

*The
Occupational Health
and Safety (Prime
Contractor)
Regulations*

being

[Chapter S-15.1 Reg 2](#) (effective January 1, 2015).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-15.1 REG 2
The Saskatchewan Employment Act

Title

1 These regulations may be cited as *The Occupational Health and Safety (Prime Contractor) Regulations*.

Interpretation

2 In these regulations:

- (a) **“Act”** means *The Saskatchewan Employment Act*;
- (b) **“construction industry”** does not include activities or operations undertaken by a person in connection with constructing or renovating if the worksite comprises dwellings that are less than four units;
- (c) **“forestry industry”** includes activities or operations of a mill operation as defined in section 389 of *The Occupational Health and Safety Regulations, 1996*;
- (d) **“oil and gas industry”** means the drilling, operation and servicing of a gas well or oil well as regulated by Part XXIX of *The Occupational Health and Safety Regulations, 1996*;
- (e) **“required worksite”** means a worksite that is required by section 3-13 of the Act and these regulations to have a prime contractor.

2 May 2014 cS-15.1 Reg 2 s2.

Prime contractor required

3(1) A worksite is a required worksite if 10 or more self-employed persons or workers under the direction of two or more employers are engaged at the worksite in one or more of the following industries:

- (a) the construction industry;
 - (b) the forestry industry;
 - (c) the oil and gas industry.
- (2) If a worksite is a required worksite, the prime contractor is:
- (a) the contractor, employer or other person who enters into a written agreement with the owner of the worksite to be the prime contractor; or
 - (b) if no agreement mentioned in clause (a) has been made or is in force, the owner of the worksite.

2 May 2014 cS-15.1 Reg 2 s3.

Duties of owners, employers and self-employed persons in relation to prime contractors

4(1) An owner at a required worksite shall:

- (a) designate the owner or another person as the prime contractor for the required worksite; and
 - (b) if the owner is not the prime contractor, provide, in writing, the prime contractor with the following information as soon as possible after designating the prime contractor:
 - (i) the policies, procedures and safe work practices mentioned in clause 5(c) of each employer or self-employed person;
 - (ii) any required information, as defined in subsection 3-16(1) of the Act, that is known or reasonably expected to be known by the employer or self-employed person; and
 - (iii) any other information reasonably required by the prime contractor to coordinate the activities at the worksite that may affect the health and safety of workers and self-employed persons engaged at the worksite.
- (2) If the information mentioned in subclause (1)(b)(ii) changes, the employer or self-employed person who provided the information shall provide the prime contractor with notice of any change as soon as is reasonably practicable after the change.
- (3) An owner, employer and self-employed person at a required worksite shall comply with any reasonable direction issued by the prime contractor or the person identified pursuant to clause 5(d) for the purpose of performing his or her duties pursuant to Part III of the Act and these regulations.
- (4) Every employer at a required worksite shall:
- (a) designate a competent person as the designated supervisor for the employer's workers at the required worksite; and
 - (b) give the prime contractor the name of the person designated as the designated supervisor pursuant to clause (a).
- (5) Every designated supervisor shall perform the duties imposed on supervisors by Part III of the Act and these regulations and shall carry out any other duties required to be performed pursuant to any another Act or regulation.
- (6) Nothing in this section is to be interpreted as limiting or replacing the duties or requirements imposed by Part III of the Act and these regulations on an employer or any other person.

Prescribed activities of prime contractor

5 For the purposes of section 3-13 of the Act, the prime contractor shall:

- (a) ensure that the names of and the method of contacting the prime contractor and the individual identified pursuant to clause (d) are posted at a conspicuous location at the required worksite;
- (b) ensure that all activities at the required worksite that may affect the health and safety of workers or self-employed persons are coordinated;
- (c) ensure, insofar as is reasonably practicable, that all employers and self-employed persons have adequate and appropriate policies, procedures, safe work practices, equipment, competent workers and information to ensure that:
 - (i) the employers and the self-employed persons comply with Part III of the Act and these regulations;
 - (ii) the activities of the employers, the workers or the self-employed persons do not jeopardize the health and safety of a worker or self-employed person at the required worksite; and
 - (iii) the employers, the workers and the self-employed persons comply with any health and safety related policies and procedures implemented by the prime contractor;
- (d) identify a competent person to oversee and direct, on behalf of the prime contractor, the activities of employers, workers and self-employed persons at the required worksite;
- (e) prepare a written plan that:
 - (i) addresses how the requirements imposed by clauses (b) and (c) are being met;
 - (ii) sets out the name and the method of contacting the individual identified pursuant to clause (d);
 - (iii) identifies the supervisors for the required worksite designated by employers pursuant to clause 4(4)(a); and
 - (iv) addresses other matters that the minister may require to be addressed;
- (f) deliver a copy of the written plan mentioned in clause (e) to all employers and self-employed persons before they commence working at the required worksite;
- (g) cooperate with any other person performing a duty imposed by Part III of the Act or these regulations;

- (h) identify and inform employers, workers and self-employed persons about the hazards in or at the required worksite for which the prime contractor is responsible;
- (i) ensure, insofar as is reasonably practicable, that the employers or self-employed persons at the required worksite eliminate:
 - (i) hazards identified by the prime contractor before activities or operations begin at the required worksite; and
 - (ii) while activities or operations continue at the required worksite, hazards identified by the prime contractor after activities or operations have commenced;
- (j) ensure, insofar as is reasonably practicable, that the employers or self-employed persons at the required worksite reduce or control hazards that it is not reasonably practicable to eliminate; and
- (k) comply with Part III of the Act and these regulations.

2 May 2014 cS-15.1 Reg 2 s5.

Coming into force

6(1) Subject to subsection (2), these regulations come into force on January 1, 2015.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2015, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

2 May 2014 cS-15.1 Reg 2 s6.