



# Corporate Policy Manual

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<b>Policy Name</b>	<b>Policy Number</b>	<b>Responsible Department</b>
Contractor Safety Policy	CPM-10-91	Health, Safety, and Compliance
<b>Approval Body</b>	<b>Approval Date</b>	<b>Review Date</b>
Chief Executive Officer	April 22, 2022	April 22, 2025

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## **Purpose**

The purpose of this policy is to ensure that contractors who are contracted by The Niagara Parks Commission (NPC) take the necessary steps to protect all workers, guests, the public, and property from any harm during the course of work. In addition, all work procedures and equipment will be in accordance with the standards established by NPC, the standards established by the Constructor (if applicable), the Occupational Health and Safety Act (OHSA) and applicable regulations. NPC shall endeavour to work with all contractors to provide for the health and safety of NPC employees, Contractor's/subcontractor's employees, and guests.

## **Scope**

This policy applies to all NPC workplaces and all NPC employees, contractors, and volunteers. This policy is applicable in the following situations:

1. Contracting where work is under the control of NPC as Owner (Service Contract), and
2. Contracting where work is under the control of NPC as Constructor for the Construction Project.

In situations, where NPC has designated a Contractor as the Constructor, the Constructor shall ensure that they are in compliance with all applicable legislation and any related standards.

## **Definitions**

"Competent Person" means a person who:

- a) Is qualified because of knowledge, training, and experience to organize the work and its performance,
- b) Is familiar with the Occupational Health and Safety Act and the regulations that apply to the work, and



c) Has knowledge of any potential or actual danger to health or safety in the workplace.

"Construction" means the 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.

"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.

"Contractor" means any individual or firm engaged by NPC on a contract to perform work. This term applies to all Contractors, all Contractor employees and any sub-contractors hired by the Contractor.

"Designated Substance" means a biological, chemical, or physical agent or combination thereof prescribed as a designated substance to which the exposure of a worker is prohibited, regulated, restricted, limited or controlled.

"Employee" means a person who is employed by NPC

"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.

"Emergency" means a situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident, or an act whether intentional or otherwise.

"Hazardous Material" means a biological or chemical agent named or described in the OHS Act and any regulations therein as a Hazardous Material.

"NPC" means the corporation of The Niagara Parks Commission.

"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.

"Project" means a Project, whether public or private, including: (a) the construction of a building, bridge, structure, industrial establishment, mining plant, shaft, tunnel, caisson, trench, excavation, highway, railway, street, runway, parking lot, cofferdam, conduit, sewer, water main, service connection, telegraph, telephone or electrical cable, pipeline, duct or well, or any combination thereof; (b) the moving of a building or structure; and (c) any work or undertaking, or any lands or appurtenances used in connection with construction.



"Project Manager" means an employee of NPC who has been assigned the responsibility of overseeing a contractor, the associated contracted service who represents the interest of NPC.

"Services" is a general term to denote contracted work which does not fall within the definition of Project.

"Supervisor" means a person who has charge of a workplace or authority over a worker.

"Worker" means a person who performs work or supplies services for monetary compensation.

"WSIB Clearance Certificate" means a certificate issued under the Workplace Safety and Insurance Act, 1997 that provides proof that a Contractor is registered with the WSIB, and its account is in good standing.

## **Policy**

It is the policy of Niagara Parks to:

- Establish a process for identifying, assessing, and controlling hazards arising from a contractor's activities and operations, impacting NPC
- Ensure that contractors provide qualified workers for work performed and request training record documentation when applicable
- Ensure the contractor meets the minimum requirements of legislation for the protection of all employees, the contractor's employees, other contractor's employees, and guests
- Ensure that the Procurement process define and apply health and safety criteria for the selection of contractors
- Communicate known hazards to the contractor and comply with legislative requirements
- Monitor and evaluate a contractor's safety performance
- Ensure a contractor has the required general liability insurance and WSIB (or alternative) coverage
- Require a contractor to sign into a site in order to be aware of site-specific health and safety rules and emergency response procedures
- Establish a notification system for contractors which may include:
  1. Contractor Checklist
  2. Pre-Commencement Meeting
  3. Performance Monitoring
  4. Post Contract Performance Evaluation
- Ensure that an organization hired as a Constructor understands their requirements under applicable legislation and any related standards

## **Roles and Responsibilities**

### CEO/ Executive Team/ Directors

- Provide leadership and support to ensure the implementation of this policy
- Ensure that adequate resources are provided to support the implementation of this policy

#### Managers/ Supervisors/ Team Leads

- Ensure that all applicable employees are trained on the Contractor Safety Program
- Ensure that Contractors who will be onsite follow the site-specific safety rules
- Notify the Project Coordinator and HSC of any possible infractions immediately for investigation purposes

