

Contractor Safety

Speakers:

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WHO ARE CONTRACTORS?

- ◉ Vendors
- ◉ Machine repair/service
- ◉ Machine inspectors
- ◉ Machine/equipment installation
- ◉ Temporary employees
- ◉ Subcontractors

CONTRACTOR SAFETY

- ◉ Planning
- ◉ hazard assessment
- ◉ safety training
- ◉ accountability
- ◉ communication
- ◉ audits
- ◉ overall compliance

CONTRACTOR OVERSIGHT - COMMON TRAITS

Good contractor oversight will normally coincide with a good safety and health management system (SHMS)

- Senior management support
- Strong safety and health contract language
- Established prequalification standards
- Required jobsite safety and health training and orientation
- Formal inspection program of contractor operations
- Punitive actions for noncompliance with S&H provisions

CONTRACTOR OVERSIGHT - SHMS

Indicators of good SHMS

- Owners/Host & General Contractors accept responsibility for safety for all employees working at sites under their control
- Hazard tracking includes those created by their contractors
- Strong programs for employee involvement will often include contractor employees

CONTRACTOR OVERSIGHT - MANAGEMENT SUPPORT

Senior Management Support

- ◉ Ensures adequate funding for S&H
- ◉ Leads by example
- ◉ Supports the company's safety and health management system
- ◉ Site visits
- ◉ Accident/incident review
- ◉ Participation in company safety functions

CONTRACTOR OVERSIGHT - CONTRACTS

Strong S&H Contract Language

- ◉ Will usually have contractor/subcontractor language that outlines requirements of S&H compliance with laws, defines S&H roles, responsibilities etc.
- ◉ May establish lines of communication
- ◉ Spells out job specific safety and health requirements, like safety and health program submittal, Chemical Information lists, MSDSs, etc.
- ◉ Establish penalties for non compliance

CONTRACTOR OVERSIGHT - PREQUALIFICATION

Established prequalification standards

- ◉ Written S&H program review
- ◉ OSHA 300 log history review
- ◉ OSHA citation history
- ◉ Insurance EMR
- ◉ Can they get a bond
- ◉ Certificates of Insurance
- ◉ References

CONTRACTOR SAFETY

- ◉ Initially the “host” employer is responsible to communicate the facility’s safety & health rules
- ◉ Emergency Action Plan
- ◉ Energy Control
- ◉ Global Harmonization System (HAZCOM)
- ◉ SDS (MSDS)
- ◉ Confined Space

CONTRACTOR SAFETY

- ◉ Personal Protective Equipment
- ◉ Cutting/Welding
- ◉ Forklift/Material Handling Operations

CONTRACTOR OVERSIGHT TRAINING

Required jobsite safety and health training and orientation

- ◉ Require minimum training for contractor employees
- ◉ Provide orientation for all new employees or employees that have been away from the job for extended period

CONTRACTOR OVERSIGHT TRAINING --CONTINUED--

- ◉ Sharing of information and training from lessons learned resulting from site accidents
- ◉ Invite contractors to conduct training
- ◉ Pre-task/Pre-use training
- ◉ Require that training records be kept on file

CONTRACTOR OVERSIGHT COMMON TRAITS

Site Inspections

- ◉ Establish a formal inspection program for contractor operations
- ◉ Require a rigorous safety and health inspection program by the contractor
- ◉ Require documentation as often as necessary but no less than once a week for construction for example

TEMPORARY EMPLOYEES

- ◉ Both Host Employers and Staffing Agencies Have Roles
- ◉ A key concept is that each employer should consider the hazards it is in a *position* to *prevent and correct*, and in a position to *comply* with OSHA standards.

TEMPORARY EMPLOYEES --CONTINUED--

- ◉ Staffing agencies have a duty to inquire into the conditions of their workers' assigned workplaces. They must ensure that they are sending workers to a safe workplace.
- ◉ Staffing agencies need not become experts on specific workplace hazards, but they should determine what conditions exist at their client (host) agencies, what hazards may be encountered, and how best to ensure protection for the temporary workers.

TEMPORARY EMPLOYEE --CONTINUED--

- ◉ The staffing agency has the duty to inquire and *verify* that the host has fulfilled its responsibilities for a safe workplace.
- ◉ And, just as important: Host employers *must treat temporary workers like any other workers* in terms of training and safety and health protections.

CONTRACTOR OVERSIGHT PENALTIES

Punitive actions for noncompliance with S&H provisions

- ◉ Contractor disciplinary policy
 - Covers contractor employees
- ◉ Should include monetary penalty for non compliance
 - Severe infractions could include removal from site and loss of contract
- ◉ Don't be afraid to enforce

LIABILITY

The hidden risks of outside contractors
The increased use of outside contractors to perform tasks once performed by company employees represents enormous risk from both a legal liability and OSHA compliance liability point of view.

QUESTIONS?

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