15 Questions Inspectors Will Ask After Contractor Safety Incidents at Your Site



Occupational Health and Safety (OHS) laws make employers responsible for not just the employees on their payroll but all workers who carry out work at their facility under their control. This is true even at multi-employer sites where OHS compliance responsibilities are delegated to a prime contractor or constructor with overall charge of safety. So, if a contractor's worker causes or gets injured in an accident, OHS inspectors look at whether the host company implemented appropriate contractor management policies to ensure safety and compliance with OHS laws. Here are 15 questions you can expect them to ask and that you better be prepared to answer.

1. Did You Factor Safety into Your Decision to Hire the Contractor? [Yes] [No]

OHS inspectors will ask whether you evaluated the safety program of prospective contractors before hiring them and didn't simply select the contractor that submitted the lowest bid.

2. Did You Review the Contractor's Safety Program Before Awarding the Contract?

[Yes] [No]

You should be able to produce documentation of how you evaluated contractors' safety programs. Simply accepting the contractor's assurances isn't enough. **Best Practice:** Require all bidding contractors to complete a prequalification questionnaire furnishing essential information about their OHS programs and compliance record (including, of course, the information you'll need to answer each of the likely OHS inspector questions in this Checklist).

3. Did You Verify the Contractor's Certifications? [Yes] [No]

Inspectors will demand proof that you verified that the contractor had the certifications and competencies necessary to do the job, especially if the work involves cranes, scaffolds, confined space entry, or other high-risk operations.

4. Did You Review the Contractor's Injury Records, Compliance History, & Previous Safety Performance? [Yes] [No]

Be sure you can document that you reviewed records of the contractor's past compliance and safety performance, including:

- Copies of OHS regulatory orders, convictions, and administrative monetary penalties imposed on the contractor.
- Documentation of its workers' compensation standing.
- Incident and injury statistics.
- Documentation of their recent experiences performing similar work, including any safety incidents that occurred.

5. Were Subcontractors Also Subject to Safety Prequalification? [Yes] [No]

OHS inspectors will want assurance that subcontractors involved in the project were also vetted for safety, especially when they carry out high-risk work. **Best Practice:** Ensure your contractor management system provides for subcontractor:

- Approval and safety qualifications verification.
- Participation in safety orientation and training.
- Compliance with site procedures.

6. Did the Contract Clearly Define Safety Roles & Responsibilities? [Yes] [No]

What did you do to ensure that the contractor you selected would actually carry out the work safely, OHS inspectors will want to know. One of the best ways to address this concern is to point to the safety provisions contained in the written agreement you signed with the contractor. **Best Practice:** Negotiate and expressly address these issues in your contractor agreements:

- Responsibilities for hazard identification and assessment.
- Supervision requirements.
- Training responsibilities and requirements.
- Coordination of contractor safety policies and procedures.
- Emergency response and first aid procedures.
- Machinery, equipment, and PPE safety protocols.
- Incident investigation and reporting responsibilities.

7. Was a Site-Specific Hazard Assessment Performed Before Work Began? [Yes] [No]

Inspectors frequently request copies of pre-job hazard assessments. **Best Practices:** Before a contractor starts, ensure that one or more competent person performs a pre-job hazard assessment that considers:

- Existing workplace hazards.
- Hazards created by the contractor's work.
- Interaction between the contractor's workers and the workers of the host company.
- The performance of simultaneous operations.
- Energy sources.
- Environmental conditions.
- Emergency access and egress.

8. Did You Notify the Contractor of Site-Specific Hazards & Safety Protocols? [Yes] [No]

Contractors with good OHS programs may make mistakes if they're unfamiliar with the unique hazards lurking at the site and methods the host employer uses to control them. So, OHS

inspectors will want evidence that you made the contractor aware of these things. **Best Practice:** Before work begins, provide the contractors you hire a site-specific orientation that covers:

- Site hazards.
- Restricted areas.
- Emergency procedures, equipment, contacts, and exit routes.
- Incident reporting.
- Permit requirements.
- Lockout tagout and hazardous energy control processes.
- Special safety protocols for hazardous operations.

