

## 21.0 CONTRACTOR PROGRAM

A contractor is defined by the Act as 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.

A constructor must ensure that:

- all measures and procedures prescribed by the Act and regulations are carried out;
- every employer and every worker performing work on the project complies with the Act and regulations;
- the health and safety of workers on the project is protected.

### Goal

To ensure Contractors follow the minimum guidelines in order to provide and maintain a safe work environment for Contractors and NPSCDSB employees.

NPSCDSB is committed to the protection of its employees, the environment and its physical assets. NPSCDSB will continue to maintain a safe work environment in order to prevent occupational injuries and illnesses

All employees, contractors and employees of Contractors are responsible for complying with the requirements of the Ontario *Occupational Health and Safety Act* and its Regulations.

### Scope

All contractors must be on the approved contractor list before the commencement of any work.

### Definitions

Approved Contractors	Any contractor who has signed and returned all required documents as per this policy.
Delivery Persons	A person who is on company property to either receive or drop off product.  This person does not actually load or unload the product.
NPSCDSB	Nipissing-Parry Sound Catholic District School Board
Project Coordinator	A NPSCDSB employee who is contracting the work.

**Standards/Procedures**

The Project Coordinator shall ensure the Contractor's legal name and the authorized signing officer's title is correct on the Contractor Health and Safety Responsibility Agreement.

The Project Coordinator shall forward two (2) copies of the Contractor Health and Safety Responsibility Agreement to the Contractor for signature.

The Contractor shall keep one copy for their records and forward the second copy back to the Project Coordinator.

The Contractor must provide the Project Coordinator with an up-to-date liability insurance certificate, listing the NPSCDSB as a certificate holder. The Project Coordinator shall ensure that the Contractor has a minimum two (2) million dollars per occurrence of public and property liability insurance.

The Superintendent may approve a liability insurance certificate less than 2 million dollars at his/her discretion.

The Contractor must submit an up-to-date Workplace Safety and Insurance Board (WSIB) Clearance Certificate .

The Project Coordinator shall ensure that all of the required documentation is completed and returned before the commencement of the work.

The Contractor shall provide the Project Co-ordinator with any Material Safety Data Sheets (MSDS) for all Workplace Hazardous Materials Information System (WHMIS) products used on the project.

Delivery persons are not required to endorse a Contractor Health and Safety Responsibility Agreement. However, they shall not perform any services, other than delivery or receiving, while on company premises.

**Roles and Responsibilities**

The Project Coordinator shall ensure that the signed contractor's Health and Safety Responsibility Agreement, along with a copy of the contractor's WSIB Clearance Certificate, a copy of their liability insurance, licenses, certificates and MSDS(s) are on file.

The Project Coordinator shall forward a copy of the NPSCDSB's Contractor Program and any other relevant company procedures to the contractor.

The Health and Safety Officer shall keep the list of approved contractors. This list shall be reviewed annually.

The Joint Health and Safety Committee will include Contractor's adherence to their health and safety roles and responsibilities when conducting monthly inspections.

**Communication**

The Contractor Program will be communicated by the Project Coordinator to the contractor.

**Evaluation**

Evaluation of this Contractor Program will be done on an annual basis OR if corrective action is identified due to an injury/illness or incident as a result of a contractor issue.

Review of monthly inspections to verify any issues observed with contractors.  
Any health and safety issues will be addressed immediately by the Project Coordinator.

**Forms/Records**

Contractor Health and Safety Agreement Checklist  
Contractor Health and Safety Responsibility Agreement  
Health and Safety Rules and Regulations

**CONTRACTOR ACCOUNTABILITY****Purpose**

To ensure all NPSCDSB contractors and sub-contractors understand the established policies and procedures for discipline related to health and safety.

All contractors shall abide by their health and safety roles and responsibilities as outlined in the health and safety standard operating procedure booklet. Failure to comply will result in the application of the progressive discipline procedure.

The procedure has the following steps:

Step one (1): NPSCDSB Manager of Plant Services or designate gives a verbal warning and provides corrective action to the contractors and sub-contractors.