#### Project Manager

- To determine the type of work to be performed and approach required based on the type of work
- If the work is a Project, to determine whether NPC will be contracting the Project to a third-party Contractor who will act as "Constructor", or whether NPC will act as the "Constructor"
- To ensure that all documentation outlined in this policy and the applicable procedure is sent to the contractor from NPC
- Ensure that all necessary documentation is obtained from the Contractor prior to the commencement of work (i.e. Certificate of Insurance, WSIB Clearance Certificate) and ensure that it is valid for the duration of the work to be performed
- To ensure that the appropriate contracts and any required training records, safety policies and work procedures are received prior to work commencing
- To notify contractor(s)/constructor(s) of any "Designated Substances" involved in the scope of work
- Ensure that the requirements of this policy and program are carried out by the Contractors with respect to contracted work performed under their authority or control
- Once a contract has been awarded, if required, conduct a pre-start meeting with Contractors prior to the commencement of the work to ensure that all safety information and scope of work has been communicated, and to ensure that Contractor training is complete
- Communicate in writing any contravention of this policy to the "Contractor" as part of Performance Monitoring
- If required, ensure that the post-performance contract evaluation form is completed and signed and sent to Procurement for inclusion in the bid file
- Ensure that any contracted work performed under their authority or control conforms to the requirements of this policy and program
- Ensure that contract personnel on site (maintenance, service, or event) are aware of the requirements of the policy and program. As well, ensure that proper identification (NPC identification card, when provided) is worn while on site and that all contracted staff "sign in" at the beginning of the work assignment with the location's management, and "sign out" at the completion of the task on a daily basis
- Notify the HSCD of a Contractor who is on site. This would assist in the "spot check" process



- Notify site management of any Contractors to be onsite
- Follow up on any performance issues and concerns and notify HSCD of any safety violations
- Monitor Contractor performance should NPC equipment be required (i.e. bucket lift, scissor lift etc.) for use by the contractor. If the use of NPC equipment is agreed upon, then the contractor must have the appropriate training and wear the required personal protective equipment. In some circumstances, a qualified NPC Operator shall be present during the use of NPC's equipment.

#### Procurement

- Provide acceptance of the "Contractor's checklist" in procurement documents with written acknowledgement as part of the Mandatory Offer to Bid acceptance
- Include in the Mandatory Offer to Bid acceptance of the NPC Supplier Code of Conduct
- Receive the completed post performance contract evaluation form signed by NPC Project Coordinator and retain the form in the bid file in Procurement

#### Contractors

- Comply with the requirements of this policy/program and ensure that their workers are trained in this policy/program, and to comply with the various requirements
- Ensure all workers have reviewed the NPC Contractor Safety Program and participated in the training, and provide verification to NPC
- Comply with the NPC Contractor/Consultant Identification Card process
- Resolve any discrepancy or contravention of this policy upon notice from NPC
- Ensure that any sub-contractors hired by the Contractor comply with this policy and applicable procedures and the Occupational Health and Safety Act and regulations or the safety policies and procedures outlined by the Constructor so long as they meet minimum legislative requirements
- Provide general liability insurance certificates and WSIB clearance certificates upon request
- Provide training certificates/documentation as requested
- Participate in the Pre-Commencement Meeting

#### Employees

- Notify their manager/supervisor of any possible infractions immediately for investigation
- Comply with the requirements of this policy/program

#### Joint Health and Safety Committees

- Assist with the communication of this policy



### Health, Safety, and Compliance

- Assist in the development and communication of this policy
- Monitor compliance to the policy and review non-compliance issues through Performance Monitoring with the Project Coordinator, supervisor, department manager and Chief Executive Officer as appropriate
- Conduct periodic spot checks to ensure that there are no compliance issues
- Develops, coordinates, and monitors the NPC Contractor/Consultant Identification Card process

### **Education and Training**

NPC employees will be provided with information related to contractor safety as required. The representative of the contractor shall ensure that any contractor employee who will be onsite at NPC shall be trained on the NPC Contractor Safety Training Program.

### **Related Policies**

CPM 10 55 Hazard Identification, Risk Assessment and Hazard Control Policy  
CPM 10-68 Roles and Responsibilities  
CPM 10-00 Health and Safety Policy

### **Related Procedures**

HSE-10-1076 Spill Reporting Procedure  
HSE-10-1033 Workplace Inspection Procedure  
HSE 10-1091 Contractor Safety Procedure  
HSE 10-1008 Contractor-Visitor Sign in Procedure

### **References and Consultation**

0.Reg.213/07 Fire Code  
Infrastructure Health and Safety Association: Contractor Safety Manual

**Record of Changes**

<u>Version No.</u>	<u>Date</u>	<u>Section/Content Changed</u>	<u>Change Made / Reason for Change</u>	<u>Change By</u>
4	April 11, 2022	HSE changed to HSC throughout document	Reflects departmental name change	Kate Ball
4	April 11, 2022	Visitors changed to guests throughout document	Reflects change in corporate language	Kate Ball
4	April 11, 2022	Purpose/ Scope/ & Policy sections	Minor grammatical changes with no impact to the meaning of the content	Kate Ball
4	April 12, 2022	Definitions	Removed contractor from the employee definition; definition exists for a contractor	Kate Ball
4	April 12, 2022	Roles & Responsibilities – CEO et al	Clarified responsibility to provide resources for the implementation of the policy	Kate Ball
4	April 12, 2022	Education and Training	Removed requirements for all employees to be trained and specified training as required	Kate Ball

**Authorization**


Name: David Adames  
 Title: Chief Executive Officer  
 Date: April 22, 2022

**Appendices**

N/A