

2.6 Contractor Safety and Due Diligence Policy

Purpose

To ensure that while performing work on Town of Goderich property, Contractors, sub-Contractors and their employees work in a manner that protects the health and safety of Town of Goderich employees, the general public, themselves and their workers. This work will at minimum, adhere to the requirements of all relevant Acts, Regulations, Town of Goderich policies and procedures. Any violations will result in consultation with the Contractor to improve performance and may result in the termination of the contract for services.

This document is not intended to replace the health and safety training and supervision by the Contractor or sub-Contractor required to ensure the safe performance of work. Each Contractor or sub-Contractor is responsible for ensuring their staff receive the necessary training and supervision to effectively address any hazards related to the work performed.

Scope

This policy applies to all Contractors, sub-Contractors and their employees that are performing work on Town of Goderich property.

Key Definitions

Contractor

- An individual or company who has agreed to perform work on Town of Goderich property, or on behalf of the Town of Goderich and includes any of their employees, and any sub-Contractor and their employees. A Contractor may include independent operators, sole proprietors and executive officers.
- For example:
 - Electrician
 - Plumber
 - HVAC maintenance provider
 - Construction Company

Project

For the purpose of this document, a project is any repair, alteration or modification performed by the Contractor on Town of Goderich property or while working on behalf of the Town of Goderich.

Policy

1. Policy Statement

- 1.1. It is the policy of the Town of Goderich to ensure that providers of contracted services to the Town of Goderich adhere to health and safety requirements contained within the Occupational Health and Safety Act of Ontario and Regulations, the Ontario Building Code, the Ontario Fire Code, Electrical Code, Environmental Protection Act, Applicable CSA Standards, and any other relevant health or safety legislation, including Town of Goderich policy and procedures including those relating to workplace violence and harassment, and the Contractor Occupational Health and Safety Package of which this policy forms part of.

2. Administrative Requirements

- 2.1. The Contractor Safety and Due Diligence Policy and Procedures requires the participation of the CEMC, Accessibility and Health & Safety Manager (the H&S Manager), the Director of Community Services, Infrastructure & Operations, and any other Town employee who the Director of Community Services, Infrastructure & Operations determines to be the Town contact for purposes of the contracted work (the "Town Contact").
- 2.2. The Town Contact will immediately notify the H&S Manager by email of any Contractor hired by the Town of Goderich.
- 2.3. The Town Contact will advise the Contractor of the requirement to obtain and complete a copy of the Contractor Occupational Health and Safety Package prior to commencement of work, as further outlined below. The Contractor Occupational Health and Safety Package is available on the corporate website (www.goderich.ca), by email, and in paper version at Town Hall.
- 2.4. Prior to commencing any work, the Contractor must deliver the complete Contractor Occupational Health and Safety Package to the Town Contact who will forward a copy to the H&S Manager for verification and retention.
- 2.5. The Town Contact will conduct a pre-start project meeting with the Contractor prior to the commencement of the project to ensure the safety of work performed.
- 2.6. The Contractor will advise the Town Contact and the town's H&S Manager of any aspect of the project that impacts, or has the potential to impact the health or safety of building occupants and/or building visitors.
- 2.7. Should a project involve a designated substance as defined under the terms of the Occupational Health and Safety Act of Ontario or require a Pre-Start Review, the H&S Manager for the Town will be included in the pre-start project meeting.
- 2.8. Should a Contractor contravene any aspect of the Contractor Occupational Health and Safety Package, the Town's employee with knowledge of the contravention will ensure that the Director of Community Services, Infrastructure and Operations (or designate), and the Town's H&S Manager are immediately notified.

3. Contractor Agreement and Responsibility

- 3.1. An agreement or contract to perform any work for the Town constitutes an acceptance of the requirements contained in this document. It is further understood this document does not replace construction safety laws, regulations, codes and standards, or any other legislation governing the project, nor should they be construed as an assumption of responsibility by the Town of Goderich. The Town of Goderich assumes no responsibility for any legal action arising from the Contractor's failure to adhere to safe work practices.
- 3.2. The Contractor must conduct daily safety inspections of the work area, and identify and correct hazards.
- 3.3. It is expected that Contractors, sub-Contractors, their supervisors and employees will maintain a positive attitude towards safe work, and health and safety procedures. Accordingly, each Contractor or sub-Contractor will be familiar with all legislation related to the work performed and will be responsible for ensuring full compliance.
- 3.4. Failure to comply with relevant health and safety legislation or Town of Goderich policies and procedure on the project may result in termination of the contract.
- 3.5. Any health and safety convictions of the Contractor on the project or any other worksite could also constitute cause for the Town to void the contract.

