



Best Practices for Managing Contractor Safety

Scope

The scope of this best practice covers the management of contractors at a facility who are performing construction, maintenance, repair, turnaround, or specialty activities and who are under the direct supervisory control of the contractor company. This best practice does not cover contractors who supplement a facility's employee work force and are under the facility's direct supervisory control. In this case, the facility would normally manage these contractors as they would their own employees. Also, contractors performing "incidental" work not part of process operations, such as janitorial, food and drink, laundry, and delivery services typically do not fall under this best practice. These employees but would still need to have a basic understanding of the facility's requirements as it pertains to their more limited risk exposure.

Over the years, there have been many incidents involving contractors, either as contributing to the cause of the incident or being victims of an incident. It is imperative that the facility hiring the contractor have a program to effectively manage contractors not only for the safety of the contractor employees, but to everyone working at the facility. Effective contractor safety management also protects against business interruptions and facility damage. Facilities must work to affect behavior of contractors while not interfering with the contractors' legal responsibilities to be an employer.

Key Points

- Have an individual or job title responsible for the overall Contractor Safety program.
- Ensure that there is a facility representative responsible for the on-site activities of each contractor.
- Prequalify contractors using a questionnaire that evaluates their safety history and competence.
- Prior to each job, conduct a pre-task briefing with the contractors and sub-contractors to address the specific hazards and requirements for that job. Use a checklist.
- Ensure that contractor employees can demonstrate knowledge of required site-specific training. Since verification of understanding is critical, testing is the best method for this. Note that simply having documentation that training was delivered is not sufficient if the employee cannot demonstrate an understanding of the material.

Elements of an Effective Contractor Safety Program

Whether or not a facility is covered under OSHA's Process Safety Management (PSM) regulation or EPA's Risk Management Program (RMP), these regulations provide a good best practice outline. These regulations provide flexibility to establish a program commensurate with risk. Consider implementing the best practices documented in these requirements whether you trigger either of these regulations or not. The PSM regulation for contractor safety can be found at 29 CFR 1910.119 (h). EPA's RMP has virtually the same regulatory language.

1. Responsibility. While many people may be involved in the individual tasks associated with a contractor safety program, typically either an engineering/maintenance manager or EHS professional should have single point responsibility for the overall program. Also, ensure that each contractor working on-site has a facility representative responsible for them. For example, project engineers and maintenance supervisory personnel may each have contractors for which they monitor their safety performance and scope of work.
2. Documentation. The contractor safety program should be written, reviewed at least annually, maintained under document control, and should be readily available. It should have enough detail so that a new engineer or new safety professional could use the document to manage a contractor and assure they would meet the expectations and requirements of the facility.
3. Contractor Selection. The facility should consider the contractor's safety performance prior to awarding work to the contractor. This includes selection of new contractors for the facility and monitoring safety performance for existing contractors. For new contractors, this is best done by providing the proposed contractor with a questionnaire that has been reviewed and approved by both the engineering/maintenance manager and an EHS professional. It should explore details of their safety program and controlled substance program. It should request references and copies of the following for the last three years: OSHA 300 injury log, EMR rating (1.0 is considered average), and copies of any OSHA citations that they may have received. Also, past work performance at the facility is certainly a factor to consider. Look for trends for improving or deteriorating performance. Additionally, the questionnaire may also ask about the contractor's skills, knowledge, certifications and competence to perform the desired work. Depending upon the size of the job and the nature of the risk, it is often a good idea to have facility personnel audit the contractor prior to any award.

For ongoing safety performance monitoring after the initial questionnaire, see No. 7 below.

4. Contractor Orientation and Training. In addition to general OSHA regulation training, the contractor needs to clearly understand the facility's hazards, actions to take in an emergency (Emergency Action Plans), controlled substance policy, safe work practice requirements, environmental requirements, and other site-specific requirements including reporting of incidents and near misses to the facility representative. While the contractor has the responsibility to assure that their employees are trained to work safely at the facility, best practice is for the facility to conduct contractor training themselves or create a site-specific video or computer based training for this purpose. Since verification of understanding is critical, testing is the best method for this. Training topics, date of training, method of instruction, test results, and employee name

should be documented. Remember that simply having documentation confirming training was delivered is not sufficient if the employee cannot demonstrate an understanding of the material. Recurring training should include annual training and recertification. Also, if conditions or hazards change at a facility, commensurate with risk additional training may be necessary. Best practice would dictate that the contractors be issued a card, badge, or hard hat sticker to indicate current training.

5. Pre-Task Briefing. Prior to each job, the facility representative should review with the contractors and any subcontractors any hazards and requirements specific to the job with the crew involved (preferred) or with the foreman with the understanding they will convey the information to the crew. The pre-task briefing should also question the contractor to determine if they are bringing in specialized equipment or chemicals that may introduce a new risk or environmental concern. Examples include cranes for critical lifts or solvents that could pose a fire hazard or disposal concern. This pre-task briefing is best done via a checklist so that critical items are not overlooked. The checklist could be a specific contractor pre-task briefing checklist, part of a work permit, or some other documented method. The pre-task briefing shall also include adjacent hazards, such as nearby process chemicals, thermal hazards, pedestrian and vehicular traffic flow, and activities by the facility or other contractors in proximity to the contracted work. Complex interactions (e.g., contractors working in proximity or above/below one another), typically during a turnaround, are best done by a team, including all contractors in a given area, facility representatives, and operators.
6. Change Management – If, during the contractor’s work, additional work activities are needed that weren’t included in the original Pre-Task Briefing, the contractor shall be instructed to seek approval from the facility representative.
7. Contractor Monitoring. With the contractor on-site and working, it’s important to monitor their safety performance at the facility. This includes maintaining an internal log of on-site injuries, violations, and incidents. This monitoring should include inspections of the contractor’s work activities to verify compliance, and questioning contractor employees to ensure their training was effective. Example questions would be: How would you report an emergency? Where is the evacuation assembly area? or What are the hazards in this area? It may be necessary to suspend and remove Contractors or specific individuals who are experiencing recurring problems, depending on the severity, frequency, and nature of the problems.
8. Communications. It’s important that there is good communication between facility representatives and each contractor and subcontractor. Consider regular (suggest monthly) meetings with a representative from each contractor to have a two-way discussion about issues, upcoming changes, etc. Also, ensure contractors are having



regular (suggest weekly) “tool box” meetings with their employees. Consider having a facility representative attend many of these tool box meetings.

9. Continuous Improvement. With any aspect of safety, review contractor safety performance metrics annually and establish goals to improve performance. Review data related to near misses, injuries, incidents to identify continuous improvement opportunities.

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