

# Failure to Name Prime Contractor Makes Construction Site Owner the Prime



CNESST cited the owner of a construction site of failing, as prime contractor, to ensure that guardrails were installed around a roof terrace elevated more than 3 metres above the ground. While acknowledging that the violation occurred, the owner denied being the prime contractor for the site. But the Court of Qu bec disagreed, noting that there was no contract designating a prime contractor for the site; and under OHS laws, if the owner doesn't designate a prime contractor for a construction site, it assumes the prime contractor responsibilities [*CNESST v. Constructions Reliance du Canada lt e*, 2021 QCCQ 11080 (CanLII), November 5, 2021].