

Work Health & Safety Rules for Contractors

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Celebrating our diversity

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1. Introduction

The Shire of Manjimup requires all contractors to comply with the Shire's Work Health and Safety (WHS) Policy and WHS Rules for Contractors (this document). To be included on the Approved Contractors List you must read, fully understand, and agree to comply with this document.

Contractors may be required to undergo site or task specific inductions prior to undertaking specific contracted work. Any breach of the WHS Rules for Contractors may result in a Contractor being removed from the Approved Contractor List.

2. Policy

The Shire's WHS Policy requires that all work be conducted in a safe manner. The Shire of Manjimup is committed to ensuring a safe and healthy working environment for all persons at its offices, sites and premises. Operations associated with a particular task must cease if safety cannot be assured.

To be included on the Approved Contractors List you must agree to perform work in accordance with the Shire's WHS Policy and agree to comply with the WHS Rules for Contractors.

3. Safe work practices

Contractors must ensure that all work performed, and materials and goods provided or used to complete the works will be to a satisfactory standard and not impose any risk, so far as is practicable, to the health and safety of workers, Shire employees and any member of the public or their property.

To be included on the Approved Contractors List all Contractors will be required to provide to the Shire documented safe systems of work. This will be in a format acceptable to the Shire on how the contracted works will be performed and may include Safe Work Method Statement's (SWMS) or Job Safety Analyses' (JSA's).

3.1 *WHS legislation*

All services performed on behalf of the Shire will be carried out in accordance with the requirements of the WHS Act 2020 (WHS Act), regulations and codes of practice and/or compliance codes. Guidelines and Codes of Practice can be found on WorkSafe WA and Safe Work Australia websites.

Contractors must ensure that their employees, sub-contractors and all other persons involved in the service, and supply of goods and services are aware of their obligations under the WHS Act and take all reasonable steps to comply.

3.2 *Conforming with acceptable industry standards*

All instructions relating to safe work method practices issued to the Contractor by the Contract Manager, either in the specification or during the progress of the work, shall be complied with in full. Where an Australian Standard or Industry Code of Practice is required to be observed to ensure the maximum safety for workers and other persons, Contractors will be expected to ensure that such practices or procedures are fully observed.

4. Incident Reporting & Hazards

Contractors are required to report to the Contract Manager (or the Shire of Manjimup nominated Senior Location Representative (SoMSLR)), any hazards which may be identified during their work.

Contractors are required to report any damage to Shire assets immediately to the Contract Manager (or the nominated SoMSLR).

All incidents and near misses must be reported to the Contract Manager (or the nominated SoMSLR) immediately. A completed incident report form should be provided as soon as possible.

5. First aid

A first aid kit and facilities will be maintained at the worksite by the Contractor. All treatments provided will be recorded by the site supervisor and the necessary incident report completed.

6. Safety Management Plan (SMP)

Contractors may be required to prepare a Safety Management Plan (SMP) where the Shire deems the scope of the work entails special or significant risk or when there are 5 or more persons on a work / construction site. The purpose of the SMP is to identify a clear strategy on the part of the Contractor to ensure safety throughout the contract. This should address plant, people and the environment. The SMP should cover two areas:

6.1 *WHS Plan*

The WHS plan that the Contractor will use on the work shall incorporate:

- (a) The Contractor's WHS policy statement and address;
- (b) The Contractor's WHS plan, including:
 - the means of identifying hazards and risks;
 - a system to ensure that pre-job planning is conducted;
 - work-site inspection throughout the works to ensure safe conditions;
 - training/induction of Contractor's employees;
 - a means to resolve issues raised by Contractor's employees;
 - safety meetings and the means to provide safety information to employees (nominated Health and Safety Representatives);
 - an accident/incident hazard reporting system;
 - provision of First Aid facilities;
 - a lost time frequency rate target or other statistical target; and
 - An audit system.

6.2 *Job specific safety procedures*

Below are the procedures that may be required to deal with the following issues:

- Legislative requirements applicable to the job;
- Job safety analysis (JSA) and/or Safe Work Method Statement (SWMS) (which should identify the means to control hazards and risks and the approach to the task);
- The safe use of equipment;
- Work permit procedures;
- Roadworks; where applicable, a Traffic Management Plan;
- Work sites; provision of barriers and general site protection for danger areas;
- Warning and Hazard Signs to identify hazards and specific requirements, e.g. Safety Hat Area, safety glasses, power line warnings;
- The minimum standards of personal protective equipment, including specific equipment to protect against specific hazards;
- The control of dangerous substances;
- Acceptable means of disposal of waste products, spillage's and effluents;

- An emergency response plan; and
- Environmental protection plan.

