

NOTICE OF CONTRACTOR NON-COMPLIANCE**SECTION 1: TO BE COMPLETED BY A CONTRACTING DEPARTMENT REPRESENTATIVE OR THROUGH OBSERVATION BY THE CITY OF VAUGHAN REPRESENTATIVE**

Department affected by Contract Work: _____

Nature of Contract Work: _____

Project/Contract Number: _____

Contracting Department: _____ Division/Section: _____

Contact Person/Job Title: (Please Print) _____

Description of the Concern Related to Contract Work: (attach photo or drawing if applicable)

Corrective Actions Taken by Contractor: _____

Notice Issued By: (Please Print) _____ Signature: _____

Date Issued: _____ Time Issued: _____ ☐ A.M. ☐ P.M.
Day/Month/Year**SECTION 2: TO BE COMPLETED BY CITY OF VAUGHAN MANAGER/SUPERVISOR RESPONSIBLE FOR THE CONTRACTOR ONLY IF FURTHER ACTION REQUIRED (only if the contractor did not take immediate corrective action for the concerns noted)**

Description of Outstanding Concern: _____

Assistance Requested From:

- ☐
- Human Resources Services
-
- ☐
- Purchasing Services
-
- ☐
- Ministry of Labour

- ☐
- Manager/Director
-
- ☐
- Legal Department
-
- ☐
- Other: _____

Name of Person(s) Contacted for Assistance: _____ Time: _____

Further Action Taken By Above to Resolve Concern: _____

Signature: _____ Date: _____
Day/Month/Year**Copies:**
- Contractor
- Office of the Chief Human Resources Officer (OCHRO) – Workplace Health and Safety Specialist
- Contracting Department

PRE-CONSTRUCTION/SERVICE MEETING CHECKLIST

The Contractor shall comply with all applicable Occupational Health and Safety legislations without limitation and shall ensure compliance with the health and safety measures set out below. This is not an all inclusive nor exhaustive list of health and safety items requiring compliance for the duration of this project/service. It attempts to highlight the main areas that should be considered at the beginning of every project/service agreement where the City of Vaughan is deemed the owner of the lands. This list does not remove or reduce the responsibility of every Contractor and Employer to comply with the Occupational Health and Safety Act, Regulations and any other applicable law. Contractors may supplement this list with additional health and safety requirements of their organization.

Project/Service Name: _____

Project/Service Number: _____

Consultant/Contractor: _____

Legal Name: _____

✓ the following applicable areas to the contract must be reviewed and checked off at the pre-construction meeting and required documentation (eg. permits, training records, contact information, etc...) must be attached to this list for reference. Areas which do not apply to the contract must be marked as "NA – not applicable".

GENERAL – this section to be completed for all contracts.

☐ **Accidents**

An accident reporting and recording system must be in place. The City of Vaughan Contact person must be immediately notified of all critical injuries and/or fatalities as noted under the Occupational Health and Safety Act.

☐ **Appointment of Supervisor**

Only competent persons as defined under the Occupational Health and Safety Act shall supervise. Where an Employer has more than 5 workers on a construction project, a supervisor shall always supervise the work. For service contracts, a supervisor must be available to workers and must assess work areas and operations as deemed necessary for the health and safety of workers. The contractor shall provide the City of Vaughan contract representative with proof competency.

☐ **Equipment used for the service/project**

Equipment must NOT be altered and be maintained in good condition with service records available for review. Any equipment over 10 horsepower must be inspected prior to each use and must have the operating manual on site for review by workers. Operation of equipment, machines and vehicles must comply with applicable Regulations. The contractor shall supply their own equipment for the service/project. The City of Vaughan shall not provide the contractor with any city owned/leased equipment.

☐ **Health and Safety Policy and Program**

Contractors must have a health and safety policy and program as noted under the Occupational Health and Safety Act. A copy of this shall be provided at the site or to the City of Vaughan contact Representative

☐ **Mandatory Health and Safety Awareness training for Worker and Supervisors**

Contractors must provide the contracting department with a proof of training in OHS awareness for all Workers and Supervisors who will be involved in the contract work. The contractor must also provide proof of training for any subcontractors for the duration of the project or service agreement.

