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Policy

The purpose of the Contractor Safety Program is to assure safety & health regarding the use of independent contractors on company property, as well as to enable proactive training with respect to independent contractors. We will provide each contractor with warnings of hazards and information about our programs for abating occupational hazards at our facilities. We will ensure all work is conducted in compliance with applicable Federal, State and Provincial regulations, as well as with host facility requirements and policies.

This policy describes the process by which safety & health expectations are communicated to contractors, contractor safety & health risks are identified and managed, and contractor performance is monitored and evaluated. This policy also describes the roles and responsibilities of and the contractor personnel in this process.

Exhibits

- Exhibit Q-1-1: Contractor Verification System (CVS)
- Exhibit Q-1-2: Contractor Risk Ranking Matrix
- Exhibit Q-1-3: Contractor Verification Flow Chart
- Exhibit Q-1-4: Independent Contractor Information Log
- Exhibit Q-1-5: Independent Contractor Register
- Exhibit Q-1-6: Sign In/Out Log
- Exhibit Q-1-7: Pre-job Meeting Agenda
- Exhibit Q-1-8: Capital Project Safety Manual Table of Contents (TOC)
- Exhibit Q-1-9: MSHA Contractor Management Guidance
- Exhibit Q-1-10: Contractor Documentation Checklist
- Exhibit Q-1-11: Tools or Equipment Lending Checklist
- Exhibit Q-1-12: Sample Evaluation Form
- Exhibit Q-1-13: Ontario Project Management Guidance
- Exhibit Q-1-14: Quebec Project Management Guidance
- Exhibit Q-1-15: Pre-bid/pre-work safety program checklist

References

- United States:** MSHA 30 CFR Part 45
- Canada:** Ontario/Quebec Project Management Guides (Exhibits Q-1-13, 14)
- Mexico:** The Mexican Federal Labor Law and NOM-031-STPS-2011, Construction-Health and safety conditions at work.

Components

- 1. Definitions (pg. 1)**
- 2. Contractor Selection and Qualification (pg. 2)**
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1.0 Definitions

- 1.1 **Independent Contractor:** any person, partnership, corporation, subsidiary of a corporation, firm, association or other organization that contracts to perform services or construction at a mine. Contractors include any person hired by the prime contractor or sub-contractor.
- 1.2 **Contractor Manager:** The employee or its delegate is responsible for managing the engagement of the contractor and as such has an ongoing oversight role during the work.
- 1.3 **Contractor Supervisor:** The employee or its delegate is responsible for direct monitoring of the day-to-day work of the contractor and as such should be active in the induction process. Is also key to maintaining compliance with the requirements and ensuring effective communication at all times.
- 1.4 **Contractor's Representative:** The contractor's designated primary point-of-contact for the work being performed on the site and as such is key to maintaining compliance with the requirements and ensuring effective communication always.
- 1.5 **Visitor:** any person entering a property other than employees, contractors or customers.
- 1.6 **Contractor Verification System (CVS):** The method to manage major and/or embedded contractors working at sites. Information provided will include
 - 1.6.1 Internal Management Systems;
 - 1.6.2 Safety & Health Programs;
 - 1.6.3 Individual Training & Qualifications; and
 - 1.6.4 Injury & Illness Statistics.

2.0 Contractor Selection and Qualification

- 2.1 will use a Contractor Verification System (CVS) for qualifying and managing major and embedded contractors and subcontractors who are engaged in high potential loss work on sites (see Exhibit Q-1-1.)
- 2.2 The Contractor Risk Ranking Matrix (Exhibit Q-1-2) is provided as guidance to aid Contractor Managers in identifying what contractors are required to qualify via the CVS. Along with this matrix, Site Managers are encouraged to require any contractor to subscribe to CVS where, based on the contractor's anticipated work, he/she determines this matrix does not adequately reflect the risk associated with the work or where CVS participation is otherwise beneficial to.
- 2.3 When a new contractor has been identified and is determined by to be CVS required, the site will initiate the CVS (see Exhibit Q-1-3.)
- 2.4 For contractors identified as Low Risk/Exempt Contractors, or are otherwise approved as exempt, every effort must be made by the Site Manager or designee to ensure the contractors selected have the appropriate structure, systems, training, and culture to meet minimum safety & health standards, policies, and procedures.
- 2.5 The flow chart in Exhibit Q-1-3 depicts the process of qualifying a contractor for work on sites.
- 2.6 As a part of the bid (or pre-work) process for contractors, Exhibit Q-1-15 may be distributed to contractors for identification of high-risk activities which will be verified after awarding of the bid. Completion of this checklist will allow the site an overview of the safety programs of the contractor prior to awarding of the bid.