The plan should provide the means to ensure that the system outlined in the SMP is applied to sub-Contractors. The Shire of Manjimup reserves the right to request a Contractor to amend or improve the SMP either at tender stage or during the works.

7. Further Inductions

The Shire may require Contractors to undergo or arrange further or site specific safety induction or other safety related training, depending on the circumstances. This induction may cover some or all of the following:

- Relevant site security, personal protective equipment and emergency procedures and regulations. The Contractor may be accompanied on site or may be required to report to a specific Shire officer.
- Relevant sections of the Shire's WHS Policy and clear work/safety procedures such as work permits and clearances for equipment may also need to be included.
- Relevant Shire safety standards, accident reporting and investigation procedures and the Shire's corporate objective for safety may be required. Contractor's employees and sub-Contractors may need to be trained in these areas.
- Contractor's own induction program covering aspects of any SMP.

8. Licensing & Qualifications

Where required, all works must be carried out by suitably competent, qualified/licenced person. Copies of all current licences/certificates must be downloaded onto the Shire's on-line portal when approved as a contractor (including the contractor's employees) or sent to the Shire via email info@manjimup.wa.gov.au

9. Use and inspection of Plant, Vehicles and Equipment

Contractors shall ensure that all plant and equipment are of a suitable type and capacity and in good order and condition to perform the work safely. All persons responsible for transporting goods by road, which includes special purpose and light vehicles, has to comply with the Chain of Responsibility Legislation that is contained in the Road Traffic (Administration) Act 2008 and the Road Traffic (vehicle) Act 2012, both accessible on the State Law Publisher's website and enforced by Main Roads. Contractors must have been trained accordingly to CoR legislation and relevant certificates (including any employees) downloaded onto the online platform.

The Shire reserves the right to inspect and approve or not approve, as the case requires, all equipment that a Contractor intends to use to carry out the works or may be using or bringing onto any work site. Contractors may be required to provide the Shire with a schedule for the inspection and maintenance of equipment to be used in the performance of the work throughout the works.

Contractor shall ensure that any of its personnel who operate equipment possess the appropriate licence or permits or if not applicable, are adequately trained in the safe operation of the equipment. The Shire may, in some instances, require the Contractor to ensure that such personnel receive training to standards set down by the Shire.

If the Contractor's equipment is found to be in an unsafe condition by either the Shire, the Contractor or a relevant authority (e.g. WorkSafe) then it shall immediately be removed from use and shall not be brought back into use until the Contractor satisfies the Shire that it has been made safe.

10. Site safety requirements & housekeeping

Contractors shall ensure that the work site is maintained at all times in an acceptable safe condition for workers, occupiers and members of the public. Where a specific practice for ensuring safety is required Contractors will be responsible to adopt this practice.

Any personal protective equipment or other safety equipment required to ensure the safety of the Contractor's employees, sub-contractors and the public will be supplied and maintained by the Contractor.

11. Security

Contractors must report to the office (or worksite Manager) prior to commencing any work for the Shire and sign in in the visitor logbook if available (i.e. offsite). Contractors must ensure that all personnel are able to be accounted for in case of emergency situations.

Means of excluding the public from a work site, or protecting other work groups or contractors who may enter the site will be addressed via the relevant JSA or SWMS, safe work procedures and in a traffic management plan where applicable, and include but not be limited to:

- Closing gates of the work site is established as required. Monitoring site access and egress points and control of visitors is established.
- Minimisation of dust and noise in sensitive areas is established.
- Physical barricades are erected around construction work, where there is a risk from debris or other source of injury to personnel not on the construction site.
- Ensuring that site attendance or barriers are adequate to prevent unauthorised personnel from being on site or around hazards such as excavations or working mobile plant and equipment.
- Additional display of warning signs and lighting to Australian standards being established, subject to risk assessment.
- Ensuring that security of mobile plant is established to prevent tampering or un-authorised use.
- Ensuring that secure storage areas are established for hazardous substances and other site materials that could cause a risk. Ensuring the provision of temporary walkways or roads and arrangements for the direct control of pedestrians or traffic is established.
- In the interim and during construction, ensure that materials, plant and equipment are stored securely at designated lay down areas.