☐ **Notices**

The Ministry of Labour and City of Vaughan Contract Representative must be notified by the contractor:

- when a critical injury or death occurs at the workplace
- where an accident, explosion or fire causes injury at the workplace;
- where the employer is advised of an occupational illness.

☐ **Subcontractor Approval**

The contractor must submit to the City of Vaughan, any subcontractors who maybe considered for the project or service work. The City of Vaughan may retain the right to reject the subcontractor and require the contractor to either perform the work or retain another subcontractor at the City of Vaughan's discretion.

☐ **Violence and Harassment**

Contractors must abide by the City of Vaughan's violence and harassment policies. Contractors or Subcontractors involved in any violent situations while on contract with the City of Vaughan shall be dealt with accordingly. The City of Vaughan has a zero-tolerance approach to violence and Harassment in the workplace.

☐ **WSIB Coverage**

The constructor shall furnish evidence of compliance with applicable Worker's Compensation legislation, including provision of clearance certificates prior to commencement of work, at least every forty-five (45) days thereafter to establish coverage and prior to payment of any amounts due to the contractor under this purchase order.

☐ **WHMIS**

All hazardous materials used for the service/project must comply with the WHMIS Regulation. Workers handling hazardous materials must have WHMIS training. The contractor must provide a training record for staff who will be handling WHMIS controlled products. Any WHMIS controlled products used in City of Vaughan workplaces or projects must have the appropriate MSDS's pertaining to hazardous substances available on site and reviewed by contract staff.

☐ **Designated Substances Report as per the OHSA (Acrylonitrile, Arsenic, Asbestos, Benzene, Coke Oven Emissions, Ethylene Oxide, Isocyanates, Lead, Mercury, Silica, Vinyl Chloride).**

The City of Vaughan representative must provide a report and advise the contractor of any Designated Substances present on City of Vaughan property. The contractor shall advise the City of Vaughan representative of any designated substances used along with the necessary controls that will be in place at the project/service for the duration of the contract. The contractor shall immediately notify the City of Vaughan Representative of any identified designated substances that have been disturbed or damaged during the contract work/service.

☐ **Confined Space Entry**

Confined spaces are to be identified and the contractor is expected to comply fully with the regulations where confined space entry is expected. The City representative must be notified of any confined space entry and be provided with a copy of the confined space entry permit and coordination document if more than two employers will be involved in the confined space while on City property. This shall be done prior to the entry.

☐ **Use of City Equipment, Devices, etc.**

Contract staff are not permitted to use or operate City's equipment, devices, machines, vehicles, tools (powered or non-powered) to carry out any of the construction or service work.

SERVICE CONTRACTS – This section to be completed for Service Contracts (non-construction) ONLY

☐ **Emergency Procedures and Communication**

The Department must review any sign in procedures, or site-specific emergency procedures with contractor should a building emergency take place such as fire evacuation, building lock down due to violent threat. The contractor should be shown the site's designated assemble areas and building's designated safe area(s).

☐ **Housekeeping**

Work areas must be kept clear of materials and chemicals properly stored to avoid unnecessary exposure or potential slip and fall hazards.

☐ **Electrical /Mechanical Hazards and Lockout**

The Contractor shall ensure that qualified competent workers, as specified in the *Regulations under the Occupational Health and Safety Act*, perform all work on or near electrical equipment or installations. The Contractor shall ensure that all electrical equipment in use during performance of the work is appropriately designed, located, and inspected so as to prevent a hazard to workers or the public. The Contractor shall ensure that all workers performing work on or near electrical equipment and/or installations are provided with, and use, appropriate personal protective equipment. The Contractor shall comply with requirements of the *Regulations for Construction Projects* and *Regulations for Industrial Establishments* respecting electrical hazards.

