Learn What Recent Cases Say about Liability for Contractors



Contractor liability is perhaps one of the most complex areas of OHS law. Under the OHS laws, a company has safety obligations towards its own employees, of course’but it may also have safety duties towards workers whom it doesn’t directly employ.

To make things even more complicated, the statutory provisions related to contractors differ from one jurisdiction to the next. For example, in some jurisdictions, potential liabilities arise from the law’s definitions of ’employer’ and ‘constructor,’ while in others, liability can arise from an employer’s specific duties.

In addition, in some jurisdictions, a company can assign some OHS responsibility to a prime contractor or constructor for a construction project only; in other jurisdictions, a broader delegation of such responsibilities to a prime contractor may be possible.

To comply with these obligations and avoid liability when dealing with contractors, companies must be able to show due diligence, notably through:

- Knowing the laws
- Having in place functional safety programs
- Pre-qualifying contractors

- Properly monitoring those who are hired.

To learn more about dealing with contractors, attend our free webinar, Dealing with Contractors: A Look at Recent Cases, on Oct. 28, 2015. In this one-hour session, Kevin MacNeill, Partner, Emond Harnden LLP, will briefly review the above points to set the stage for a review of recent court and tribunal decisions touching on this area of OHS law.

Attendees will get up-to-date insights on how legal decision-makers are currently approaching contractor liability, which due diligence strategies have worked'and which have not.

There will also be a 15-minute Q&A at the end in which you can ask your own questions about contractors.

The Oct. 28th webinar is **free** for all'you just have to register. OHS Insider members can register here, while all others can register here.

In the meantime, the OHS Insider's Contractor Compliance Centre has many articles, tools and other resources on contractors, including:

- Answers to 8 FAQs about contractors
- How to Do Prequalification Safety Audits
- Around the Provinces: Delegating OHS Liability to Contractors
- Contractor Incident Report Form
- 12 Dos & Don'ts for Dealing with Contractors.