

**2000-613 Audit of the Implementation of the Recommendations of the Brooke Claxton Coroner's Jury
RPS Action Plan**

Overview

This action plan addresses the recommendation of the audit on the *Recommendations of the Brooke Claxton Coroner's Jury* and provides an update and comments on RPS commitments relating to construction safety with regards to the coroner's Jury recommendations of the Brooke Claxton incident made in 1997.

Recommendation

1. *The ADM, RPS establish and communicate a management control framework including clear accountabilities, roles and responsibilities, in support of planning, implementing and reporting on the Departmental commitments relating to construction safety in general and the Coroner's Jury recommendations in particular.*

Brooke Claxton Audit Recommendations October 1998	Action	COMPLETION DATE	OPI
Establish and communicate a management control framework related to Construction Safety	<p>The Management Control Framework (MCF) has been developed to address the broad spectrum of Safety and Health activities in RPS and PWGSC and a specific piece relates to construction safety. Included in this MCF are: concise roles, responsibilities and a reporting/monitoring framework. Policy directives on the application of these accountabilities are provided in DM directive 073.</p> <p>Reporting and monitoring to the ADM on health and safety issues in general and specifically on the implementation of this Action Plan will be done semi annually.</p> <p>RPS is developing codes of practice which will operationalize best practices. CESH is coordinating the development of a code of practice in collaboration with SOSB, RPSB and the National Health and Safety Committee.</p>	<p>DM directive 073</p> <p>First report December 2001</p> <p>December 2001</p>	<p>D-CESH</p> <p>DG- AFMS DG-AES D-RPCD</p>

RPS commitments relating to construction safety with regard to the coroner's Jury recommendations

Brooke Claxton Coroner's Jury Recommendation	RPS Commitments July 28, 1997	RPS Action	Completion Date	OPI¹
1. There should be one person responsible for all projects on a common site.	This person will be a senior project manager who will coordinate the various tasks to be performed.	<p>An entity known as the "designated departmental representative" will be tasked to coordinate and ensure the various activities related to H&S are performed, depending on the nature of the project.</p> <p>COE's will ensure regional implementation of the designated departmental representative concept.</p>	Completed	DG-AES/AFMS

¹ In instances where OPI is listed as DG-AES/DG-AFM, responsibilities will attach to the COE who provides the "designated departmental representative"

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			December 2001	DG-AFMS DG-AES
2. All plans must be available to the employers at the work site prior to the commencement of the project.	In its new construction policy statement and code of practice PWGSC will include a directive to have the plans readily available for inspection by all federal employees, contractors and consultants prior to and during all construction activities.	Where available, copies of plans and specifications are located at work sites for major construction projects. Copies of plans and drawings will be made available at the site by the "designated departmental representative" in RPS. COE's will ensure regional implementation of the "designated departmental representative" concept.	completed	DG-AES/DG-AFMS
3. Before any named material specified or plans are substituted, approval must be obtained from the designer. A note to this effect should be included on the drawing.	The Department proposes to make it a mandatory contractual obligation for contractors to notify the Department or its consultant for approval prior to effecting any changes proposed by the contractor. This will be reflected in the MCF.	If substitution is made the "Designated departmental representative" will be responsible for ensuring that approval is obtained from the designer and for ensuring decision is recorded in accordance to PWGSC contracting policies and procedures.	Completed	
4. Any structure added, below ground level, to an existing wall should be securely attached to that wall as well as being fully supported from below.	The addition of new concrete structures to existing walls by anchoring to the existing structure could impose structural stress factors to the wall which were not anticipated by the original designer of the existing building. The Department prefers to have the weight of new additions supported from below in accordance with the jury's recommendation for adequate support beneath the structure.	Any addition to an existing structure has to be properly designed and engineered and as such requires the plans to be signed and sealed by a professional and approved by the authority having jurisdiction. This is a standard process.	Completed	
5. On Federal construction sites, Public Works Canada, voluntarily agrees to abide by the relevant Provincial Health and Safety Regulations and Provincial Safety Inspectors be allowed on site and have authority with regard to safety.	The Department has written to the provincial and territorial Departments of Labour in order to formulate and operate an inter- governmental construction and health program. In addition, PWGSC has had meetings with senior industry representatives, representatives from the Construction Safety Association of Ontario, Senior Officials of all provincial and territorial Labour and Construction Safety Administrations (except for PEI), and representatives of the Nova Scotia Construction Safety Association, and related organizations. A memorandum of agreement which form the basis upon which provincial and territorial Safety inspectors may operate on federal construction sites is being prepared.	The Department has written to the provincial and territorial Departments of Labour in order to formulate and operate an inter- governmental construction and health program. In addition, PWGSC has had meetings with senior industry representatives and , representatives from the various Construction Safety Associations A draft memorandum of agreement which will forms the basis upon which provincial and territorial Safety inspectors may operate on federal construction sites has been finalized. Memorandum of Agreement were signed with PEI, Alberta, and Ontario. PWGSC commitment to voluntarily comply with all other provincial/territorial governments has been acknowledged.	Completed	

