



# Saskatchewan Health Authority

## Policy

Saskatoon & Area - Occupational Health & Safety

**Number:** 40-006

**Title:** General Policy: Prime Contractor

**Saskatchewan Employment Act:** 3-13, 3-14, 3-16

**OHS Regulation:** 1-3 to 1-5, 3-4 to 3-6, 33-1 to 33-4

**Date:** January 1, 2017

**Date Revised/Reaffirmed:** November 15, 2021

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### Purpose

To ensure that all parties are aware of when a prime contractor is required and all duties required of the involved parties

### Definition

- **“Worksite”** - 10 or more self-employed or workers under direction of two or more employers at the same worksite. This applies to the following industries: construction, forestry, oil and gas. If a worksite is required then the Prime Contractor is: The contractor, employer or any person who in a written contract agrees to be the Prime Contractor. If no contract is written the owner of the worksite will be the Prime Contractor.

### Roles and Responsibilities

Owners, employers and self-employed persons:

- Designate the owner or another person as the Prime Contractor
- If the owner is not the prime contractor the owner must supply the following information to the Prime Contractor:
  - All policies, procedures and safe work practices
  - Any required information as defined in subsection 3-16(1) of the Saskatchewan Employment Act that is known or should be known by the employer or self-employed person and will in writing provide any changes that may occur with this information
  - Any other information reasonably required by the Prime Contractor that may affect the health and safety of all persons at the worksite
- Owners, employers and self-employed persons will follow and comply with reasonable direction of the Prime Contractor

Every employer at a worksite shall:

- Designate a competent person to supervise their employees at a worksite
- Give the name of the supervisor to the Prime Contractor

Designated supervisor must ensure:

- They perform all the duties of the supervisor as legislated in Part III of the Saskatchewan Employment Act and carry out all duties of all the Saskatchewan Employment Act and Occupational Health and Safety Regulations

Prime Contractor must ensure:

- That they designate a competent person to oversee and direct all parties at the worksite on their behalf
- Names of and the method of contacting the Prime Contractor and the Prime Contractor designate are posted in a known location at the worksite
- All activities at the worksite that may affect the health and safety of workers or self-employed persons are coordinated
- As is reasonable that all workers and self-employed persons have all the required policies, procedures, safe work practices, equipment and competent workers to ensure:
  - The employers and self-employed persons comply with Part II of the Saskatchewan Employment Act
  - The activities of the employer, workers or self-employed persons does not jeopardize the health and safety of any person's at the worksite
  - Employers, workers and self-employed persons comply with all health and safety policies and procedures implemented by the Prime Contractor
- of the Saskatchewan Employment Act and Occupational Health and Safety Regulations
- Delivers a copy of the plan to all employers and self-employed persons before they begin work at the worksite
- Identify and inform employers, workers and self-employed persons about the hazards in or around the worksite
- As is reasonable that employers, or self-employed persons at the worksite eliminate
  - Hazards identified by the prime contractor before work begins
  - All hazards that are identified after work has begun
- That all hazards that cannot be eliminated are reduced or controlled

Owner must ensure:

- Any area of the plant not in the direct and complete control of the contractor, is maintained and activities are conducted safely and do not endanger the health and safety of any contractor, worker or self-employed person

**Non-Compliance/Breach:**

Non-compliance with this policy will result in a review of the incident. A review for non-compliance may result in disciplinary action, up to and including termination of employment or privileges; fines and /or prosecution of individuals under the Saskatchewan Employment Act and OHS Regulations.

Review Dates:

January 1, 2017

April 20, 2018

November 15, 2021