

Handling Contractor Safety and Environmental Management (SEM) Concerns/Observations

Scope:

All Contractors, subcontractors, and their employees providing construction services to the University of Maine [hereafter referred to as UMaine, or the company] must comply with UMaine's rules and procedures as well as all relevant federal, state, and local regulations. All Contractors are responsible for, and will ensure that, their employees, subcontractors, and the subcontractors' employees are in compliance with the stated rules, procedures, and regulations.

These guidelines are not a part of the construction contract and do not alter or modify the contractor's liability, nor should they be construed as altering or amending the construction contract; if anything in this document contradicts the construction contract, then the construction contract is the ruling document.

Statement of Purpose:

UMaine is committed to provide a safe workplace for our employees and to protect the health and safety of our neighbors through an established safety communication system that interaction between UMaine and contract services. UMaine requires that all Contractors conducting business at our facilities also demonstrate a similar responsibility towards their employees and our neighbors. Thus, UMaine has established, in addition to specific health and safety programs, security, facility use, and personal conduct requirements for Contractors as outlined in the UMaine contract.

Definitions:

PROJECT MANAGER - The term Project Manager shall be used to refer to UMaine task supervisors having oversight authority for a given project or contract.

COMPETENT PERSON – Means a person who has specific training and experience, is capable of recognizing an identifying hazardous or dangerous conditions pertaining to the issue of concern and who has been given the authority to act upon this discovery to control or mitigate the hazardous or dangerous conditions.

CONTRACTOR – A company that has entered into a contract agreement with UMaine to provide certain services.

CONTRACTOR SUPERVISOR - The term contractor supervisor who is responsible for the contract employees and the project tasks and has oversight authority for a given project or contract.

CONTRACT EMPLOYEE – Any individual on UMaine property who performs work in return for remuneration, either employed directly or indirectly through a contractor.

EMPLOYER - The specific company which is directly responsible for an employee's remuneration in return for the work or services which the employee provides.

Responsibilities:

Contractor

It is each contractor's responsibility to insure that each employee of the contractor, including those of its subcontractors, is trained in the safe work practices necessary to allow successful completion of their assigned tasks. Additionally, the contract firm shall advise UMaine's Project Manager of any unique hazards presented by its employees' planned activities and of any "unusual" hazards discovered by the contractor's employees.

The Contractor shall comply with all pertinent federal, state, and local requirements and initiate compliance with all relevant regulations as they are instituted. As a minimum, Contractors providing services to the UMaine facilities must insure compliance with the provisions outlined in the contract.

The contractor shall notify in writing to the UMaine project manager immediately in case of injury/illness to any contractor employee.

Project Manager

The project manager during their normal duties may observe potential contractor SEM concerns that requires follow-up by the contract supervisor. He/she shall complete the following:

1. If the hazard is perceived to be immediately dangerous to life and health to employees or the community, ask the employee(s) to stop the activity until the situation can be reviewed with their supervisor.
2. Contact the contractor supervisor and verbally communicate the concerns/observations.
3. Request the contractor inform you of any corrective action(s) taken.
4. If additional involvement is warranted or repeat concerns are observed, request assistance from the FM Safety Office for immediate follow-up.
5. If no one from the FM Safety Office is available, contact the SEM department for assistance.
6. Document your involvement by completing the Work Area Observation form.

UMaine Competent Person(s) (FM Safety Staff, SEM Staff, FM Supervisors)

1. If the hazard is perceived to be immediately dangerous to life and health to employees or the community, ask the employee(s) to stop the activity until the situation can be reviewed with the project manager and the contractor supervisor.
2. Immediately contact the project manager for follow-up.
3. If the project manager is not available contact work control to obtain access to other FM Project Staff or the FM Safety Office.
4. If no one is available to review the concerns, meet with the contractor supervisor to address the concerns.
5. Document your involvement by completed the Work Area Observation Form, MF04124, located on the SEM Forms web page.

6. Forward your findings to the SEM Director.

Documentation of Concerns/Observations:

It is important to document all observations and provide the contractor, project manager and purchasing with the necessary information to implement corrective actions. Please complete an Observation form and fax or email the form to SEM within 24 hours. SEM will distribute the information to the required parties for follow-up. The information shall be tracked until all required corrective actions have been completed.