



1.0 Introduction

Memorial University will ensure that a diligent contractor management process is established. This procedure establishes requirements for contract administration and oversight of contractor health and safety activities at or for Memorial University. This process establishes control measures to ensure that contractors understand their collective responsibility of ensuring that work performed for Memorial University is done within the context of the Occupational Health & Safety Regulations and within the context of this procedure.

2.0 Purpose

The purpose of Memorial University's Contractor Management Policy is to ensure that all work undertaken by contractors, including construction contractors and subcontractors, is conducted in a manner that:

- Protects the health and safety of members of the Memorial community;
- Protects the health and safety of employees of contractors;
- Establishes formal performance measurement procedures to monitor and evaluate contractor health & safety performance;
- Establishes the specific elements of a contractor safety program and site specific safety plan to ensure continuous improvement in the overall health & safety of contractor employees and Memorial's property and employees, students, and visitors;
- Establishes safety requirements in bidding, evaluating, awarding, and maintenance of contracts; and
- To set communication standards between Memorial and the contractor; i.e.; Pre-Job Meetings, Work in Progress meetings, etc.

3.0 Scope

This procedure shall apply to all work done via contract for Memorial University of Newfoundland.

4.0 Definitions

- 4.1 Act** – Newfoundland & Labrador Occupational Health & Safety Act, latest edition.

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- 4.2 Contract:** A documented agreement between Memorial University and a contractor.
- 4.3 Contractor:** The person, partnership, or corporation bound to execute the work under the contract and shall be responsible for the supervision of the work so as to ensure the work is carried out in accordance with the contract.
- 4.4 Principal Contractor:** means the person primarily responsible for the carrying out of a contract.
- 4.5 Regulations:** Newfoundland & Labrador Occupational Health & Safety Regulations, latest edition.
- 4.6 Subcontractor:** The person, partnership, or corporation bound by the contractor to execute work under the contract.
- 4.7 University Contract Coordinator:** The person assigned by Memorial University of Newfoundland to be responsible for the contract.
- 4.8 Owner:** Memorial University.
- 4.9 Work:** The goods, services, knowledge, skills, job procedure completion that is described in the contract.

5.0 Pre-Bid Safety Considerations

Prior to bid preparation, the University Contract Coordinator (This is a function only not a job title, the coordinator may be appointed by the department head/manager, etc.), in consultation with Safety & Environmental Services, will establish the requirements of a site specific safety plan, taking into account:

- The size, nature, and complexity of the project; and
- The nature and severity of any known & potential hazards.

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6.0 Responsibilities:

6.1 University Contract Coordinator: The University Contract Coordinator shall:

Review with Safety & Environmental Services the Safety Management Plan prepared by the contractor. Prior to the commencement of the job, ensure that the contractor has prepared a site specific safety plan, insuring contractor has:

- Performed a Hazard Assessment (this may be a Job Safety Analysis, Job Hazard Analysis, or other technique approved by Memorial) of potential hazards and formulated prevention control measures to address the identified hazards;
- The equipment to perform the work safely;
- Employees with the knowledge and skills to perform the work safely;
- An understanding of the obligation to comply with the applicable Occupational Health and Safety Act and Regulations and relevant Memorial University Safety procedures;
- A plan and schedule for safety inspections of the contract site;
- A plan and review of ongoing safety & health related statistics; and
- A plan and review of ongoing safety & health performance measurement activities.

6.2 Safety & Environmental Services: Safety & Environmental Services shall:

- Assist in the assessment of the contractor’s written Safety Management Plan;
- Attend pre-job and site meetings for major and/or high risk contracts;
- Participate in safety inspections of the site;
- Assist in resolving safety issues that arise during the term of the contract; and
- Prepare a safety evaluation of the contractor’s safety performance upon completion of the contract.

