

# Kingston Health Sciences Centre

## ADMINISTRATIVE POLICY MANUAL

**Subject:** Contractor Health and Safety Program

**Number:** 02-195

Issued by: President & Chief Executive Officer

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Original Issue: 2023.06  
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### Introduction

The KHSC is committed to health and safety and adherence to safe work practices by all workers on KHSC premises, including contractors. We will adhere to relevant legislation and implement standards, programs, and procedures to ensure compliance and the safety of all persons, the environment, and our assets.

### Policy

The purpose of this policy is to establish minimum requirements for Contractors and ensure all persons on KHSC premises comply with procedures, regulations and standards related to health and safety.

*This policy does not apply to delivery personnel, vendors, corporate consultants, supplied-labour/temp agency staff, working visitors. Instead see Administrative Policy #02-196 'Health & Safety Training for Employees & Affiliates.'*

### Definitions

Approved Contractor- contractors who have signed and returned all required documents as per KHSC requirements including the 'Contractor Health & Safety Responsibility Agreement' and are authorized to obtain their KHSC ID badge through Emergency Management, Security & Life Safety.

Contractor- refers to any person or business that provides services to KHSC under a service contract or other agreement and is not on KHSC payroll. Includes for example, construction contractors, subcontractors, service contractors, and independent contractors brought in to provide a service. \* For the purpose of this policy also includes 'the Constructor.'

Contractor Health & Safety Responsibility Agreement- Appendix B to this policy and provides information associated with provision of contracted services to conduct renovations, new construction, retrofit work and installations of specific equipment/building products on/in the grounds and facilities of Kingston Health Sciences Center.

Constructor- a person who undertakes a project for an owner and can include: an owner who undertakes all or part of a project himself (owner considered the constructor), an owner who undertakes all or part of a project by hiring more than one employer/contractor (owner considered the constructor), or an owner who hires someone else to undertake the project (person/company hired is the constructor).

Premises- includes, but is not necessarily restricted to, all KHSC land, property, structures,

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installations, vehicles, and equipment owned, leased, operated, or otherwise directly controlled by KHSC.

Project- means a construction project; involves for example, construction, renovation, repair, demolition, maintenance, and/or additions to KHSC buildings, grounds, or infrastructure.

Project Manager- A KHSC employee, individual working on behalf of KHSC, or an individual who is otherwise responsible, for arranging for the provision of the service.

### Procedure

1. All Contractors working at Kingston Health Sciences Center and/or any of its satellite offices are obligated to perform their work in compliance with all applicable municipal, provincial, and federal laws and regulations pertaining to Health, Safety and the Environment, as well as all KHSC's safety and security policies and procedures.
2. All Contractors shall ensure their Health, Safety and Environmental policies comply with the requirements and regulations of the *Occupational Health and Safety Act* 1990, as may be amended from time to time, the *Health Care and Residential Facilities Regulation* 67/93, and any other applicable Federal and Provincial legislation governing worker's safety.
3. The Contractor selection/tendering process will include an evaluation of the Contractor's ability to comply with all Health, Safety and Environmental requirements as set out in applicable governmental legislation and as established by Kingston Health Sciences Center I. The Contractor will submit evidence of their Occupational Health & Safety Program by completing the Contractor OHS Evaluation Form (Appendix A).
4. As part of the Contractor tendering/RFP process, the Contractor will be provided with the Contractor Health & Safety Agreement (Appendix B). The signed Contractor Health & Safety Responsibility Agreement must be returned with the RFP response.
5. For Contracts established through the Planning Office (TPO), the Contractor will be provided with the Contractor Health & Safety Responsibility Agreement (Appendix B), and the Contractor Health & Safety Manual (Appendix C) as part of the terms and conditions of the contract. The signed Contractor Health & Safety Responsibility Agreement must be returned with the bid.
6. For service contracts established through a purchase order, there is a separate process (See [Admin Policy # 02-196 'Health & Safety Training for Employees & Affiliates'](#)). KHSC Purchasing will obtain proof of liability insurance and a copy of the Contractor's WSIB

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clearance certificate. These records will be maintained by Purchasing. It is incumbent upon the individual who is bringing the service contractor into KHSC to:

- 6.1. ensure Purchasing is aware so that insurance and WSIB clearance information can be obtained in advance,
- 6.2. ensure they receive a KHSC ID badge
7. Where the above processes outlined in #4 to 6 above have not been followed and/or the Contractor Health & Safety Responsibility Agreement (Appendix B) has not been executed, it will be the responsibility of KHSC Project Manager to ensure the above requirements have been met prior to commencing any work on the premises.
8. When the Contractor Health & Safety Responsibility Agreement (Appendix B) has been executed and the Contractor is deemed to be an 'Approved Contractor' the Emergency Management, Security & Life Safety Department must be informed. The Contractor and the Contractor's employees and sub-contractors will not be permitted to obtain a KHSC ID badge unless authorization has been provided.
9. Before commencing any work on the premises, the Contractor shall review the Contractor Health & Safety Manual (Appendix C) with all of their employees, agents, contractors, and/or subcontractors, and maintain a record that this training has been provided.
10. Contractors need to meet requirements set out in [Policy #02-210 - Communicable Disease Screening for KHSC Staff & Affiliates](#) (ie. Appendix E - Communicable Diseases Screening Requirements Form) and the current [COVID-19 Staff & Affiliate Vaccination Policy # 02-199](#).
11. Before commencing any work on premises, the Project Manager shall review the following with the Contractor, as applicable:
  - 11.1 Any KHSC information pertaining to known work site hazards and precautionary measures which the Contractor, their employees, agents and subcontractors should be aware including for example:
    - 11.1.1 Designated Substances Report or latest Asbestos Reassessment (for the area(s) they will be working in)
    - 11.1.2 Project Specific Health and Safety Plan
    - 11.1.3 Safety Data sheets (Safety Data Sheets) for hazardous materials the Contractor may come in contact with during their work, etc.
    - 11.1.4 Emergency egress/fire exits
  - 11.2 The Contractor Health & Safety Manual (Appendix C) and any other applicable Health, Safety and Environmental requirements including emergency response codes and applicable procedures