☐ **Other:** list and discuss controls for any other hazards in the service contract not identified or listed above:

☐ _____ :

☐ _____ :

CONSTRUCTION TYPE WORK – This section to be completed for Construction Projects ONLY

☐ **Notice of Project – Construction Services**

Section 6 of the OHSA requires that a Notice of Project be filed with the Ministry of Labour. The contractor shall be responsible for supplying notice to the Ministry of Labour and provide the City with a copy of the notification.

☐ **Registration of Constructors and Employers Engaged in Construction**

Project Registration Form must be completed by all Employers/Constructors involved the project. This form can be obtained through the Ministry of Labour and copies must be kept on site or posted for the duration of the employers/Constructors' work on the project.

☐ **Emergency Procedures and Communication**

The Constructor must have written emergency procedures and procedures must be posted and reviewed with by all workers on the site/project.

☐ **Posted Information**

Notices must be posted identifying constructor and health and safety representative(s), if required. The contractor must post a copy of the Occupational Health and Safety Act and Construction regulations, specific written emergency procedures, address and phone number of the nearest Ministry of Labour office, valid certificate of first aiders on site during work hours, Emergency Contract Names, Ministry of Labour inspections or orders, health and safety policy.

☐ **First Aid**

The regulation for First Aid requires that a first aid station be in place and that a worker trained in first aid be immediately available. The WSIB First Aid regulation 1101 outline the requirements for a first aid station and how it should be equipped. The contractor must have in place the appropriate first aid materials and trained workers on site throughout the duration of the project. Names and location of the first aid kit and trained staff must be posted on the project's health and safety information board.

☐ **Fall Protection**

CSA approved fall protection and/or guardrail systems must be provided where required. Written rescue procedures must be available. This would apply to any work above 9 feet without a guardrail system or any work on a elevated work platform (e.g. sky lift). Workers using personal fall protection equipment must have approved Working at Heights (WAH) as required by Construction Regulation O. Reg. 297/13 under the OHSA.

☐ **Minimum Age**

No person younger than 16 years of age shall be employed or permitted on a construction project.

☐ **Service Contractors**

Service contractors include telephone, hydro, equipment repair and other maintenance personnel. The service contractor is generally responsible for their worker's health and safety, however, where they enter onto a project, the contractor shall take appropriate steps (e.g. hazards present on the project or work site) to ensure their activities and that of the project do not pose a hazard to each group and that the service contractor is complying with the worksite health and safety rules.

☐ **Protective Clothing, Equipment and Devices**

CSA approved protective headwear and footwear must always be worn while on the project. All contractors, sub-contractors and deliverers shall wear PPE as required. Eye and hand protection shall be worn where there is a likelihood of eye or hand injury. Respirator's will be required if there is a likelihood of inhalation of hazardous materials.

☐ **Working near bodies of water**

Appropriate first aid training and rescue equipment (e.g. life jackets, etc..) must be provided when working near bodies or water as noted under the Occupational Health and Safety Act.

☐ **Hygiene**

Potable drinking water must be available on work sites. Washrooms and clean-up facilities must comply with the Construction Regulations.

☐ **Housekeeping**

Project and work areas must comply with housekeeping requirements in the Construction and/or Industrial Regulations. Waste, including hazardous waste, must be disposed of accordingly and shall not accumulate at the workplace or project.

☐ **Signs**

All signs required in the Construction Regulations and AODA must be posted at appropriate locations. (eg. danger of overhead power lines signage, use other sidewalk, etc.)

☐ **Hot Tar, Bitumen Road tankers**

Must be operated by a competent worker. Must meet propane fired requirements. Any worker operating such equipment must have and provide proof of WHMIS and propane training. Training certificates must be submitted and attached to this meeting checklist.

☐ **Trenching, Excavating and Shoring**

The contractor is expected to comply with all aspects of applicable regulations. Soils shall be classified prior to any work and appropriate shoring and sloping requirements must be met depending on the soil classification (eg. Type 1, 2 or 3 soil). If a person could fall in the excavation, a barrier must be provided. Workers may not work alone in a trench at anytime.