12. Smoking

The Shire strictly prohibits smoking within any Shire controlled worksites, building, vehicle, plant, equipment. This must be adhered to at all times.

13. Working in the vicinity of services

Where workers are exposed to services (for example electricity, gas, water and telephone), all cables/lines must be located and every effort taken to ensure services are not interrupted.

14. Electrical safety

Contractors conducting electrical work are required to be competent and licenced persons in accordance with the WA Electrical (Licencing) Regulations 1991.

As prescribed by the WHS (General) Regulations 2022, the person having control of a workplace or access to that workplace, i.e. employer, self-employed person, main contractor, must ensure that all

portable plug-in electrical equipment and residual current devices (RCDs) at the workplace are safe and appropriately inspected, tested and maintained by a competent person.

13.1 Electrical power tools

All electrical power tools shall be checked prior to use and maintenance undertaken if required; this check is also to include all power leads. Tools must be correctly insulated, with guarding in place at all times. All power tools and leads must be tested and tagged as per the Australian standards AS/NZ3760 2010.

13.2 Working near power lines

When working near power lines the guidelines issued by the Department of Consumer and Employment Protection and WorkSafe shall be followed. Spotters shall be used where necessary and special provisions shall be adhered to when operating within the 'danger zone'. Please see Guidelines for work in the vicinity of overhead power lines:

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/overhead_power_lines.pdf

15. Welding and cutting

Contractors shall ensure that all work requiring the use of welding, gas cutting, and grinding or naked flames is completed in accordance with WHS legislation and regulations, and the relevant Australian Standards.

16. Access to fire equipment

Under no circumstances can access to any fire extinguisher or firefighting equipment be blocked or obstructed by any vehicle or other property of any description by the Contractor.

17. Working at heights & elevated work platforms

When working from height Contractors must comply with WA WHS Act Division 3, Part 4.3 – Falls, the WA Code of Practice “Prevention of falls from height at workplaces” and SafeWork Australia Code of Practice “managing the risks of falls at workplaces” at all times. This includes any ladders and all other devices used to gain access to areas above or below ground level.

Contractors working with Elevated Work Platform equipment are required to conduct all activities in compliance with AS2550.10-2006 – Safe Use of Mobile elevating work platforms.

18. Confined space entry

Contractors must comply with the WA WHS Legislation and Regulations and Australian Standard AS2895: Safe Work in a Confined Space and SafeWork Australia Code of Practice “Confined Spaces”.

19. Asbestos

The Shire has undertaken an extensive audit to identify asbestos located within its buildings. Prior to commencement of any works on Shire buildings, the Contractor must check with either the Contract Manager or the Building Services department in order to identify whether or not any asbestos has been located within the area in which the works are to be undertaken.

Asbestos must be removed in accordance with WHS (General) Regulations 2022, Chapter 8 – Asbestos and National code of practice for the safe removal of asbestos 2nd edition [NOHSC:2002(2005)].

Asbestos must be disposed of according to the Shire of Manjimup Recycling and Refuse Centre (MRRRC) Asbestos Management Plan. Contractors must contact the Shire Waste Management team before disposing of any ACM.

20. Manual handling tasks

All tasks involving hazardous manual handling will be required to be assessed by the supervisor for risks according to the WHS (General) Regulations 2022 and the Code of Practice Manual Tasks.

The site supervisor will ensure that following the identification of a manual handling risk, where practicable, the following order of controls will apply:

- The task will be eliminated, where possible;
- The task will be redesigned to reduce the manual handling risk;
- The assistance of mechanical aids will be provided; and
- Training appropriate to the task will be provided, which may include a team lifting process.

21. Noise Control

Contractors are responsible for ensuring all tasks involving significant noise exposure are assessed for risks and procedures put in place according to the WHS (General) Regulations 2022.

22. Hazardous substances

Contractors must have available for inspection the Material Safety Data Sheets (MSDS) for all substances that are brought onto any Shire worksite. All substances must be clearly labelled, stored in tight sealed containers along with safe handling and storage instructions. In the event of a chemical spill clean-up materials must be available and easily accessible.