9. Did You Verify that the Contractor's Workers Had Proper Training & Safety Information? [Yes] [No]

Safety training records are among the first documents that OHS inspectors request. When investigating a contractor-related incident, that scrutiny will turn to what you, the employer, knew about the training provided to the contractor's workers. **Best Practice:** Before work begins, require the contractor to verify that its workers are qualified to perform the operation, which may include documentation of:

- Training in fall protection, confined space entry, lockout/tagout, hazardous substances, or other hazardous work involved.
- Equipment operator certifications.
- Electrical qualifications.
- WHMIS training.
- Respiratory protection training.
- Any other competency required for the work under OHS laws.

10. Did You Verify that the Contractor Properly Supervised the Work? [Yes] [No]

Inspectors will ask what you did to ensure that the contractor's supervisors had proper training, appropriate experience, and clearly defined responsibilities.

11. Did You Monitor the Contractor's Safety Performance? [Yes] [No]

Be prepared to provide the inspector inspection reports and other documentation of the active monitoring and oversight you performed to ensure that the contractor was working safely and compliantly after work began and for as long as it continued.
Best Practice: Conduct periodic inspections to verify that your contractors comply with:

- The host site's OHS policies.
- Safe work procedures.
- Permit requirements.
- PPE requirements.
- Other pertinent hazard controls.

12. Were Hazardous Conditions or Behaviours Corrected Promptly? [Yes] [No]

You'll also need records showing that hazards were corrected as promptly as possible after they were identified. Similarly, you must document disciplinary actions taken to enforce safety rules.

13. Did You Ensure High-Risk Work Was Coordinated & Performed Safely? [Yes] [No]

OHS inspectors will want evidence that the contracted work was carried out in a coordinated fashion, especially if there were multiple contractors involved and/or the operation was high-risk. Copies of permits verifying that hazards were identified and controls were in place before the work proceeded are among the best records you can provide in response to that demand. **Best Practice:** Specify who's responsible for coordination and require workers to get a written permit to carry out hazardous operations like hot work, confined space entry, excavation, lockout tagout, energized electrical work, and working at heights.

14. Were Contractor Incidents Properly Investigated? [Yes] [No]

Be prepared to show that injuries, incidents, and near misses involving the contract work were investigated by competent personnel to determine:

- Immediate causes.
- Root causes.
- Communication failures.
- Supervision deficiencies.
- Hazard assessment gaps.
- Training issues.
- Necessary corrective actions.

15. Do You Systematically Conduct

Post-Project Safety Evaluations of Your Contractors?

[Yes] [No]

Contractor management should be a system rather than a project-by-project venture. Accordingly, you can impress OHS inspectors of your compliance by documenting that you evaluate contractors systematically including after projects end to draw appropriate lessons to apply to ensure the safety of future projects. **Best Practice:** Perform post-project review to assess:

- Incident history.
- Compliance with OHS requirements and site rules.
- The contractor's responsiveness to safety concerns.
- Quality of supervision.

Takeaway: Use Checklist to Evaluate Your Contractor Management Due Diligence

Use this Checklist as a Scorecard to determine whether your current measures to prevent contractor-related injuries and incidents would satisfy OHS inspectors and due diligence standards. **Instructions:** Give yourself one point for each of the above questions that you answer "Yes" and grade yourself accordingly:

13-15 "Yes" Answers: Strong contractor management system with good evidence of due diligence.

9-12 "Yes" Answers: Generally sound program, but gaps may exist exposing you to liability for a contractor-related incident or violation.

6-8 “Yes” Answers: Significant weaknesses requiring corrective action.

5 or Fewer “Yes” Answers: High-risk contractor management program that may be difficult to defend following an incident.

Bottom Line

Contractor management isn’t simply a procurement function. It’s a core OHS compliance responsibility. After a serious incident, inspectors will focus less on what your policies say and more on what you actually did to select, orient, supervise, coordinate, and monitor contractors. The companies best positioned to demonstrate due diligence are those that can confidently answer “Yes” to all 15 questions —and back those answers up with documentation.

