

Prime contractor role and duties

OHS information for prime contractors, employers and workers

This resource gives an overview of a prime contractor's role and some key duties. See the *Occupational Health and Safety (OHS) Act* for more information.

KEY INFORMATION

- A prime contractor's main role is coordinating health and safety on a work site with two or more employers.
- Construction or oil and gas work sites with two or more employers must have a prime contractor.
 - This is the case even if the employers don't work at the same time.
 - Other work sites may also voluntarily designate a prime contractor.
- The person in control of a work site must designate the prime contractor in writing.

Prime contractor designation

The person in control of a work site designates a prime contractor. The designation must be in writing.

Prime contractor names must be posted in a conspicuous place at the work site.

Some work sites must have a prime contractor. If the person in control of such a site doesn't designate a prime contractor, then by default they are the prime. (This does not apply to the person in control of a site when the work site is their home).

Sites that must have a prime contractor are:

- Construction work sites with two or more employers.
- Oil and gas work sites with two or more employers.
- Any work site or class of work sites designated by an OHS Director if there are two or more employers involved in the work.

Construction, and oil and gas work sites are defined in section 1 of the *OHS Act*. (See Definitions, next page.)

"Two or more employers" applies even if the employers aren't on the site at the same time.

If you don't know if your site has to have a prime contractor, contact OHS. (See last page).

Work sites with two or more employers that aren't required to have a prime contractor can choose to have a designated prime contractor.

- In this case, the person in control of the site has to have a written agreement with their designated prime contractor.

Prime contractor obligations

Prime contractors play an important role in coordinating health and safety on multiple-employer work sites. Their main duties are:

- Setting up a system or processes to coordinate the safety programs of the employers on site.
 - These must ensure, as much as reasonably practicable, compliance with OHS legislation at the work site.
- Ensuring information flows across the work site.
 - This includes ensuring all work site parties know about existing or potential site hazards.

Every prime contractor shall ensure that the owner and any employer, supplier or service provider on a work site is informed of any existing or potential work site hazards that may affect workers or other persons at the work site.



~OHS Act, s. 10(10)

Systems and processes

The systems and processes required will vary depending on the unique nature of the work and work site. Best practices may include:

- Establishing site safety rules and ensuring they're posted and understood.
 - These may include site orientation rules, depending on the site size, complexity, and the nature of the work.
 - These must include work site incidents reporting rules (including potentially serious incidents).
- Setting up a pre-qualification process for employers and rules about sub-contracting.
- Running toolbox, safety or committee meetings.
- Developing site-wide emergency response plans.

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- Implementing processes to ensure the activities of one employer don't impact others in the vicinity.
 - For example, Employer A's workers using flammable substance near Employer B's workers, doing hot work.
- Establishing site-specific inspection processes.

Health and safety contacts

Work sites with a prime contractor don't have to have their own health and safety committee (HSC). However, the prime contractor must designate a person – in writing – to make sure employers and workers at the work site cooperate on health and safety issues. The designated person's duties must include implementing a system to address matters that an HSC has to deal with under section 13(6) of the act including:

- Receipt, consideration and disposition of worker health and safety concerns.
- Participation in employer hazard assessments.
- Making health and safety recommendations.
- Reviewing employer work site inspection records.

Equipment, work site infrastructure and excavations

Prime contractors must fulfil any employer obligations related to equipment or infrastructure, if the equipment or infrastructure is designed, constructed, erected, or installed by or on behalf of the prime contractor. Prime contractors must also fulfill any employer obligations related to excavations, if the excavations are conducted by, or on behalf of, the prime contractor.

These prime contractor obligations do not relieve other employers from any obligation they may have toward equipment, infrastructure and excavations, and do not absolve either the prime contractor or employers from their other legal responsibilities.

Some work site equipment, infrastructure or excavations put in place by or on behalf of the prime will be for shared use by site employers. The prime contractor may also be responsible for maintenance and upkeep of these resources. Examples include:

- Toilet facilities.
- Scaffolds.
- Guardrails.
- Waste disposal bins.
- Propane tanks for site heating.
- Site entry and exit ramps.
- Fall protection anchorages.

Definitions

Construction, and oil and gas work site definitions, from the *OHS Act*.

Section 1(e) "construction work site" means a work site where any of the following activities are conducted:

- the building, demolition, repair, alteration, extension or renovation of a structure;
- site development or building and repair of roads, highways, pipelines, sewage systems, drainage systems, electrical transmission lines or systems or telecommunication transmission lines or systems;
- digging, working in or filling a trench or excavation.

Section 1 (gg) "oil and gas work site" means a work site where any of the following activities are conducted:

- oil and gas development, production, refining and processing;
- the drilling and mining of, completion, recompletion or remedial treatment of an oil or gas well;
- the supplementary operation performed or service provided that is necessary to the drilling of an oil or gas well;
- work performed with a mobile workover or completion service rig;
- geophysical operations in relation to oil and gas;
- construction and upgrading of oil and gas infrastructure;
- oil and gas pipeline construction and operation;
- oil and gas site abandonment, remediation and reclamation;
- bitumen and in situ heavy oil recovery.

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Contact us

OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton and surrounding area

- 780-415-8690

Deaf or hearing impaired

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

Notify OHS of health and safety concerns

alberta.ca/file-complaint-online.aspx

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person on a work site.

Report a workplace incident to OHS

alberta.ca/ohs-complaints-incidents.aspx

Website

alberta.ca/ohs

Get copies of the *OHS Act*, Regulation and Code

Alberta Queen's Printer

qp.gov.ab.ca

OHS

alberta.ca/ohs-act-regulation-code.aspx

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