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3.0 Contractor Induction and Onboarding to Standards

3.1 Contractor Induction is the process by which connects the qualification/selection process to the anticipated work, ensuring that there is a common understanding of the scope, tools, and methods of the work. This process should also serve to verify that:

- 3.1.1 All expectations have been communicated;
- 3.1.2 All appropriate programs are in place;
- 3.1.3 Necessary/required training has been completed;
- 3.1.4 All necessary equipment will be available; and
- 3.1.5 Communication protocols are established.

3.2 To assist in this process, each site must develop a Site-Specific Contractor Induction Policy & Procedure that ensures effective induction of all contractors performing work on Sites. This Site-Specific Policy must contain several key elements:

- 3.2.1 Per 30 CFR 45.4, an independent contractor register shall be maintained by each site (e.g. Exhibits Q-1-4 and Q-1-5);
- 3.2.2 A formal Sign In/Sign Out Procedure and Log (e.g. Exhibit Q-1-6);
- 3.2.3 A Site-Specific Hazard Awareness Training Procedure that incorporates additional review of specific Policies & Procedures relevant to the work;
- 3.2.4 A standard Pre-Job Safety Meeting Agenda to guide a Contractor Manager and Contractor Supervisor in conducting a thorough Pre-Job Safety Meeting. Exhibit Q-1-7 is provided as an example of such an agenda; and
- 3.2.5 A standard Table of Contents for a Site Safety & Health Manual to be used to build a manual for use by large, long term, and/or embedded contractors so that the Contractor has ready access to the various forms, policies, and emergency information necessary to conduct business on sites. Exhibit Q-1-8 is an example used by Engineering for major Capital Projects.

3.3 Formal assignment of individuals in key roles will occur as part of the Induction Process for a contractor to ensure there are clear lines of accountability and communication. The Site Manager is ultimately responsible for ensuring these roles are assigned and that the individuals assigned understand and are willing and capable of carrying out these responsibilities. The roles and responsibilities in the Induction Process are as follows:

- 3.3.1 Contractor Manager - the employee or its delegate is responsible for managing the engagement of the contractor which includes but is not limited to:
 - 3.3.1.1 Determine if the Contractor must be included in the CVS;
 - 3.3.1.2 Communicate the contractual, statutory, and other health and safety requirements to the contractor before the start of the contract, according to the plan and the JHA of the whole project.
 - 3.3.1.3 Ensure Site Specific Hazard Training is complete;
 - 3.3.1.4 Lead the Pre-Job Safety Meeting;
 - 3.3.1.5 Ensure appropriate communication protocols are established so that all affected individuals (employees, other contractors, etc.) are aware of the work;
 - 3.3.1.6 Determine an appropriate schedule for Post Job or Routine Work Evaluations and;
 - 3.3.1.7 Engage and motivate contractors and their employees to work safely

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- 3.3.2 Contractor Supervisor - the employee or its delegate is responsible for direct monitoring of the day-to-day work of the contractor and should therefore be an active part of the induction process. The Contractor Supervisor has responsibilities that include but are not limited to:
- 3.3.2.1 Participate in the Pre-Job Safety Meeting to ensure that a detailed methodology has been developed, and that risk control procedures are employed (e.g. Job Hazard Analysis, SLAM, etc);
 - 3.3.2.2 Ensure the work is appropriately scheduled and communication can be properly executed; and
 - 3.3.2.3 Verify through review of training records that the contractor has the skills & competency to perform the work.
 - 3.3.2.4 The Contractor acknowledging a strong commitment to safety & health and the Contractor affirms that it has a copy of the Safety Management Policy and associated procedures which are actively supported and endorsed by the Contractor's management. The Contractor represents that its written policy is widely disseminated and understood among its employees, and that its policy includes a description of the Contractor's organization, procedures and methods of communication to and from personnel.
- 3.3.3 Contractor Representative - The contractor's designated primary point-of-contact for the work being performed on the site which includes but is not limited to:
- 3.3.3.1 Ensure that the contractor's internal systems are in place such that all safety & health standards, policies, and procedures are met:
 - 3.3.3.2 Ensure that all safety & health concerns and incidents are brought forward to Contractor Supervisor or Contractor Manager immediately; and
 - 3.3.3.3 Participate in the Pre-Job Safety meeting.