23. Public Safety

Where public traffic (vehicular or pedestrian) must be considered, all relevant signage will be displayed and the work area zoned to indicate safe passage areas (refer to AS 1742.3:2019 – Manual of uniform traffic control devices, Part 3: Traffic control for works on roads.). A site traffic management plan must be completed and must be available for inspection as required. Regular inspections of the site must be undertaken to ensure that signage is in accordance with the plan or code.

Contractors must ensure that all plant operating in such an environment must have a yellow flashing, cabin-mounted light that is functional at all times.

24. Personal Protective Equipment

Contractors must supply and maintain any personal protective equipment or other safety equipment required to ensure the safety of the Contractor's employees, sub-contractors and the public.

25. Fitness for Work

The Shire of Manjimup has a Fitness for Work Policy, please see definitions at the end of this document. Copies will be given to contractors once awarded a contract or can be obtained on request. Contractors may be subject to random alcohol and other drug testing. Any contravention of this policy will result in an employee of a Contractor or sub-contractor being denied entry to our premises or worksite.

26. Conduct

The Shire will not tolerate harassment or bullying in any form. Practical jokes and skylarking on the job can be dangerous and as such are prohibited. The Contract Manager or their representative are responsible for the safety of all personnel and have the authority to remove persons engaging in these practices. Bad language and shouting are also prohibited. All Contractors are expected to adhere to the Shire's Code of Conduct.

27. Completion of works

It is the Contractor's responsibility to remove equipment, materials, tools, waste materials and litter on completion of the works. The work site must be left in a clean and safe manner at the completion of all works.

28. Unsatisfactory safety performance

Notwithstanding that the Contractor is responsible for safety, if in the opinion of the Contract Manager or the Work Health and Safety Officer, that the works and services are not being delivered to a satisfactory safety standard, a warning may be issued to the Contractor.

The Contractor is then required to take immediate action to rectify the situation. If performance continues to be unsatisfactory the work will be ceased.

29. Audit of Contractor safety

Safety auditing is a key method of ensuring that Contractors and employees maintain adequate standards of safety.

The Shire may conduct audits according to the circumstances, and all or any, of the following areas:

- Provision and wearing of personal protective equipment if applicable, observance of basic work practices, safety regulations, on site procedures.
- Prescribed working procedures, if applicable.
- Observance of the Shire's permit to work procedures, use of hazard warning and appropriate signs, specific requirements relating to scaffolding, lifting equipment, etc. Housekeeping, access and egress, first aid equipment and procedures.
- Evidence of the implementation of the SMP including visible management of safety by the Contractor's designated senior contract personnel. When a SMP exists it may be used as the basis for safety auditing and an audit checklist may have been developed with the Plan. A senior representative of the Contractor may be invited to participate in the audit.

The Shire Manager or Contract Manager will request the Contractor to rectify unsafe situations and will review any contract in which safety breaches have occurred.

30. Definitions

Competent Person

In relation to the doing of anything, means a person who has acquired through training, qualification or experience, or a combination of those things, the knowledge and skills required to do that thing competently.

Worker

Any person working for the Shire of Manjimup, including employees, contractors, volunteers and those on work experience.

Manager

For the purpose of these rules, means a person with management or control of a workplace. This may include directors, managers, supervisors, leading hands and contractors etc.

Fitness for Work

Fitness for work is the worker being competent mentally, physically and emotionally to perform their assigned duties to an acceptable level without risk to themselves or others. This goes beyond qualifications and experience – fitness for work deals with ‘individual’ factors such as the effect of:

- fatigue
- alcohol and/or other drug use
- medical fitness (if required for a specific role)
- mental health and wellbeing

Person conducting a business or undertaking (PCBU)

a PCBU alone or with others, whether or not for profit or gain. A PCBU can be a sole trader (for example, a self-employed person), each partner within a partnership, company, unincorporated association, government department or public corporation (including a local or regional government)

Incident

is defined as any occurrence that leads to, or had the potential to cause:

- injury or illness of a person;
- danger to health; and/or
- damage to property or the environment
- or a near miss occurrence of the above.

Hazard

Is a source or a situation with the potential for harm in terms of:

- human injury or ill-health,
- damage to property,
- damage to the environment,

or a combination of these.