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7. CONTRACTOR SAFETY

7.1 PURPOSE

The purpose of this procedure is to ensure that only contractors with good health and safety programs are selected to perform work on and around processes that use highly hazardous chemicals, and that the contractors and the processes are properly prepared to safely complete the work. Processes that use highly hazardous chemicals currently include the {INSERT COVERED PROCESSES} processes.

7.2 SCOPE

This procedure covers evaluating contractor's health and safety information before selection, and evaluating contractors safety performance while working at the facility. This procedure is specific to those contractors who perform work (e.g., maintenance or repair, turnaround, renovation, or specialty work) on and around the OSHA PSM and EPA RMP-regulated processes.

NOTE: Water utilities may want to extend some or all of the contractor safety program provisions to other aspects of their operations, both within and outside of the WTPs. One area that generally contributes significantly to injuries, fatalities, associated costs, and organizational effort is construction of underground distribution piping requiring trenching. Safety-related costs and liabilities can be significantly reduced in this area.

This procedure does not apply to {contractors working on non-regulated processes or} providing incidental services with no effect on process safety (with the exception of contractor orientation and access control procedures, which apply to all contract employees), including janitorial work, food and drink services, laundry, delivery, or other supply services.

7.3 RESPONSIBILITIES

The {Purchasing Agent} and {RMPProgram Manager} are responsible for contractor qualification, which includes verifying the receipt of all required contractor safety information.

For capital construction projects, the {Project Engineer} must clearly identify that the work is on a PSM or RMP-regulated process and implement this procedure and coordinate the contractor selection process with the {Purchasing Agent} and {RMPProgram Manager}. The {Project Engineer} will evaluate contractor safety performance while working at the facility. For contract

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work on or around existing covered systems at the facility, which are not capital construction projects, the {Plant Superintendent} is responsible for the above actions.

The {RMP Program Manager} or designee will provide facility safety information to contractors for use in their training programs.

7.4 PROCEDURE

7.4.1 Contractor Qualification and Safety Program Review

NOTE: Some organizations may wish to provide two tiers of evaluation for contractors to reduce unnecessary workload. One approach is to prequalify bidders before they can bid, so they and you can avoid unnecessary effort. Another example may be to require detailed project plans and procedures when the contract value is greater than a particular dollar amount. The following is an example:

"For bids under \$XX,XXX, a one-page Request for Quotation form and attached insurance provisions must be completed by the bidding contractor. For bids of \$XX,XXX or more, a detailed Safety Program Manual must be completed by the bidding contractor."

The {Purchasing Agent} will provide {project documentation, bid specification, or contract} forms that include statements informing the bidder of safety selection criteria, training, and evaluation requirements and requiring the contractor to provide the following information if their work is on or around the {INSERT COVERED PROCESSES} processes:

- Workman's compensation rating (EMR).
- Description of the contract employer's safety program (contractor may attach a copy of program to satisfy this requirement).
- Description of the contract employer's training program.
- A written procedure for the contract employer's supervisors to follow to ensure that facility safety provisions are followed by contract employees while working at the facility.

The {Purchasing Agent} will inform the {Plant Superintendent} or {Project Engineer} (for capital construction projects) that the {project documentation, bid specification, or contract} forms must be completed by the bidding contractor if their work is on or around the covered processes at the facility. Upon receipt of the {project documentation or contract} forms, the

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{Purchasing Agent, Plant Superintendent, or Project Engineer} will forward a copy of this information to the *{RMP Program Manager}*.

NOTE: In this example, the *RMP Program Manager* reviews the submittals, but this can be a safety and health manager or similarly qualified individual.

The *{RMP Program Manager}* will then review the information and provide the *{Purchasing Agent}* with a memorandum stating whether or not the contract employer's safety submittals are complete. If found complete and the contractor has an EMR of 1.0 or less, they will be considered approved and may be awarded a contract.