4. Contractor Duties and Responsibilities

- 4.1. Prior to commencing work, the Contractor shall provide the following to the Town Contact for filing by the H&S Manager, as per Appendix "K" to the Town's Health and Safety Program, the Contractor Occupational Health and Safety Package:
 - Contractor's Health and Safety Acknowledgment and Safety Checklist
 - A copy of their Health and Safety Program, Manuals and/or Policy or completed Health and Safety Work Plan found in the Contractor Health and Safety Package, if a Health and Safety Program is not available
 - WSIB Clearance Certificate verifying that they have insurance coverage for compensation or injuries
 - If you are a sole proprietor and do not have WSIB insurance, you will be required to complete the WSIB Independent Operator Status questionnaire. This questionnaire is to establish your status as an independent contractor from the Town. The questionnaire is available on the WSIB website (Form 1158A). Once the questionnaire has been completed and submitted to WSIB, you will need to provide the Town with the document proving your status along with the submission of this package.
 - Proof of General Liability insurance
 - Copies of all legislated and relevant health and safety training/qualification certificates for all workers who are working on the site (this includes general health and safety training as well as hazard specific training certificates)

- Details of any Ministry of Labour health and safety inspections and any charges/convictions under the Occupational Health and Safety Act within the last five (5) years
- 4.2. The Contractor is not authorized to commence work until the completed Health and Safety Package is received by the Town Contact and verified by the H&S Manager.
 - 4.3. The Contractor must maintain up-to-date WSIB coverage.
 - 4.4. The Contractor shall supply a MSDS/SDS binder which shall remain on-site for any and all chemicals available/used by the Contractor, any sub-Contractor, their supervisor(s), and any employees, while on the project.
 - 4.5. Where applicable, the Contractor will submit a Notice of Project to the Ministry of Labour. (Regulation 213/91 Construction Projects). “Where so prescribed, a constructor shall, before commencing work on the project, give to a Director (Ministry of Labour) a notice in writing of the project containing such information as may be prescribed.” The Construction Projects Regulations prescribes that the constructor must complete an approved notification form and file it at the Ministry of Labour office closest to the project if any of the following apply: the total cost of labour and materials for the project is expected to exceed \$50,000; or the work is the erection or structural alteration of a building more than two storeys or more than 7.5 metres high; or work in compressed air is to be done at the project; or a tunnel, caisson, cofferdam or well into which a person may enter is to be constructed at the project; or a trench into which a person may enter is to be excavated at the project and the trench is more than 300 metres long or more than 1.2 metres deep and over thirty (30) metres long; or a part of the permanent or temporary work is required by this Regulation to be designed by a professional engineer.

5. Pre-Start Safety Review

- 5.1. On request by the Town, the Contractor must attend a pre-start safety review with the Town’s designated representative. The purpose of the review is to organize the work and discuss the safety aspects of the project. An exception may be made for Contractors retained for routine maintenance that includes several projects over a long-term period. These Contractors are only required to attend one pre-project safety review annually.
- 5.2. A pre-project safety review is required for all projects such as, but not limited to:
 - Utility modifications;
 - Electrical and plumbing work;
 - Working with ladders greater than 3 metres, scaffolds, work platforms, suspended platforms and scaffolds and Boatswain’s chairs and elevating work platforms;
 - Confined space entry;
 - Use of chemicals;
 - Remediation of mould or asbestos removal, or work in proximity to asbestos;

- Work with any designated substance or in any area where there is a designated substance; and
 - Hot work or welding.
- 5.3. Should a project involve a Pre-Start Safety Review, the H&S Manager for the Town will be included in the meeting.