6.3 Contractor: All contractors will:

- Comply with all applicable federal and provincial safety regulations and applicable Memorial University safety procedures as posted on the Memorial University web site for Safety & Environment;
- Ensure that all workers are fully qualified and/or certified in respect to mandated safety training as required by legislation;
- Be responsible for safety of the contract site for the duration of the contract;

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- Provide all safety documentation under this procedure to the University Contract Coordinator;
- Provide all necessary safety equipment, including PPE, as required for safe execution of work;
- Comply with safety directives given by a provincial regulatory agency or representative of Memorial University;
- Report all accidents and injuries to the Office of Safety and Environmental Services on a real time basis meaning within 24 hours of the accident/incident;
- Be responsible for the safety of subcontractors; and
- Stop work if the conditions are such that work cannot be performed safely.

7.0 Selection of Contractor

7.1 All contractors must have the following:

- Certificate of Clearance with the WHSCC (Workplace Health Safety and Compensation Commission). This letter must be submitted to Memorial University prior to commencement of any contract and every 45 Days thereafter. Certificate of Clearance shall mean that the owner/operator is also covered under their WHSCC insurance. This also applies to sub-contractors.
- Provide Memorial University with written permission to obtain their safety performance record from relevant government agencies, the WHSCC, and the Newfoundland and Labrador Construction Safety Association, if applicable.
- Provide Memorial University with a current Letter of Good Standing under the Certificate of Recognition Program from the Newfoundland and Labrador Construction Safety Association. This also applies to sub-contractors. These letters shall be included in the tender documentation. Memorial University will not accept contractors using sub-contractors who do not have a Letter of Good Standing under the Certificate of Recognition Program from the Newfoundland and Labrador Construction Safety Association or do not have a current Certificate of Clearance from the WHSCC.

Note:

Contractors will be notified of this requirement in the tender documents, as not all contractors will be required to be COR Certified. The size, nature and complexity of the project will be used by Memorial University to determine

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whenever this requirement will be required above and beyond local government certification requirements.

7.2 All contractors shall provide a written copy of their most up-to-date Safety Program as per section 36.1 and 36.2 of the Act and section 34 and 35"of the Regulations. A Health and Safety Program must include the following, as per section 4 (1) of the Regulations:

- A signature by the employer and by the person or persons responsible for the management of the employer's operations in the province;
- A statement of the employer's commitment to cooperate with the occupational health and safety committee and workers in the workplace in carrying out their collective responsibility for occupational health and safety;
- A statement of the respective responsibilities of the employer, supervisors, the occupational health and safety committee and workers in carrying out their collective responsibility for occupational health and safety;
- Procedures to identify the need for, and for the preparation of, written work procedures to implement health and safety practices, including practices required by the act and the regulations;
- A plan for orienting and training workers and supervisors in workplace and job-specific safe work practices, plans, policies, and procedures, including for emergency response, that is necessary to eliminate, reduce, or control hazards;
- Provision for establishing and operating an occupational health and safety committee;
- A system for the recognition, evaluation, and control of hazards that includes a means of evaluation and monitoring of the workplace to identify potential hazards and the associated risks, procedures, and schedules for regular inspections by management and committee members; procedures for the identification, reporting, and control or correction of hazards; and procedures for the prompt investigation of hazardous occurrences to determine the cause of the occurrence and the actions necessary to prevent a recurrence;
- Measures for the accountability of persons responsible for the reporting and correction of hazards;
- A plan for the control of biological and chemical substances handled, used, stored, produced, or disposed of at the workplace;
- An emergency response plan;
- A provision for maintenance of records and statistics, including occupational health and safety committee minutes and reports of occupational health and safety inspections and investigations; and



- A provision for monitoring the implementation and effectiveness of the program.

7.3 Prior to a contract being awarded, the Memorial University Contract Coordinator and Safety & Environmental Services shall review the written Safety Program of the lowest bid tender. If the written Safety Program is inadequate, the University Contract Coordinator may:

- Request the tenderer to amend the written safety program; or
- Recommend that the contract not be awarded to the lowest bidder.

