

# 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 Québec 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 ltée](#), 2021 QCCQ 11080 (CanLII), November 5, 2021].