6. General Safety Requirements

- 6.1. All Contractors accept the responsibility and liability for ensuring that every reasonable measure and precaution is taken in the circumstance for the protection of all workers, employees, and visitors to the Town of Goderich property under the circumstances.
- 6.2. The Town of Goderich requires that all Contractors, sub-Contractors and their employees and agents adhere to all relevant legislation, in addition to the Town of Goderich's safety policies and procedures and the Contractor Occupational Health and Safety Package. The Contractor will be responsible for, and assumes all responsibility and liability for the health and safety of their workers and agents, including sub-Contractors. Where there is a disagreement as to the meaning of the legislated requirement or practice, the Town of Goderich's interpretation shall apply.
- 6.3. The safety of the site will be maintained and controlled through the Contractor's control of workers, methods, techniques, in addition to the sequence and schedule of work.
- 6.4. It is the responsibility of the Contractor to ensure that their employees have received instruction and training in the relevant health and safety legislation, in addition to the Town of Goderich's safety regulations and practices prior to work commencement. The Town reserves the right to request copies of any Certifications or proof of competencies from the Contractor, as well as any training records.
- 6.5. The Contractor shall ensure that the design details of critical elements such as temporary construction, for work, scaffolding and the use of lifting equipment and its support shall be approved by a professional engineer as required by the appropriate code.
- 6.6. The Contractor shall ensure that all sub-Contractors they hire comply with the terms of this document and all Town of Goderich policies and the Contractor Occupational Health and Safety Package, including the requirements for liability insurance, workplace safety and insurance coverage and all requirements under the Occupational Health and Safety Act and related regulations.

7. General Information and Requirements

- 7.1. The Contractor must provide a work schedule and advise the Town Contact one week before the proposed work commences.
- 7.2. Access to locked areas must be arranged in advance with the Town Contact. When approved, pre-arranged, off-hours access is made by contacting the Director of Community Services, Infrastructure and Operations (or designate). For projects of a longer duration, keys may be made available at the discretion of the Director of

Community Services, Infrastructure and Operations (or designate).

- 7.3. All parking regulations are to be observed and are specific to the site. All emergency routes, handicapped parking and other posted No Parking areas must be respected. Any vehicle illegally parked, will be issued a ticket and possibly towed at the owner's expense.
- 7.4. There is no storage space available for Contractors. The Contractor must co-ordinate activities and arrange for the delivery of materials, as required.
- 7.5. Smoking is not permitted within any Town of Goderich building or within nine (9) metres of any entrance/exit, with the exception of any recreation building or child care centre where the minimum distance is twenty (20) metres of any entrance/exit. Smoking is permitted as designated outdoor areas only.
- 7.6. Good work practices shall be followed to ensure that:
 - Dirt and debris are not tracked through the building
 - All doors regularly kept locked, will remain secured
 - All extension cords and other tools or equipment do not create a tripping hazard
 - If required, impermeable barriers will be provided and erected by the Contractor to protect Town of Goderich personnel and visitors from dirt and debris. In addition, the Contractor shall discuss with the Director of Community Services, Infrastructure and Operations (or designate) whether the blockage of exhaust vents should be performed
 - Work areas are to be maintained in a reasonably clean and tidy condition and in accordance with the Occupational Health and Safety Act and Regulations
 - Unless otherwise agree, Contractors are responsible for the removal of their own refuse
 - Special precautions are to be taken before the drilling of walls, ceiling or floors to ensure conduits, cables, water lines, gas lines or any mechanical services are not pierced and that there will be no damage on the opposite side of the surface
 - If the Contractor damages any Town of Goderich equipment or service in the course of their work, no repair will take place without approval of the Director of Community Services, Infrastructure and Operations (or designate). All associated costs are the sole responsibility of the Contractor.

8. Hazardous Materials

- 8.1. Workplace Hazardous Materials Information System (WHMIS) – the Contractor shall ensure that all their employees comply with all aspects of WHMIS.
- 8.2. Labelling – all WHMIS controlled products shall have the appropriate label (supplier or workplace) affixed at all times, as per the regulation. The Contractor shall ensure labels remain legible.
- 8.3. Safety Data Sheets (SDS) – the Contractor shall ensure the most recent copy of an SDS for

each controlled product is available to their workers. Prior to the commencement of work, an additional copy of an SDS for each controlled product will be provided to the Town's H&S Manager.

