Ghilotti Construction Company
Subcontractor Safety Compliance

Under Cal/OSHA regulations, the following categories of employers can be cited for a violation, even if their own employees were not exposed to the alleged (enforceable) unsafe condition.

**Controlling Employer:** The employer who was responsible, by contract or through actual practice, for safety and health conditions on the worksite; i.e. the employer who had the authority for ensuring that the hazardous condition is corrected

**Exposing Employer:** The employer whose employees were exposed to the hazard

**Creating Employer:** The employer who actually created the hazard

**Correcting Employer:** The employer who had the responsibility for actually correcting the hazard

When GCC is the responsible entity for overall site coordination on a project, and deemed responsible for safety and health conditions at the work site, we are exposed to being cited as the “controlling employer” and/or “correcting employer” for violations created by our subcontractor.

Subcontractors are contractually held responsible for providing a safe work place for its employees and to comply with all laws, regulations, and orders issued by governing bodies, public officers, and Ghilotti Construction Company. (Refer to Page 2)

To ensure Subcontractors to GCC are in compliance, and all hazardous exposures are identified and communicated, the Lead Foreman is responsible for the following activities:

- Complete an initial project orientation with the Subcontractor, to include matters of safety (2-way conversation should take place to ensure communication of known hazards respective of the work being performed by each party).
- Include matters of safety during progress meetings
- Accidents involving and/or caused by the subcontractor must be investigated (assist in the subcontractor’s investigation and obtain copy of their report, as appropriate)
- As appropriate, require the Subcontractor, and their employees present at the work site, to participate at GCC’s weekly Safety Tailgate meetings. (Not applicable to suppliers and subcontractors with sporadic presence at the jobsite)
- Communicate and document identified safety violations created by the Subcontractor (provide to the Area Manager for response).

**NOTE:** Contact the Area Manager or Brian Ongaro with immediate concerns regarding Subcontractor safety compliance.

**GCC Subcontractors are contractually required to comply with the following safety guidelines:**

1. Have readily available at the job site a copy of the Code of Safe Practices, specific to the scope of operations performed by the Subcontractor. If requested, the Subcontractor shall provide a written plan that identifies how Subcontractor will address specific safety concerns for his work performed on the project.
2. Have readily available at the job site a list of all hazardous substances used, with corresponding Material Safety Data Sheets.
3. Provide a written report of all accidents and injuries to the GCC Superintendent or Lead Foreman.
4. Ensure that all equipment brought on site complies with current safety and state motor vehicle requirements. Any equipment in violation of these requirements shall be immediately repaired or removed from the job site.
5. Hold weekly safety meetings with its employees. Minutes of each meeting, including an attendance record, shall be made available for review upon request.

6. Perform its work and maintain its safety program to ensure full compliance with all aspects of the OSHA and Cal/OSHA rules and regulations, Senate Bill 198 (California), and any subsequent related regulations.

7. Immediately correct any and all safety violations. Safety Notices may be issued to the Subcontractor and its individual employees when a safety infraction is observed. This notice will identify the observed violation and require immediate correction. A copy of the notice will be provided to the involved employee and the Subcontractor’s supervisor or Safety Director. Repeat safety violations is grounds for removal of an employee from the job.

8. Communicate all safety responsibilities and requirements required by law and by this agreement to its sub-subcontractors and suppliers. Subcontractor is responsible for the safe performance of its sub-subcontractors and suppliers.

9. Comply with the Code of Safe Practices (provided by disk or print format) established by Ghilotti Construction Company, to include adhering to all dress code and personal protective equipment requirements. GCC is a mandatory Hard Hat and Safety Vest company.