1. Prequalify Contractors Before Awarding Work

Evaluate the safety and OHS compliance record of prospective contractors before you hire them. **Strategy:** Require all prospective contractors bidding for the job to complete a prequalification questionnaire and documentation, including:

- A copy of their OHS program and pertinent safety policies.
- Worker training and certification records.
- Supervisory competence records.
- Copies of OHS regulatory orders, convictions, and administrative monetary penalties received.
- Documentation of their workers’ compensation standing.
- Incident and injury statistics.
- Documentation of their recent experiences performing similar work, including any safety incidents that occurred.
- Insurance coverage.

2. Clearly Define Safety Responsibilities in Contract

Contractor-related violations often occur because of failure to establish clear safety responsibilities for the work. **Strategy:** Negotiate and expressly address these issues in the contractor's written agreement, including:

- Responsibilities for hazard identification and assessment.
- Supervision requirements.
- Permit systems.
- Coordination of contractor safety policies and procedures.
- Emergency response and first aid procedures.
- Machinery, equipment, and PPE safety protocols.
- Incident investigation and reporting responsibilities.

3. Conduct Formal Contractor Orientation

Contractors with effective OHS programs may make mistakes if they're unfamiliar with the unique hazards lurking at the host site. **Strategy:** Before work begins, provide every contractor you hire a site-specific orientation that covers:

- Site hazards.
- Restricted areas.
- Emergency procedures and equipment.
- Incident reporting.
- Permit requirements.
- Lockout tagout and hazardous energy control processes.
- Special safety protocols for hazardous operations.

4. Verify Competency & Required Training

Don’t assume a contractor’s workers are properly trained simply because the firm they work for meets your prequalification safety standards. **Strategy:** Before work begins, require the contractor to verify that its workers are qualified to perform the work including documentation of:

- Training in fall protection, confined space entry, lockout/tagout, hazardous substances, or other hazardous work involved.
- Equipment operator certifications.
- Electrical qualifications.
- WHMIS training.
- Respiratory protection training.
- Any other competency required for the work under OHS laws.

5. Assess Hazards Before Contractor Work Starts

While you might have already performed hazard assessment at your site, having contractors do the work may change the risk dynamics and introduce new hazards not covered in your assessment. **Strategy:** Before a contractor starts, ensure that one or more competent person performs a pre-job hazard assessment that considers:

- The existing workplace hazards.
- Hazards created by the contractor’s work.
- Interaction between the contractor’s workers and the workers of the host company.
- The performance of simultaneous operations.
- Energy sources.
- Environmental conditions.

- Emergency access and egress.

6. Use Permit Systems to Coordinate & Control High-Risk Activities

One of the biggest safety challenges of having contractors on site is coordinating the safety measures of each firm carrying out or involved in the work. **Strategy:** Specify who's responsible for coordination and require workers to get a written permit to carry out hazardous operations like hot work, confined space entry, excavation, lockout tagout, energized electrical work, and working at heights. Permits help ensure that hazards are identified and controls are verified before work proceeds.

7. Monitor Contractor Safety Performance

Host employers and their OHS coordinators should maintain contractor management and oversight throughout the work. **Strategy:** Conduct periodic inspections to verify that your contractors comply with:

- The host site's OHS policies.
- Safe work procedures.
- Permit requirements.
- PPE requirements.
- Other pertinent hazard controls.

8. Manage Subcontractors Carefully

Subcontractors often perform the highest-risk work on a project. Yet, some host companies focus only on the primary contractor. **Strategy:** Ensure your contractor management systems provide for subcontractor:

- Approval and safety qualifications verification.
- Participation in safety orientation and training.
- Compliance with site procedures.

9. Investigate Contractor Incidents & Near Misses

Contractor incidents reveal weaknesses in your contractor management system. **Strategy:** Investigations should determine:

- Immediate causes.
- Root causes.
- Communication failures.
- Supervision deficiencies.
- Hazard assessment gaps.
- Training issues.

10. Conduct Post-Project Evaluations

A contractor's future eligibility should depend in part on safety performance in the just completed project. **Strategy:** Perform post-project review to assess:

- Incident history.
- Compliance with OHS requirements and site rules.
- The contractor's responsiveness to safety concerns.
- Quality of supervision.

Takeaway

Having an effective contractor management system is a core element of OHS compliance and due diligence. Through careful prequalification, effective oversight, and ongoing evaluation, companies can reduce both injury risks and legal exposure while improving project performance.