NOTE: Your organization may choose to increase or decrease the EMR threshold at which contractors can be selected, use a tiered approach where a higher rating requires further review and/or a corrective action plan, or use an alternative to the EMR performance indicator.

Once a contract is awarded, the contractor will be informed by the *{RMP Program Manager}*, *{Plant Superintendent}*, or *{Project Engineer}* that periodic evaluations of the contractor's safety performance will be conducted while working at the facility to ensure all facility safe work practices are being followed (see Subsection 7.4.6). In addition, the contract employer will be notified of the following responsibilities in writing prior to initiating work at the facility:

- Contract employer must provide *{Plant Superintendent}* or *{Project Engineer}* with a written statement indicating whether the contractor's work presents any unique hazards and a description of those hazards.
- Contract employer must inform *{Plant Superintendent}* or *{Project Engineer}* of all contract employee medical injuries or illnesses resulting from work performed on or around the PSM or RMP-regulated systems.
- Contract employer must immediately inform *{Plant Superintendent}* or *{Project Engineer}* of any serious injuries resulting from work at the facility.
- Contract employer must certify in writing that its employees have received and understood all training as outlined in Subsection 7.4.2 of this section and have received any additional training required to safely perform their work.

7.4.2 Contractor Training

Prior to work commencement, the contract employer must train those employees who will perform the work on the facility's safe work practices, chemical hazards, and emergency action plan. To assist in this training, the *{RMP Program Manager, Plant Superintendent, or Project*

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Engineer will provide the contract employer with a copy of the latest version of the following facility procedures for use in the contractor's training program:

- MSDS for the regulated chemical.
- Emergency action plan.
- Plant safety procedures that may be necessary in the work include lockout/tagout, confined space entry, and line opening procedure.
- Description of the covered processes and associated fire, explosion, and toxic release hazards (may use covered process training material from training program).

The contract employer must certify in writing that only those contract employees who have successfully completed the training described in this subsection will work on or around the covered processes at the facility. The contract employer will maintain a record identifying those contract employees who have been successfully trained. The record, which will be forwarded to the *Plant Superintendent* prior to initiating work, will include the following information:

- Name of contract employee.
- Contents of the training.
- Date of training.
- Means used to verify that the employee understood the training.

7.4.3 Contractor Orientation

The *Plant Superintendent*, *Project Engineer*, or designee will conduct on-site contractor orientation prior to work commencement for all contract employees (typically during the morning of the first day of work). Items to be reviewed during contractor orientation include the following:

- Access control procedure as outlined in Subsection 7.4.4 of this section.
- Location of covered process areas and other restricted areas.
- Relevant emergency action plan information including procedures, alarms, meeting points, etc.

In addition to contractor orientation, a prework safety conference may be conducted by the *Plant Superintendent*, *Project Engineer*, or designee depending on the contract work to be performed. During the safety conference, the *Plant Superintendent* or *Project Engineer* will review the project, associated hazards, and the sequence of activities with the contract employees. Critical issues, such as the coordination of line breaking procedures and hot work permits, should be discussed during the prework safety conference.

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NOTE: The rules do not require the above orientation, but many organizations practice this approach or provide the contractor's supervisor with this orientation, which is then included in the contractor employee training. Those facilities that provide their own orientation believe it ensures that the critical rules are being communicated to all of the contractor's employees working on-site.

7.4.4 Contractor Access Control Procedure

All contract employees will be subject to the following access control requirements:

- All contract employees must sign in and sign out daily on the contractors log.
- Contract employees are restricted from entering all PSM or RMP-regulated process areas, unless access is required to perform their work.
- Contract employees entering a regulated process area must obtain permission from the on-duty operator in person or by telephone before entering.
- Contract employees leaving a regulated process area must inform the on-duty operator in person or by telephone upon leaving.

The *{Plant Superintendent}* or *{Project Engineer}* are responsible for maintaining the contractors log and ensuring that all entrances to regulated process areas are labeled with signs indicating restricted area.