- 8.4. Worker Training – the Contractor shall ensure their employees have received the required worker training as per the requirements of the regulation.

9. Hazardous Materials – Other

- 9.1. Chemical Storage – all hazardous materials will be stored and dispensed in an area suitable for that purpose, in compliance with regulations. This includes a well-ventilated area, away from possible sources of ignition.
- 9.2. Safety containers – approved safety containers will be used for the storage and transportation of flammable materials in accordance with regulations.
- 9.3. Hazardous Waste – the Contractor shall ensure all waste is disposed of, in accordance with all municipal, provincial or federal regulations. Under no circumstances are Contractors to allow any contaminant to be added, emitted, or discharged into the natural environment.
- 9.4. Compressed Gas Cylinders – the Contractor shall ensure all compressed gas cylinders are stored in an upright position, secured to a stable support and protected from falling objects in compliance with applicable regulations.
- 9.5. Designated Substances – should the use of a designated substance, as defined under the terms of the Occupational Health and Safety Act be necessary, the Contractor shall discuss such use, in advance, with the Town Contact and the H&S Manager. Such discussion will include possible alternatives. If this is not viable, safe work strategies will be agreed upon, prior to the commencement of work. Any such work will strictly comply with the requirements of the respective regulation.
- 9.6. Asbestos (unexpected discovery) – while every attempt will be made by the Town of Goderich to identify asbestos that may be encountered in the course of the project, the Contractor shall ensure that should this occur, the Town Contact and the H&S Manager are notified, immediately.
- 9.7. Mould (Ontario Environmental Guidelines) – if mould or suspicion of mould is discovered during any contract work at the Town, it must be reported immediately to the Town Contact. Mould removal can only be performed by Contractors trained in proper mould abatement procedures, using Ontario guidelines and other applicable legislation.
- 9.8. Asbestos Training – if and when advised of the presence of asbestos by the Town Contact or the H&S Manager, the Contractor shall ensure all their workers, including the workers of any sub-Contractors have received the appropriate Asbestos training, in compliance with the Asbestos regulation.

10. Work Procedures

- 10.1. Personal Protective Equipment – Contractors will ensure their employees are equipped

with, trained in the use of, and shall wear the required safety equipment necessary to complete the work in a safe manner. This includes:

- Safety goggles
- Gloves
- Hearing protection
- Respirators with appropriate filters
- Safety harnesses
- Fall restraint devices
- Safety boots
- Hard hats

10.2. Tools and Equipment – Contractors will ensure that tools are maintained in safe working order and are provided and maintained with working guards and safety devices as required by regulation and that their employees use all safety devices and guards provided. All electrical equipment will be properly grounded or double insulated.

If Contractor(s) and/or their employees are using any equipment or tools that are owned by the Town of Goderich, they shall immediately notify their Supervisor of any defects at which point such equipment or tool shall be locked-out.

The Contractor shall ensure that tools, equipment and materials are used only in the manner intended.

10.3. Electrical Lock-Out Policy and Procedures – while working on machinery or power sources, Contractors will ensure their employees adhere to the Town of Goderich's Lock-Out Policy and Procedures.

10.4. Hot Work (includes welding, grinding and cutting) – work involving high heat, naked flame, welding or soldering much be discussed with the Town Contact prior to work commencing. The Town Contact will issue a Hot Work Permit (see Appendix B). Approved work will be performed, taking the necessary precautions to protect others from welding arc or flash.

10.5. The Contractor shall immediately notify the Town Contact of any defective lighting, equipment, ventilation, floor, railing, guard, structure that they may come upon during the project so that such defect may be remedied.