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6. Project Managers should hold an orientation and safety session prior to the commencement of any project.	Training programs are now underway and one session has already been completed. PWGSC's new policy and procedures document will emphasize that individuals such as project managers, contractors, sub-contractors and consultants are briefed regarding required Safety procedures.	A one day Construction Safety Awareness (CSA) Session has been delivered. Further training (compliance courses) has been provided through the provincial Construction Safety Associations Construction/Maintenance project safety management training is on-going.	Completed Ongoing	DG-AES/DG-AFMS D/CESH
7. The designer of a structure should develop an inspection checklist to ensure that inspections are carried out as the installation progresses as opposed to work completion.	Architectural and Engineering consultants commissioned by the Crown commit to provide field review services during the progress of the job, to determine that the construction work undertaken meets the general intent of the contract documents. When there is a doubt that the normal field review services may not provide the required degree of construction inspection, the department will consider commissioning additional field review services from the consultant and/or employing a site safety and health officer or a clerk-of-works.	The department will commission additional field review services from consultants, as required, for verification of contractual compliance. The "designated departmental representative" will ensure this happen. Process exists in contract documentation (contractor is required to have inspection done prior to departmental acceptance of the work).	Completed	DG-AES/DG-AFMS
8. Workers be advised of their right to refuse dangerous work, both at the time of their initial employment, and at the commencement of each project. This advice should come from the employer and/or the project manager.	This will be implemented pursuant to the Department's new policy and procedures .	Introduce measures in the PWGSC Code of Practice to ensure that contractor site safety plans include an employee right to refuse dangerous work process. Code of practice prepared by COEs, translated and ready for submittal to the National Health and Safety Committee. Agreement to transfer responsibilities to CESH in progress.	Completed December 2001	DG-AFMS/DG-AES D/CESH

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<p>9. It should be mandatory that all construction workers attend periodic Health and Safety meetings.</p>	<p>The Department intends to implement such a program by using the training programs of the provincial and territorial construction association. Accordingly workers will be given specific and generic training courses applicable to the work being undertaken. These courses will be given prior to commencement of work, together with updates as requested during construction.</p>	<p>See Item 6 on training. Section 12 of the Construction Safety Awareness Session covers health and safety meetings and includes a sample project check list regarding this item. All construction site meetings (attended by construction workers) will include H&S issues as an agenda item. Contractual requirements will include the obligation for the contractor and his employees to be trained by their associations. The "designated departmental representative" will ensure that contractors provide health and safety plan for the construction site and verify that contractors' responsibility towards providing trained construction workers is achieved prior to entering PWGSC construction sites.</p> <p>Introduce measures in the PWGSC Code of Practice to ensure that constructor site safety plans include a provision that all construction workers attend periodic Health and Safety Committee meetings as required by the authority having jurisdiction.</p> <p>Code of practice prepared by COEs, translated and ready for approval of National Health and Safety Committee. Agreement to transfer responsibilities to CESH is in progress.</p>	<p>December 2001</p>	<p>DG-AFMS, DG-AES, SOSB</p>
<p>10 On federal construction sites a Federal Safety Officer should be assigned in conjunction with a Provincial Safety Officer to each construction site.</p>	<p>The Labour Branch of the Department of Human Resources Development does not have sufficient staff to implement this recommendation. However, with the increased training of federal staff it is foreseen that there will be an increased awareness of the responsibilities and obligations inherent in exercising due diligence on federal construction sites.</p>	<p>Human Resource Development Canada (Labour Program) nor the Provincial/Territorial regulating authorities have sufficient staff to implement this recommendation.</p> <p>Assignment of Construction/ Health and Safety Coordinators to major projects and/or to assets, as deemed required by the designated departmental representative in consultation with C/ESH meets the intent of this recommendation</p>	<p>Completed</p>	