☐ **Fencing and Public Way Protection**

It is expected that the public not be endangered by the project and where this may occur appropriate protection, including fencing, will be provided. If the project is located near a school zone, measures and barriers, if necessary, will be put in place to protect the health and safety of the public.

☐ **Fire Safety**

Fire extinguishing equipment shall be provided on a project or during any work involving heat, spark or flame. Fire Extinguishers shall be inspected, and workers trained/instructed on their use.

☐ **Traffic Control**

All workers must be protected from the hazard of traffic on the project and unrelated to the project. A written traffic protection plan must be provided to the City Project Representative. Traffic Control persons must have appropriate PPE (eg. CSA approved Safety vest, head protection, eye protection – if necessary) and must have received training. Workers who are required to work near moving equipment or vehicles will be required to wear a CSA approved safety vest.

☐ **Forms, Formwork, False work and Reshoring**

Must be designated by and the allowable working load established by a Professional Structural Engineer licensed to practice in the province of Ontario. Before the concrete is placed, formwork and false work shall be examined by a Professional Engineer who shall advise in writing that the installation is correct to the design specifications.

☐ **Reversing Vehicles/Equipment/Machines**

All projects will be planned so that vehicles, equipment and machines are not operated in reverse or are operated in reverse as little as possible. Signs must be posted when reversing will occur. Signallers must be used where required, have appropriate PPE (safety vests) and adequate training.

☐ **Electrical /Mechanical Hazards and Lockout**

The Contractor shall ensure that qualified competent workers, as specified in the *Regulations under the Occupational Health and Safety Act*, perform all work on or near electrical equipment or installations. The Contractor shall ensure that all electrical equipment in use during performance of the work is appropriately designed, located, and inspected so as to prevent a hazard to workers or the public. The Contractor shall ensure that all workers performing work on or near electrical equipment and/or installations are provided with, and use, appropriate personal protective equipment. The Contractor shall comply with requirements of the *Regulations for Construction Projects* and *Regulations for Industrial Establishments* respecting electrical hazards.

☐ **Work in Compressed Air**

No constructor or employee shall begin work at a project where a worker may be subjected to compressed air until the requirements of the applicable sections in the Construction Regulations are met.

☐ **Welding and Cutting**

Requirements of Construction Regulations must be met (eg. hot work requirements).

☐ **Demolition and Damaged Structures**

Safeguards must be in place prior to demolition. Only workers working on the project are allowed in, on or near the area. Hazardous substances must be removed and documented prior to demolition (e.g. asbestos, lead). If a structure is damaged, an engineer's report identifying the structural integrity of the structure must be completed to identify safeguards prior to demolition.

☐ **Tunnels, Shafts Caissons and Cofferdams**

Appropriate notices must be completed. Workers may not work alone. All aspects of the Construction Regulations must be complied with for this section.

☐ **Overhead Electrical Hazards**

The regulations are specific with respect to how close equipment can approach live-electrical lines. This is extremely important when there are concrete pumpers, loaders, backhoes, bucket trucks or stockpiles of gravel or other material is adjacent to overhead power lines. When preparing site plans the project manager or contractor should be aware of such hazard potentials. If necessary, signage warning of overhead power lines must be posted to warn drivers/operators who may come into contact with overhead electrical hazards.

☐ **Platforms, Runways, Ramps, Stairs, Landings and Ladders**

These access and egress measures must comply with all applicable building code and/or Occupational Health and Safety Act and Regulations.

☐ **Temporary Heat**

If utilized, it must not pose a fire hazard or situated near flammable materials and must be used as per the Construction Regulations.

☐ **Explosives**

Requirements identified in Construction Regulations must be followed, including appointing a competent supervisor.

