

Compliance Orders Properly Imposed on General Contractor



Homeowners hired a general contractor to perform renovations. The general contractor hired a subcontractor to do chimney repairs that he couldn't do himself. An OHS officer inspected the site and found workers working without adequate fall protection, improperly erected scaffolding and no safe work plan or hazard assessment. The officer issued compliance orders to the general contractor, who argued that the orders should've been imposed on the subcontractor and his employee. The Labour Board said it was proper to make the compliance orders against the general contractor. The officer had reasonable grounds to conclude that this worksite was the general contractor's and that he had an overall responsibility for what went on there. And there was sufficient evidence to connect the general contractor to the subcontractor's work, including the assumption of general contractor duties in the agreement and statements by the subcontractor and his employee that they regarded the general contractor as their boss [[Haince v. Director of Occupational Health and Safety](#), [2016] NSLB 28 (CanLII), Feb. 8, 2016].