

Title:	Contractor/Subcontractor Policy	Date of Original Board Approval:	November 2013
Approved by:	Mark Runciman	Revision Date(s):	April 2016
Reviewed By:		Date of Next Review:	
Location:	All RBG Properties	Ref. No:	HS-012

Objective & Goals

To ensure that employer and manager duties under the *Occupational Health and Safety Act* (OHSA) have been addressed with respect to employees of contractors/subcontractors while working under contract for Royal Botanical Gardens (RBG). RBG and its staff may be held accountable under the OHSA for the organization's relationships with the employees of contractors/subcontractors. Potential liabilities do exist under the *Workplace Safety and Insurance Act*. Minimum requirements with respect to a contractor/subcontractor's WSIB coverage must be ensured. This will reduce the risk of loss to RBG, and at the same time help ensure a safer and healthier workplace for contractors / subcontractors and their employees.

Scope

The scope of this standard applies to all contractors/subcontractors, including independent contractors and businesses that provide a service, typically on site, to RBG. Examples include security, catering, tree contractors, HVAC, cleaners, and event or exhibit providers who work on RBG property. Exceptions to this policy are guest speakers and public program instructors.

Policy Statement

This policy intended to ensure all contractors/subcontractors work in compliance with the OHSA and RBG safety requirements while conducting business on RBG premises.

Roles & Responsibilities

Directors, Heads, Senior Managers

- Ensure that information, as required by this procedure, is obtained prior to signing contracts with contractors/subcontractors.
- Ensure that the contractor/subcontractor complete an on-site safety orientation and completes the *Contractor Information & Orientation Form*.
- Maintain copies of these forms.
- Ensure that contractors/subcontractors are working in a safe manner.

Managers/JHSC

- Report any contravention of this policy to the Project Supervisor or the Senior Manager, Physical Assets and Security.
- Stop any contractor/subcontractor from working in an inappropriate manner.

JSHC

- Include the applicable area or operations provided by the contractor/subcontractor in any applicable Workplace Inspections.

Procedures

Pre-Contract Requirements:

- This policy will be provided to prospective contractors/subcontractor during the tendering process and included as an appendix to the successful contract.
- Contractor/subcontractor shall show proof, prior to signing the contract, that their employees (or themselves) have appropriate WSIB coverage and that their account with the WSIB is in good standing. This proof is to be provided in the form of a valid Clearance Certificate issued by the WSIB.
- The contractor/subcontractor shall demonstrate their understanding and compliance with the requirements of the OHSA prior to signing the contract. This shall include the following:
 - providing a copy of the contractor/subcontractor's health and safety policy and outline of their health and safety activity;
 - providing evidence that the contractor/subcontractor has means in place to identify the hazards and legal requirements associated with the work being performed, and to ensure that those hazards are controlled and the legal requirements complied with;
 - providing evidence that the contractor/subcontractor's supervisors are "competent" as defined under the OHSA, and that they have means of providing adequate supervision to their employees;
 - providing evidence that the employees of the contractor/subcontractor working on site at RBG have the knowledge and skills to perform their jobs safely, including any required trade qualifications.
- If a contractor/subcontractor fails to demonstrate adequate understanding and compliance with the OHSA as detailed above, a contract cannot be signed.

Contract Requirements:

- It shall be a requirement written in each contract that the contractor/subcontractor must comply with the OHSA and any applicable regulations, and comply with RBG's health and safety requirements.

Prior to Performing Work On-Site:

- Contractors/subcontractors may be required to participate in an on-site safety orientation depending on the nature of the work.

Execution of the Contract:

- The contractor/subcontractor's worksite on premises must be visited at intervals consistent with the type of work and location by the applicable RBG Manager, or designate, to ensure that the health and safety measures and procedures, as detailed in the contract, are being met.
- In addition, work performed by contractors/subcontractors will be included in the monthly workplace inspections.
- If health and safety measures and procedures are not being met, the following steps shall be taken:
 - the matter must be formally reviewed with the contractor/subcontractor representative;
 - the contractor/subcontractor must provide appropriate confirmation that the matter has been addressed, including any corrective action that the contractor/subcontractor has taken;
 - the matter must be reviewed internally with the general manager, who shall make a decision based on the nature of the violations.
- All dealings with the contractor/subcontractor under the above sections shall be in writing.

- All applicable employees and prospective contractors/subcontractors should be aware of the contractor/subcontractor control standard. This will be accomplished through the contractor/subcontractor bidding process, hiring process, rule books, notices, orientation training, or other effective means, and is the responsibility of the RBG representative signing the contract.
- Prior to the work beginning, a meeting will take place with the Senior Manager, Physical Assets & Security or his designate, to review emergency planning arrangements, hazardous work permit procedures, contract employee supervision arrangements, accident notice and investigation requirements, safety hazard information exchange arrangements, and safety and health issue resolution procedures.