4.0 Monitoring Performance of Contractors

- 4.1 Once the induction process is completed and the contractor is ready to begin work on the site, Contractor Manager, Contractor Supervisor, and the Contractor Representative have additional Roles & Responsibilities to ensure the work is performed safely and in accordance with the expectations set in the Induction process (see Exhibits Q-1- 9, 13, 14 Contractor Management Guidance.)
- 4.1.1 Contractor Manager – the employee or its delegate is responsible for managing the engagement of the contractor, and as such has an ongoing oversight role during the work. These duties include but are not limited to:
- 4.1.1.1 Communicate regularly with the Contractor Supervisor to monitor progress and review concerns;
 - 4.1.1.2 Report any critical failures to Corporate Safety & Health immediately;
 - 4.1.1.3 Review Field Safety Contact forms;
 - 4.1.1.4 Participate in subsequent safety briefings if requested or necessary;
 - 4.1.1.5 Continue to engage and motivate Contractors and their employees to work safely; and
 - 4.1.1.6 Ensure that the Contractor's Site Safety & Health Manual is kept up to date.

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- 4.1.2 Contractor Supervisor – the employee or its delegate is responsible for directly monitoring the day-to-day work of the contractor. An example of these duties includes but are not limited to:
- 4.1.2.1 Monitor the Sign In/Sign Out Log to ensure it is being used consistently;
 - 4.1.2.2 Work with the Contractor Representative, ensure that any new contractor employees are fully inducted before performing work on site;
 - 4.1.2.3 Ensure that necessary regulatory paperwork, such as workplace exams, pre-use inspections, and work permits are being completed by conducting regularly scheduled and documented inspections. Such inspections should include site and contractor leadership;
 - 4.1.2.4 Monitor the performance of the contractor by conducting periodic documented observations for safe behaviors such as last-minute risk assessments (SLAM), seatbelts, wheel chocks, and PPE;
 - 4.1.2.5 Complete Field Safety Contact form for these periodic inspections and observations. Exhibit Q-1-10 is a sample form for verifying Contractor paperwork;
 - 4.1.2.6 Leading or participating in any regularly schedule or subsequent safety briefings;
 - 4.1.2.7 Reporting any critical failures to the Site Manager immediately;
 - 4.1.2.8 Empower and lead Contractors in all aspects of Safety & Health; and
 - 4.1.2.9 Ensure all Level 2, Medical Aid, Modified Duty, or MSHA Reportable contractor incidents are entered into incident reporting system.
 - 4.1.2.10 If tools or equipment are lent to a contractor, ensure that the process outlined in Exhibit Q-1-11 is followed.
 - 4.1.2.11 Participate in coordinating corrective actions for any items reported as unsafe conditions observed in the site that impacts work being completed by the contractor.
- 4.1.3 Contractor Representative – Is the Contractor’s designated primary point of contact for the work being performed on the site and as such is key to maintaining compliance with the requirements and ensuring effective communication at all times. Those duties include but are not limited to:
- 4.1.3.1 Ensure that all contractor employees are utilizing the Sign In/Sign Out process (e.g. Exhibit Q-1-6);
 - 4.1.3.2 Notify the Contractor Supervisor if any new contractor employees are expected on site, so that their Induction can be completed;
 - 4.1.3.3 Monitor the Contractor’s activities to ensure that all safety & health standards, policies, and procedures are met;
 - 4.1.3.4 Monitor the Contractor’s work to ensure that all risk controls are implemented, that last minute risk assessments (SLAM) and JHA’s are completed, and that necessary equipment is available and being properly utilized;
 - 4.1.3.5 Ensure Job Hazard Analyses (JHAs) are performed for:
 - 4.1.3.5.1 Any identified high-risk activity;
 - 4.1.3.5.2 Any new task;

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- 4.1.3.5.3 Any change to an old task; and
- 4.1.3.5.4 For any new worker.
- 4.1.3.6 Ensure that all safety & health concerns and incidents are addressed immediately and in an appropriate manner;
- 4.1.3.7 Ensure that all safety & health concerns and incidents are brought forward to the Contractor Supervisor and/or Contractor Manager immediately; and
- 4.1.3.8 Participate in the Pre-Job Safety meeting and all subsequent safety briefings.
- 4.1.3.9 Report to Contractor Supervisor any unsafe condition or act generated by our process which may impact them during the development of the contractor's tasks.