10.6. The Contractor shall ensure that it's employee(s), sub-Contractors and/or supervisors:

- Maintain good housekeeping at all times in their assigned work areas
- Refrain from any horseplay or any other unacceptable conduct
- Cooperate with the Town of Goderich Joint Health and Safety Committee and H&S Manager
- Know the emergency exits at the worksite

- Not be in possession of, drinking of, or being under the influence of alcohol or reporting to work under the influence of same
 - Not be in possession of, purchase, transfer of possession, or being under the influence of an intoxicating substance (i.e., illegal drugs or the misuse of prescription drugs), or reporting to work under the influence of the same.
- 10.7. The Contractor for any project greater than \$5,000 shall provide at least one (1) competent supervisor to manage their employees at all times. Competent Supervisors shall be defined as a person who is qualified because:
- Of their knowledge, training, and experience to organize the work and its performance
 - Is familiar with legislation, regulations, and standards that apply to the work being performed
 - Has the knowledge of any potential or actual danger to employees performing work on their behalf

10.8. The Town Contact will discuss the necessity of bypassing one or more fire zones of the fire alarm system during hot work. If this is necessary, the Contractor will maintain a fire watch within the immediate proximity of the performed worked during and after completion. The fire watch will conform to the requirements of the Ontario Fire Code. Once the work has been completed and the fire watch is over, the Contractor will inform the Town Contact. The Town Contact will arrange for the fire alarm system to be returned to normal operations.

The Contractor will ensure the required safety equipment is present during the performed hot work, including but not limited to flame-proof curtains, an appropriate number of portable fire extinguishers, smoke-eaters or similar device, to limit welding fumes. The Contractor shall ensure their employees wear the required personal protective equipment while performing hot work.

11. Injuries/Illness/First Aid/Critical Injuries

11.1. The Contractor shall ensure that first aid stations are in place in accordance with the Occupational Health and Safety Act and First Aid Regulations in the event of illness or injury.

11.2. The Contractor shall ensure their employees, sub-Contractors, and/or supervisors notify them of the following:

- any incident that might have cause an injury
- any incident that has caused or might have caused any property damage
- immediate or potential hazards

11.3. In the event a Contractor's employee sustains any injury, the injury shall be reported as per relevant legislation. In addition, the incident shall be reported to the Town Contact

and the H&S Manager using the Town's Injury/Illness/Near Miss Incident Form (See Appendix C) within 24 hours.

- 11.4. In the event of a critical injury, as defined by the Occupational Health and Safety Act, the Contractor shall follow all procedures in accordance with the Act. The Contractor shall immediately contact the Ministry of Labour and the Town Contact who will contact the Chief Administrative Officer and the Town of Goderich's H&S Manager. Under no circumstances shall the scene of a critical injury be altered, except to:
- Save life or relieve human suffering
 - Maintain an essential public utility service
 - Prevent unnecessary damage to equipment or other property

12. Fire Safety

- 12.1. The Contractor shall ensure that their employees adhere to good fire safety procedures by following the requirements of the Ontario Fire Code and complying with the Town's policies and procedures. This includes evacuation during any fire alarm.

13. Performance Review

- 13.1. A performance review is to be conducted at the end of the contract or at least annually for projects greater than \$5,000. A decision will be made upon completion of the performance review if the Contractor will be used again for services (see TG16 – Contractor Health and Safety Performance Review Form).
- 13.2. Any deficiencies will be discussed with the Contractor and a corrective action plan shall be agreed upon prior to awarding any further work.

14. Other

- 14.1. Any questions regarding this document should be directed to the Director of Community Services, Infrastructure & Operations or the H&S Manager.

Forms that Apply to this Policy

Appendix "XX" - Contractor Occupational Health and Safety Package

TG16 – Contractor Health and Safety Performance Review Form

Revision History of this Process

September 23, 2013– Complete program revision and re-issue using new format.

November 24, 2014 – Revised content - While any work or services are being performed by the Contractor (greater and less than \$5,000 projects) on behalf of the Town of Goderich and to TG16 – Contractor Health and Safety Performance Review Form

