

Chapter 20: Dealing with Labour Contractors and Hourly Hire Agreements in Emergency Situations

Introduction

The purpose of this chapter is to provide guidance and procedures to BCTS staff relative to the safety aspects of work completed by contractors who are conducting work for BC Timber Sales in emergency situations and/or who are labour contractors deemed to be BCTS workers. (See chapter 19 for definitions)

In order to deliver on the objectives for the BC Timber Sales Program, BCTS staff may need to engage contractors to do work for BCTS who are not:

- Independent firms.
- Incorporated companies.
- Registered with WorkSafeBC as an employer or covered by POP with WorkSafeBC.

BC Timber Sales provides for these situations only to occur in emergency situations when alternative methods of contracting or getting the work completed are unavailable.

In these types of situations, BCTS staff will almost always be working closely with the contractor and providing direction. Examples might include but are not limited to:

- Engaging a back hoe or grader to do some emergency road work.
- Engaging a consultant to do some emergency assessments to provide business continuity.

The timber sales manager may have to exempt these companies from being SAFE certified companies as described in Chapter 19.

In these cases, these are not formal employees who are automatically covered by the scope of this program or rules of the British Columbia Public Service. WorkSafeBC will however look at these employees as contracted workers to BCTS and BCTS must be prepared to cover off the duties of an employer (Chapter 6) and may be held financially accountable for any time loss or treatment claimed by these workers if they are injured on the job.

Labour contracts of a long duration (more than one month) may require that the persons involved comply with this safety program. This should be discussed with the timber sales manager.

What is Required in a Safety Program for Contract Workers?

Timber Sales Managers, supervisors and contract administrators who choose to enter into contracts with firms or individuals that result in them or their workers being deemed to be contracted workers of BCTS must ensure that these workers and this work is covered off by a written supplemental safety program specific for the worksite and job that these workers are engaged to do.

This supplemental program must include:

1. The BCTS safety policy and the BC Forest Industry health and Safety Accord.
2. A description of the workplace, equipment being used and names of people (non BCTS) employed at the site.
3. A description of the duration of the work to be done and length of the contract.
4. A check of worker competency for the tasks involved. This will include certificates, blasting, falling, driving, survival first aid and a review of the experience of workers. Worker practices will be checked under supervision on a regular basis.
5. Confirmation that the First Aid provisions at the workplace are adequate.
6. Confirmation that adequate communication systems are in place and a man check system is in place.
7. A pre-work and orientation meeting to go over the work to be done including a discussion of identified hazards.
8. A check that the workers have written work procedures for the jobs they were hired to do and maintenance schedules for equipment are being adhered to.
9. An emergency response plan is in place including communications, in addition to “working alone or in isolation procedure” are in place and applicable “check ins”.
10. A provision for regular supervision by a competent BCTS employee.
11. Access to the Workers Compensation Act and regulations and a discussion of the workers rights and obligations including the right to refuse unsafe work.
12. Workers responsibilities for reporting hazards, incidents and close calls.
13. A provision for regular safety meetings with the workers and with the BCTS supervisor starting with an initial meeting prior to work commencement.
14. Ensuring the workers have and use required PPE.
15. A discussion of the consequences of not following the safety program including suspension of work.

BCTS staff or contract administrators must also have a back up in the timber sales office who is familiar with the work being undertaken and can serve as a back up to the contract administrator if he/she is absent. The workers must know who to contact at the BCTS office if they have questions.



This short written program should be signed off by the contracted workers and BCTS supervisor and all steps in implementing it must be documented and retained as attachments.

These requirements are also covered off in Section 8.12.4 of the MOFR contract management manual.

Local Procedures

Local plans

Forms and Checklists

None