5.0 Contractor Evaluation

- 5.1** Post-job evaluations must be performed by the Contractor Manager with input from the Contractor Supervisor to evaluate all high-risk contractors (as determined by using Exhibit Q-1-2) at the completion of any work performed as part of a Capital Project where the specific work has a defined scope and completion date.
- 5.2** Routine Work Evaluations must be performed on a schedule determined by the Site Manager in conjunction with the Contractor Manager and Contractor Supervisor. The schedule should be based on the Contractor's Risk Ranking, as well as other pertinent factors but should be completed at least once during a project or at a minimum annually.
- 5.3** While the schedule for evaluations is largely at the discretion of the Site Manager, the frequency must be sufficient to identify contractors who are performing well and separate them from the contractors where improvement is required. The Evaluation Schedule must be updated as contractors are added or as conditions change.
- 5.4** For major and embedded contractors who are included in the CVS, a contractor evaluation and review are required annually. Evaluation protocols can be created and customized in order to capture the appropriate performance information (see Exhibit Q-1-12 as an example.)
- 5.5** For Contractors not in the CVS, but where evaluations are necessary or beneficial, a form can be used or created such as Exhibit Q-1-12 as a generic Post-Job Evaluation. In both cases the evaluations are completed using the documented Field Contacts, as well as interviews with a cross section of employees who had regular interaction with the contractor.

6.0 Independent Contractor Requirements

- 6.1** Must comply with appropriate Federal, State and Provincial Regulations which include but are not limited to: OSHA CFR 29, MSHA CFR 30 & Federal Rail Road Administration (FRA).
- 6.2** Must comply with site-specific safety and health procedures, and all posted Safety rules and signage.
- 6.3** Must sign-in for each shift unless extended work has been developed with a supervisor contact for a documented pre-shift orientation meeting.
- 6.4** Must comply with all applicable provisions of federal, state and local regulations, laws and ordinances.
- 6.5** Must be informed of the provisions in the site-specific Emergency Action Plan.
- 6.6** Must have Safety Data Sheets for any chemical in use or stored on the property.
- 6.7** Medical Clearance: The contractor must ensure that employees have appropriate medical clearance when required either by regulation or by the host facility's requirements. Copies of

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medical clearance for contractor personnel must be submitted to the Contractor Manager or designee as specified by the contract.

- 6.8** Respiratory Equipment: Where respirators are required, the contractor must prepare and implement a written respiratory protection program and make the document immediately available to the Contractor Manager or designee upon request.
- 6.9** Contractor-Supplied Hazardous Substances: Each contractor bringing hazardous substances on-site must provide the Contractor Manager or designee with the appropriate hazard information for these substances, including SDSs, labels, and precautionary measures to be taken when working with or around such substances.
- 6.10** Contractor Tools and Equipment: All equipment, mobile equipment and tools provided by the contractor to their employees must be fully compliant with regulatory requirements and in excellent working condition.
- 6.11** Inspections:
 - 6.11.1 The contractor must ensure competent employees conduct pre-shift and pre-operational inspections of the worksite(s), materials, and equipment.
 - 6.11.2 The contractor must maintain detailed written inspection records and make them available for review by the Contractor Manager or designee.
- 6.12** Incident Management: The contractor must report all accidents or incidents resulting in a fatality, injury, illness, and/or damage to or loss of property to the Contractor Manager or designee, in addition to fulfilling regulatory reporting requirements.
- 6.13** In accordance with and site-specific policies, the contractor is responsible for providing or obtaining appropriate medical and emergency assistance and for notifying emergency response personnel, law enforcement, safety and health regulators, and family members, when appropriate.
- 6.14** Accident Scene Procedures: Except for rescue and emergency measures, the contractor must not disturb the scene of the accident or incident and must cease all operations in or related to the immediate area of the accident until authorized to resume by the Contractor Supervisor or designee.
- 6.15** Personal Protective Equipment (PPE):
 - 6.15.1 The contractor will provide PPE for all their employees.
 - 6.15.2 The contractor will ensure that its employees have received appropriate training on the use and maintenance of PPE before its use.
 - 6.15.3 See Corporate Policy F-1 for Minimum Personal Protective Equipment
- 6.16** Non-Compliance with Safety and Health Requirements:
 - 6.16.1 If during the contract, the Contractor Supervisor or designee notes any situations of noncompliance with the contractor's safety and health performance or host facility's safety and health requirements, the Contractor Supervisor or designee will verbally communicate the problem to the contractor and will immediately follow up in writing.
 - 6.16.2 Failure to correct the violation or continued violations will be grounds for termination of the contract.
- 6.17** The Contractor Supervisor or designee will document all violations brought to the attention of the contractor.