8.0 Site Specific Safety Management Plan

Prior to commencement of work on campus for a Memorial University contract, the preferred contractor will develop a site specific safety plan to address the risks associated with the specific work to be undertaken for the contract. This will be accomplished using the contractor’s program for hazard and risk assessment, as required by the NLCSA, and/or Section 34"(1) (f) of the OH&S Regulations. The Contractor will consult with the University Contract Coordinator and Safety & Environmental Services concerning the size, nature, and complexity of the project, and the nature and severity of any known hazards. The contractor will apply specific parts of their written safety program to the risks, hazards, and other relevant requirements of the contract. Where there are risks, hazards, or other regulatory requirements not specifically addressed in the contractor’s generic safety program, the contractor will be expected to incorporate these requirements into the site specific safety plan. See Appendix A.

Memorial will, as far as reasonably practical, inform workers of potential hazards in the workplace. This policy will ensure that the contractor has work methods and procedures to lower the risk associated with the identified hazard to as low as reasonably achievable. Tools such as “Hazard Analysis” will be used to communicate these hazards to the contractor.

9.0 Communication

9.1 Pre-Job Safety Meeting

9.1.1 Upon awarding the contract, the University Contract Coordinator, in consultation with Safety & Environmental Services, shall conduct a start-up

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safety meeting to address the risks identified in the site-specific safety plan developed by the contractor. This meeting is intended to define the safety expectations by the University for the contract.

9.1.2 The Pre-Job meetings shall be conducted to review the University’s requirements for safety and shall include, but not be limited to, the following agenda:

- A review of the contract document clauses specific to health & safety;
- A review of Memorial University safety procedures relevant to the contract;
- Determine the frequency and method of site safety inspections: On all construction contracts and contracts in excess of 1 month, the Contractor will be required to conduct regular health and safety inspections of all buildings, structures, excavations, machinery and equipment, and processes being worked on as part of the contract. A copy of the inspection form will be forwarded to Safety & Environmental Services for filing and future reference to ensure corrective action has been taken on any identified deficiencies.
- Determine the duration and frequency of safety meetings/tool box safety talks: Contractors will be required to conduct safety meetings with all employees associated with the project. The frequency and duration of these safety meetings will be determined by the University Contract Coordinator and Memorial University Safety Officer based on the site-specific safety plan for the contract and issues and risk identified during the development of the site-specific safety plan.
- A weekly “Toolbox Meeting” shall be conducted for any contract one or more weeks in duration. Agenda topics shall include, but not be limited by, the following:
 - Identify specific risks and hazards associated with the contract work;
 - Discussion of controls required to control the risks and hazards identified.
- Reporting and correcting safety deficiencies;
- Reporting of safety incidents and injuries;
- Appointment of contractor safety representative;
- Outline the role of Safety & Environmental Services; and
- Emergency procedures for the contract.

9.2 Minutes

Minutes of the startup meeting shall be kept and signed by both the University Contract Coordinator and the General Contractor(s) representative. The minutes

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shall be produced by the University Contract Coordinator and will be placed on the contract file.

9.3 Pre-Job Site Meeting

The pre-job site meeting shall:

- Verify that the site-specific safety requirements are in place as detailed in the pre-job meeting; and
- Verify that the appropriate equipment to perform the work safely is available.

10.0 Work in Progress

10.1 General Conditions

When on University premises, the General Contractor must ensure that:

- Employees comply with all of Memorial University's Health & Safety Policies and Procedures as outlined on the Safety & Environment web page of Memorial University;
- Employees obey any direction given by the University Contract Coordinator and/or Memorial University Safety Officer;
- Emergency numbers are posted, including the Memorial University Contract Coordinator, Memorial University Safety Manager, and the Industrial Accident contact number of the Occupational Health & Safety Branch. Other emergency phone numbers should include local hospitals, police departments, and fire departments;
- All accidents that result in injuries or incidents that may have resulted in injury or property damage are investigated and reported to the Office of Safety and Environmental Services and a report completed, including the identification and implementation of preventive measures; and
- The site-specific safety plan is adhered to at all times.

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10.2 Performance Monitoring

The University Contract Coordinator and/or Safety & Environmental Services shall monitor the contractor's performance for health and safety compliance. Monitoring activities are to include:

- Unannounced workplace inspections;
- Planned workplace inspections, frequency to be agreed upon in pre-job meetings;
- Attendance of safety meetings and communications, as deemed necessary;
- Review of contractor record keeping, inspections, work practices, documentation.

