City of Vaughan contract representative.

*To the extent that the foregoing information constitutes personal information as defined in the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, chapter M.56 as amended, the information is subject to provisions of that Act and will be used for the purposes indicated or implied by this form. Questions about the collection of personal information should be directed to the City Clerk, Vaughan Civic Centre, 2141 Major Mackenzie Drive, Vaughan, Ontario, telephone (905) 832-2281.*