Step two (2): The contractors and sub-contractors receives a written warning. This will outline the issue, corrective action and timeframes for compliance.

Step three (3): should the contractor not abide with the corrective action, then suspension or termination of the worker will occur.

The contractors and sub-contractors must abide by and must ensure that each of the contractor and sub-contractor employees abide by Nipissing-Parry Sound Catholic District School Board Health and Safety program. The contractors and sub-contractors will also be able and willing at such times as recommended by NPSCDSB to provide additional precautions as deemed necessary by NPSCDSB for safe-guarding employees and equipment. The contractors and sub-contractors further acknowledged and agrees that any violation of safety rules or regulations is justification for the immediate termination of its Contract with NPSCDSB, without any further obligation on the part of NPSCDSB.

## **CONTRACTORS AND SUB-CONTRACTORS RESPONSIBILITY**

It is the responsibility of any contractor or sub-contractor who does work for the NPSCDSB to ensure that work is carried out in a safe manner which meets or exceeds all requirements of the Occupational Health and Safety Act, and that their workers also work within the confines of NPSCDSB established policies and procedures.

### **Contractor Specific Safety Responsibilities**

The contractor or sub-contractors must:

1. Meet NPSCDSB health and safety requirements.
2. Instruct their workers on action required in event of injury.
3. Ensure their workers have competent supervision.
4. Comply with Workplace Safety & Insurance Act regulations.
5. Agree to and understand responsibilities as per NPSCDSB requirements.
6. Report to the school secretary upon arrival and sign the Visitors Log.

### **Sanitation**

1. All food and drink must be confined to designated areas. Related articles such as napkins, lunch bags, etc. must not be taken into the working areas. Please dispose of all garbage in the containers provided.
2. Smoking is not permitted anywhere on the Board premises, including the parking lot.
3. Please follow proper personal hygiene practices.
4. Personal items (coats, sweaters, etc.) must be stored.

### **General Conduct**

1. Anyone under the influence of illegal drugs or alcohol or having the same in their possession will be disciplined and or terminated.
2. Any employee, using prescribed medication, that could affect the safety of their work are not allowed to perform their duties.
3. Horseplay of any kind will not be tolerated.
4. Individual portable music devices are not allowed (walkman, radio, CD player, iPod, MP3).
5. Unauthorized removal of Board property is cause for immediate termination.

## **Contractor Health and Safety Responsibility Agreement**

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between \_\_\_\_\_ (the “Contractor”), and the Nipissing-Parry Sound Catholic District School Board (the “Company”).

1. The Contractor must employ only orderly, trained, competent and skillful people to do the work and the Contractor’s employees shall be fully covered under the Workplace Safety and Insurance Act by the Contractor and shall provide an up-to-date Clearance Certificate from the Workplace Safety and Insurance Board. All subcontractors must be approved in writing by the Company before commencing any work. The contractor is responsible for ensuring that their employees comply with the terms of this Agreement.
2. The Contractor acknowledges and accepts all risk arising or pertaining to the ownership, possession, use or operation of its equipment in completing its services, whether in whole or in part, whether directly or indirectly, by an act or omission or negligence of the contractor, or for those whom it is in law responsible.
3. The Contractor must indemnify and save harmless the Company from any and all claims, demands, actions, losses or property damage arising directly or indirectly from the ownership, possession, use or operation of its equipment in completing its services, whether in whole or in part, whether directly or indirectly, by an act or omission or negligence of the Contractor, or for those whom it is in law responsible. The contractor shall protect and hold the company harmless and shall pay all costs, expenses and reasonable legal fees incurred or paid by the company in connection with such litigation. The indemnities contained in this Agreement shall not be prejudiced by and shall survive the termination of this Agreement.
4. The contractor shall, during any time in which it is providing services to the company, take out and keep in full force and effect property damage and public liability insurance in which the limits of public liability and property liability shall not be less than two million (\$2,000,000) dollars per occurrence, the whole at the Contractor’s sole cost and expense. All policies shall be written with insurance companies qualified to do business in the Province of Ontario and shall name the NPSCDSB as an additional insured and a certificate acknowledging same must be provided.