January 2023 – Reviewed

March 2024 – Complete revision of policy

Legislation / Standards / Regulations

Occupational Health and Safety Act

Building Code Act

O.Reg. 213/07: Fire Code

Workplace Safety and Insurance Act

Appendix B: Hot Work Permit

Name of Individual Performing the Work:	Date: dd/mm/yyyy / /	
Location of Work(Building/Floor)		
Work to be Done		
Name of Fire Watch Person		
Check the following items	YES	NO
Precautions		
Sprinklers in service		
Cutting and Welding Equipment in good repair		
Fire Extinguisher Available		
Lines tagged and blanked		
Safety Locks Installed		
Area roped off?		
Is the release of flammable vapors inside the building or up wind of the worksite unlikely?		
Has the equipment on which Hot Work is to be performed been opened, blinded, vented, washed or otherwise cleaned and ventilated?		
Within 35 Ft of Work		
Floor swept clean of combustibles		
Combustible floors wet down, covered with damp sand, metal or other shields		
No combustible material or flammable liquids		
All wall and floor openings covered		
Covers suspended beneath work to collect sparks		
Work on Walls or Ceilings		
Construction noncombustible and without combustible covering		
Combustibles moved away from opposite side of wall		
Work on Enclosed Equipment		
Equipment cleaned of all combustibles		
Containers purged of flammable vapors		
Permit Required for Confined Space Entry – See Section 04 – Confined Space Policy (if required)		

The location where this work is to be done has been examined, necessary precautions taken, and permission is granted for this work.

Employee Performing Hot Work Signature: _____ Supervisor Signature: _____

Time Started: _____ Completed: _____ Expires: _____

Final Check Up

Work area and all adjacent areas to which sparks and heat might have spread (including floors above and below and on opposite sides of walls) were inspected 30 minutes after the work was completed and were found fire safe.

Signature: _____
Supervisor or Fire Watcher

TG12 - EMPLOYEE INCIDENT FORM

To be completed by employee affected by injury, illness, or near miss

EMPLOYEE INFORMATION	Last Name:	
	First Name:	
	Primary Telephone Number:	
	Email address:	
	Occupation:	
DESCRIPTION OF INCIDENT	Date of incident:	Time of Incident:
	Location of incident:	
	Date and Time reported:	
	To whom was the incident reported:	
	If the report is delayed, please explain why:	
	State the exact sequence of events leading up to the incident. Include an explanation of what you were doing.	
	What caused the injury/illness?	
	Type of incident:	<input type="checkbox"/> Struck/caught <input type="checkbox"/> Overexertion <input type="checkbox"/> Repetition <input type="checkbox"/> Slip/Trip <input type="checkbox"/> Fire/Explosion <input type="checkbox"/> Motor Vehicle Incident <input type="checkbox"/> Fall <input type="checkbox"/> Heat or Cold Stress related incident <input type="checkbox"/> Harmful Substance/Environment <input type="checkbox"/> Other: _____
PPE WORN	Type of PPE worn at time of incident:	<input type="checkbox"/> Chaps <input type="checkbox"/> Safety Harness <input type="checkbox"/> Other (describe) _____
	<input type="checkbox"/> Gloves <input type="checkbox"/> Hard Hat <input type="checkbox"/> Safety Footwear <input type="checkbox"/> Glasses/Face Shield <input type="checkbox"/> Ear Protection <input type="checkbox"/> Long pants/leggings	_____
WITNESS	Witness(es):	

TG16 – Contractor Health and Safety Performance Review Form

Name of Contractor:	
Date(s) work performed:	
Contract/Project Name:	

1. The Contractor was able to supply all the required documentation prior to the start of work?

WSIB Clearance Certificate or Letter of Good Standing	<input type="checkbox"/> YES	<input type="checkbox"/> NO
General Liability Insurance	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Safety Orientation with Contractor	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Lockout/Tagout Training	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Confined Space Entry (if required)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Fall Prevention (if required)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Hot Work (if required)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Designated Substance (if required)	<input type="checkbox"/> YES	<input type="checkbox"/> NO

2. The work performed by the Contractor met the satisfaction of the Town and/or the Senior Leadership Team member of the work location where the work was performed?

YES NO

If NO to either questions 1 or 2, Please explain:

-
3. Did the Contractors employees have any injuries or incidents while performing at the Town workplace?

YES NO
 4. Did the Contractors employees cause an injury to one of the Town’s employees or property damage to the workplace?

YES NO

If YES, to questions 3 or 4, please provide full details:

Detail any noted unsafe acts or practices by the Contractors employees?

Name of Town Contact for project:	
Signature:	

Evaluation Performed by: CEMC, Accessibility and Health & Safety Manager	
Signature:	
Date:	