

The role and duties of the prime contractor

OHS information for workers, employers, and prime contractors

KEY INFORMATION

- Every construction and oil and gas site must have a prime contractor whenever two or more employers engage in work at the same site, even if they are not working at the same time
- The role of the prime contractor is to coordinate, organize, and oversee the health and safety activities of multiple employers
- The person in control of the work site must designate the prime contractor in writing and post this in a clearly visible place at the work site
- Employers must provide the prime contractor the names of the supervisors responsible for the workers at the work site
- Self-employed persons must identify themselves to the prime contractor

When is a prime contractor required?

A prime contractor is required when there are two or more employers or self-employed persons (or a combination of these) involved in work at a construction, oil and gas, or other work site/class of work sites designated by the director. Although the two or more employers may not be working at the site at the same time, their activities may have a health and safety impact on one another.

The new *OHS Act* mandates the presence of a prime contractor for any of the following work sites:

- construction work sites – this may include residential, commercial, and industrial construction, home renovations, erection of pre-fabricated buildings, and demolition activities,
- oil and gas work sites – this may include refineries, drilling work sites, oil sands mine operations, storage facilities and retail sites, or
- work sites or classes of work sites such as a particular type of work site within an industry sector, designated by a director as requiring a prime contractor.

What are the role and duties of the prime contractor?

Prime contractors play an important role in coordinating health and safety of workers and persons on the work site. This includes, but is not limited to the following:

- create a system or process that ensures compliance with the OHS legislation - each work site party is responsible for complying with all the rules of the OHS legislation that apply to them,
- coordinate, organize, and oversee the performance of all work at the work site to ensure, as far as it is reasonably practicable to do so, that no person is exposed to hazards arising out of, or in connection with, the work site,
- maintain the prime contractor's own work activities to ensure, as far as is reasonably practicable to do so, that no person is exposed to uncontrolled hazards at the work site,
- ensure that owners, employers, suppliers, service providers or self-employed persons are informed of any existing or potential hazards on the work site,

- establish a joint work site health and safety committee (HSC) if the work site has 20 or more workers or a health and safety (HS) representative if the work site has 5-19 workers,
- consult and cooperate with HSC or the HS representative if there is one, to attempt to resolve health and safety issues,
- meet with the health and safety representative (if any) regularly to discuss health and safety matters,
- coordinate health and safety programs of the multiple employers and/or self-employed persons at the work site,
- cooperate with any other person exercising a duty under the legislation,
- ensure that the required first aid services, equipment and supplies are available at the work site,
- report injuries and incidents to OHS, and
- investigate injuries and incidents and prepare a report.

Section 10(6) of the *OHS Act* does not require the prime contractor to design, construct, erect, or install the shared equipment, infrastructure, or excavation.

It remains the prime contractor's option to do so (e.g., an employer provides its own scaffold for a specific purpose, uses it, maintains it and then removes it from the work site).

If the prime contractor chooses this option, then section 10(6) applies to the prime contractor who must then fulfill any employer responsibilities related to the equipment, infrastructure, and/or excavation. This does not absolve other work site parties from their responsibilities toward equipment, infrastructure, and excavations.



What is the prime contractor's role for equipment, work site infrastructure and excavations?

The prime contractor is responsible for equipment, infrastructure and excavations that are designed, constructed, erected, or installed by or on behalf of the prime contractor.

Examples include:

- toilet facilities – the prime contractor can have them installed for use by all employers at the work site,
- scaffolds – erected by or on behalf of the prime contractor for use by multiple employers. The prime contractor retains responsibility for erecting, inspecting and maintaining the scaffolds,
- guardrails – once installed by or on behalf of the prime contractor, the guardrails remain in place for the duration of the work,
- waste disposal – it may be more efficient if the use and removal of waste bins is coordinated through the prime contractor,
- propane tanks for site heating – this may be a shared resource best looked after by the prime contractor,
- entry and exit ramps – used at construction sites by workers entering and leaving the premises, this is a shared resource that may be best looked after by the prime contractor, and
- fall protection anchorages – if used by multiple employers, anchors installed by a prime contractor may be preferred. This approach may minimize any potential damage resulting from each employer.

Every prime contractor or contractor shall ensure that the owner and any employer, supplier, service provider or self-employed person on a work site is informed of any existing or potential work site hazards that may affect workers, self-employed persons or other persons at the work site. *OHS Act 14(4)*



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qp.gov.ab.ca

**Occupational Health and
Safety**

work.alberta.ca/ohs-legislation

Contact Us

OHS Contact Centre

Throughout Alberta

- 1-866-415-8690

Edmonton & Surrounding area

- 780-415-8690

Deaf or hearing impaired:

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

Website

[work.alberta.ca/ohs-contact us](http://work.alberta.ca/ohs-contact-us)

FOR MORE INFORMATION:

Occupational health and safety information
www.alberta.ca/ohs-changes.aspx

**Joint work site health and safety committees
(LI036)**
www.alberta.ca/assets/documents/ohs-joint-worksite-health-safety-committees.pdf

**Do I need a joint work site health and safety
committee or a health and safety
representative? (LI037)**
www.alberta.ca/assets/documents/ohs-when-i-need-a-committee.pdf

Health and safety representatives (LI040)
www.alberta.ca/assets/documents/ohs-health-safety-representatives.pdf

**Worker participation in health and safety
(LI041)**
www.alberta.ca/assets/documents/ohs-worker%20participation.pdf

Reasonably practicable (LI0015-1)
work.alberta.ca/documents/ohs-bulletin-li015-1.pdf

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