7.4.5 Contractor Injury and Illness Log

The contract employer must inform the *{Plant Superintendent}* or *{Project Engineer}* of all contract employee medical injuries or illnesses resulting from work performed on or around the covered systems. The *{Plant Superintendent}* or *{Project Engineer}* will notify the *{RMPProgram Manager}* of any such contractor injuries/illnesses. The *{RMPProgram Manager}* will maintain a log of contractor medical injuries/illnesses.

The *{RMPProgram Manager}* will annually review the log of contractor medical injury or illness. If the review indicates a contractor has a history of incidents, the *{RMPProgram Manager}* will consult with the *{Plant Superintendent}* or *{Project Engineer}* to jointly develop any necessary corrective actions the contract employer must implement in order to perform future work at the facility. Corrective actions may include retraining of contract supervisors and employees or suspending the contractor from working at the facility.

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7.4.6 Periodic Evaluation of Contractor Performance

The *{RMP Program Manager}*, *{Plant Superintendent}*, or *{Project Engineer}* will perform periodic evaluations of the contractor's safety performance while working at the facility to ensure compliance with all facility safe work practices. For short-term projects, one evaluation should be conducted during the work. For large construction projects, a minimum frequency of once per month is recommended. The evaluation will be documented by completing a Contractor Evaluation Form, which is provided as Attachment 7A to this section. The completed Contractor Evaluation Form will be maintained by the *{RMP Program Manager}* and used as a reference when evaluating the contractor's safety submittals for future work proposals involving the covered processes.

Any facility employee who observes a contract employee violation of a facility safe work practice should notify the *{Plant Superintendent}* or *{Project Engineer}*, who in turn will notify the *{RMP Program Manager}*. The *{RMP Program Manager}* will then investigate the circumstances and severity of the violation. The contractor will then be asked to take corrective action to ensure that facility safe work practices are not violated in the future. The *{RMP Program Manager}* will then perform follow-up evaluations to determine the effectiveness of the corrective actions taken by the contractor. The contractor may also be immediately removed from the job for severe safety violations or repeated violations at the discretion of the *{RMP Program Manager}* and *{Plant Superintendent}*.

7.5 RECORDKEEPING REQUIREMENTS

Documentation required by this procedure will be maintained by the *{RMP Program Manager}*, the *{Plant Superintendent}*, and the *{Purchasing Agent}*. Required documentation and the responsible employee are listed as follows:

- Bidding/contract documents (*{Purchasing Agent}*).
- Contract employer training records and safety evaluation reports (*{Plant Superintendent}* *{RMP Program Manager}*).
- Contractor entry log (*{Plant Superintendent}*).
- Contract employee injury and illness logs (*{RMP Program Manager}*).

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Attachment 7A

Contractor Evaluation Form

CONTRACTOR EVALUATION FORM		Date:		
Contractor:		Prepared By:		
SECTION 1: PROJECT DESCRIPTION				
Process:		Facility:		
PROJECT DESCRIPTION				
SECTION 2: EVALUATION - For all no answers, provide comments in space provided.				Acceptable? (Circle Answer)
Contractor consistently adhered to facility safety policies and procedures.				Yes No N/A
Contractor obtained all necessary permits prior to initiating work.				Yes No N/A
Contractor completed all monitoring as required by permits (i.e., hot work/confined space).				Yes No N/A
Contractor followed access control procedures.				Yes No N/A
Contractor used required personal protective equipment at all times.				Yes No N/A
Contractor provided adequate staffing to complete job safely.				Yes No N/A
Contractor provided adequate supervision to complete job safely.				Yes No N/A
Contractor used proper tools for all tasks as required.				Yes No N/A
Contractor informed plant superintendent/project engineer of any project changes.				Yes No N/A
Contractor maintained a clean job site (i.e., demonstrated good housekeeping).				Yes No N/A
SECTION 3: COMMENTS				
SECTION 4: CONTRACTOR RATING		<i>Circle Answer</i>		Date
Overall contractor safety rating		Satisfactory	Unsatisfactory	