Memorial University reserves the right to inspect and audit contractor activities, equipment, structures, practices, documentation, record keeping, etc., at anytime.

Any safety deficiencies identified by the University Contract Coordinator and/or Safety & Environmental Services will be:

- Provided to the contractor in writing;
- Addressed by contractor in an agreed time frame; and
- Communication records will be kept on record.

10.3 Deficiencies

Where deficiencies warrant suspension of work, the contractor will follow the direction of the University Contract Coordinator. Any additional costs incurred by Memorial University as a result of the suspension of work or the cancellation of the contract shall be borne by the contractor.

11.0 Post-Contract Evaluation

11.1 Evaluation

The University Contract Coordinator and Safety & Environmental Services will determine the extent of the evaluation of the contractor's safety performance at the completion of the contract. This evaluation will be conducted by way of a standard contractor safety evaluation form and will be supported by objective evidence documented during the term of the contract. The evaluation report will be filed in the contract documents and will include:

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- Accident and injury data for the contract;
- Degree of documented compliance and noncompliance with safety rules and procedures;
- Promptness and effectiveness in correcting safety deficiencies; and
- Sub-contractor safety performance where relevant.

11.2 Recordkeeping

11.2.2 The following information will be placed in the base contractor file:

- Letter of Good Standing with the WHSCC
- Letter of Good Standing with Construction Safety Association
- Current Contractor Health & Safety Program Manual
- Permission Letter

11.2.3 The Following information will be placed into the project file:

- Site-specific Safety Plan, and criteria used by Memorial University to approve the plan
- Minutes of safety start-up meetings
- Contract safety evaluation
- Memorial University Stop Work orders
- Department of Labour safety orders
- Accident and injury reports
- Site specific workplace inspection reports

12.0 Penalties for Noncompliance

All Contract Documents shall specify that if the Contractor fails to comply with the health and safety requirements of the contract, the University shall have the right to levy a financial penalty and/or suspend the work until the issue or noncompliance is remedied to the satisfaction of the University. In the case of repeated violations of health and safety standards by a Contractor, contracts shall permit the University to levy increasing financial penalties or to arrange for completion of the work by other means. Any additional costs reasonably incurred by the University as a result of the suspension of the work or the cancellation of the contract shall be borne by the Contractor.

Continued safety violations will lead to escalating financial penalties, contract termination, and possible removal from Memorial's tendering list.

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Legislative reference: OH&S Act Sections 5 and 10 and OH&S Regulation 4.(1)



Appendix A

Site Safety Plan Evaluation Checklist

Contractors undertaking work for Memorial University are required to prepare a Site Safety Plan for each contract specific to the risk that will or may be encountered during the completion of the contract. The following is a list, non-limiting, of issues that may apply to a contract. Where the issue is relevant to the contract, the safe work practice to be used by the contractor should be outlined in the safety management plan along with documentation to demonstrate employees are trained in the procedures.

- Lockout/tagout
- Excavation/Trenching procedures
- Confined Space Entry
- Forklift Driver Safety
- Hot Work permits
- Emergency Response & evacuation
- Ladders, platforms, scaffolds and lifts
- Site isolation
- Fall protection
- Waste disposal procedures
- Driver Safety
- Back injury prevention
- Site Housekeeping
- Laboratory safety
- Vehicle access to site
- Electrical Equipment grounding
- Emergency exit from site
- Asbestos
- Smoking
- Fire Protection
- WHMIS
- Personal Protective Equipment
- Hearing Conservation
- Machine guarding

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SAFETY ORGANIZATION

- OH&S Act and Regulations – compliance awareness
- Rules and Regulations
- Roles and responsibilities of contractor and workers
- OH&S Policy
- Accident/Incident Investigation and Reporting
- Health & Safety Awareness
- Workplace Inspections
- OH&S Training
- Hazard Recognition, Evaluation and Control
- Safe Work Practices and Job Procedures
- Maintenance of Tools and Equipment
- Records and Statistics
- Sexual harassment
- Early and Safe Return to Work
- Ergonomics

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