☐ **Scaffolds and Work Platforms**

Scaffolding comes in many forms. The contractor must stipulate the scaffolding he/she will be using, and regular inspection and maintenance must be completed and documented for review by City of Vaughan's contract representative. It is important that the contractors' and sub-contractors' workers are trained in the use of scaffolding, and particularly where fall protection is required. Scaffolding must meet all requirements of Construction Regulations.

☐ **Suspended Platforms, Suspended Scaffolds and boatswain's Chairs**

Must meet rigging, anchoring and maximum load requirements. Must be inspected. Must be engineered where required. Workers must wear fall arrest. Refer to the window cleaning regulations under the OHSA for requirements. If window cleaning operation, notice of window cleaning operation must be completed and provided to the Ministry of Labour prior to the commencement of this operation.

☐ **Elevating Work Platforms (scissor lift, boom lifts, etc.)**

Must be certified by a structural engineer and meet applicable National Standards. Any elevating work platforms must be maintained and inspected with records kept on site. Workers must be properly instructed on the device and must have a certificate of training in fall arrest prior to work on the elevating work platform.

☐ **Cranes, Hoisting and Rigging**

Workers must be trained, as per identified training standards. Load rates must be identified and not exceeded. Regular inspections are required. Must meet requirements if using as a device to lift workers.

☐ **Derricks, Stiff-Leg Derricks, Similar Hoisting Devices**

These shall not be attached to a building or structure unless in accordance with the applicable sections in the Construction O. Regulation 213/91.

☐ **Tower Cranes**

No tower crane shall be erected at a project except in accordance with the applicable sections in the Construction Regulations. All applicable maintenance and erection inspection reports to be provided to the contracting department.

☐ **Cables, Slings and Rigging**

Shall meet requirements set under the Construction Regulations and be inspected as defined.

☐ **Roofing**

Barriers or a fall restricting system with evacuation procedures must be provided to the contracting department and used where required (e.g. if any worker is required to working within five feet of the edge of a roof or structure, proper barriers or fall restricting are required.) Roof hoists must be operated by a competent person and must have appropriate counter weights.

☐ **Explosive Actuated Fastening Tools**

Workers must be trained, and tools must comply with the Construction Regulations, under the Occupational Health and Safety Act for explosive actuated fastening tools.

☐ **Type 2 or 3 Asbestos works**

The contractor or subcontractor must submit a notice of asbestos removal or asbestos work to the Ministry of Labour prior to removal or work. Contractor's must provide certificates of training in Type 2 or 3 asbestos work.

☐ **Other:** list and discuss controls for any other hazards identified but not listed above:

☐ _____ :

☐ _____ :

Contractors are responsible to enforce and comply with the requirements of this checklist and applicable health and safety requirements. This list does not remove or reduce the responsibility of every Contractor and Employer to comply with the all Occupational Health and Safety Act, Regulations and any other applicable laws which apply to the project.

Contractors found not adhering to the health and safety standards established under the contract shall be advised. Contractors will also be advised that any future non-compliance with health and safety standards may be deemed a violation of the terms of the contract and subject to invalidation of the contract as outlined in the Occupational Health and Safety Section of the City of Vaughan's Corporate Bid Document

Please attach any relevant health and safety information (e.g. emergency plans, training documents, contingency plans, health and safety policy and program manual, etc....) for discussion at the pre-construction meeting and for future reference.

Name and Signature of Contractor acknowledging receipt of checklist and their responsibilities for Health and

Safety of the service/project: Contractor Representative Name: _____

Signature: _____ Date: _____

City of Vaughan Representative: City Representative Name: _____

Signature: _____ Date: _____

*A signed copy of this document is to be kept in the service/project file. If you have any questions regarding this form please contact your contact your City of Vaughan contract representative.

To the extent that the foregoing information constitutes personal information as defined in the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, chapter M.56 as amended, the information is subject to provisions of that Act and will be used for the purposes indicated or implied by this form. Questions about the collection of personal information should be directed to the City Clerk, Vaughan Civic Centre, 2141 Major Mackenzie Drive, Vaughan, Ontario, telephone (905) 832-2281.