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- 11.3 KHSC's Infection Control Policies & Procedures including those specific to COVID-19 and required protocols.
  - 11.4 KHSC's policies and procedures with regard to Smoking, Use of alcohol/Drugs, Scent Sensitive Policy, Workplace Conduct, and Reporting of Incidents/Injuries.
  - 11.5 Checklist for Project Managers - Contractor Health and Safety requirements (Appendix D)
12. All construction contractors and their personnel are required to be oriented to key health and safety requirements, policies, and procedures, infection prevention and control standards, and fire safety policies at KHSC prior to commencing work on site.
13. Where applicable, the Contractor shall ensure that copies of Safety Data Sheets (SDSs) for all hazardous materials used are readily available on site and shall produce them for review by KHSC representative if requested.
14. The Contractor shall provide a copy of its Worker's Safety & Insurance Board (WSIB) Clearance Certificate to KHSC at the time they sign the Contractor Health & Safety Responsibility Agreement (Appendix B). Updated clearance certificates, showing the contractor remains in good standing with WSIB premiums paid, are required.
- 14.1. Responsibility Agreement (Appendix B). Updated clearance certificates, showing the contractor remains in good standing with WSIB premiums paid, are required.
  - 14.2. Every ninety (90) days thereafter and should be provided with each invoice for the duration of the contract term.
15. The Contractor shall not rely upon KHSC for fire, liability, or other insurance coverage during the period of their contract with KHSC. During the term of the agreement, the Contractor shall maintain in full force and effect general liability insurance and professional liability insurance of at least five million (\$5 million) dollars for any one occurrence\*. Such insurance shall name KHSC as additional insured but only with respect to this agreement and shall include at least the following:
- 15.1. Products and completed operations;
  - 15.2. Personal injury;
  - 15.3. Cross Liability; and,
  - 15.4. Contractual liability.

\*The Managers, Plant Engineering & Maintenance, and/or the Directors of the Planning Office (TPO) or Maintenance, in consultation with the Director, Risk Management, may approve a lesser amount at his/her discretion.

Note: In the event that there is a conflict between the insurance limits identified within this Responsibility Agreement and a formal contractual agreement between the parties regarding the same services, the formal contractual agreement shall govern.

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16. The Contractor (including their employees, agents, and representatives) will comply with all municipal, provincial, and federal laws and regulations, as well as KHSC's safety and security policies and procedures.
17. Those administering contractual agreements with Contractors on behalf of KHSC will monitor the work performance to ensure that it is being carried out in a safe manner in accordance with all requirements. The Project Manager must inform the Contractors without delay of any unsafe work performance engaged in by Contractor.
18. Employees, agents, subcontractors, and those for whom the Contractor is in law responsible, who refuse to comply with such policies, rules and regulations shall, at the request of KHSC, be removed from KHSC's premises forthwith and replaced by the Contractor as soon as practicable. Should such replacement not be carried out within a reasonable time, the Contractor shall be deemed to be in breach of its contract with KHSC and KHSC shall be at liberty to pursue such remedies as may be available to it at law.
19. KHSC's Person negotiating the contract and/or the Project Coordinator shall ensure that all of the required documentation is completed and returned before the commencement of the work including: the signed Contractor Health and Safety Responsibility Agreement (Appendix B), the Contractor's WSIB Clearance Certificate, and a copy of the Contractor's Liability Insurance.
20. Contractors shall share the following with the KHSC Project Manager/Maintenance Manager:
  - 20.1. Ministry of Labour visits and orders issued to them in relation to work on KHSC premises; and
  - 20.2. Injuries and illnesses that occur in their staff, on KHSC premises, where they are reportable to the Ministry of Labour

### References

1. Occupational Health & Safety Act (R.S.O. 1990): Health Care Regulations (O. Reg. 67/93), Industrial Establishments (Reg. 860) and Construction Projects (O. Reg. 213/91).
2. Public Hospital Act (R.S.O. 1990), Hospital Management Regulation 965.
3. Ontario Fire Code
4. KHSC Infection Control Manual, Policy 2-70 Construction

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### Related Documents

Appendix A Contractor OHS Evaluation Form

Appendix B Contractor Health & Safety Responsibility Agreement

Appendix C Contractor Health & Safety Manual

Appendix D Checklist for Project Managers - Contractor Health and Safety Requirements

Authorizing Signature

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Dr. David Pichora  
President and Chief Executive Officer