

**2019**

**ECCS GUIDELINES**



**Contractor Safety Training Utilizing the  
Energy Coalition For  
Contractor Safety**

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Energy Coalition for Contractor Safety (ECCS)

# **ENERGY COALITION FOR CONTRACTOR SAFETY (ECCS)**

## **Mission Statement:**

*“Working together with our contractors we will achieve safety excellence by providing a safe and healthy workplace.”*

## **I. Introduction to the Energy Coalition for Contractor Safety (ECCS)**

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## **II. Benefits of Contractor Safety Coalition**

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## **III Definition of a Contractor**

- A. Each contractor, whether they are considered a prime contractor or a sub-contractor, must adhere to the ECCS guidelines. Every contractor is required to have a 100% approved safety program registered with the North Dakota Safety Council and all contractor employees are to be current on drug testing and safety training requirements.

# I Introduction to the Energy Coalition for Contractor Safety (ECCS)

## A. ECCS History

1. Working through the Energy Managers Association it was determined that we must improve contractor safety at our facilities. In September of 1996, the Energy Managers Association formed a task force comprised of safety professionals from each of the following facilities:

Montana Dakota Utilities	Great River Energy
Basin Electric Power Cooperative	Minnkota Power Cooperative
Dakota Gasification Company	Otter Tail Power
Tesoro Petroleum Mandan Refinery	

2. The Task Force was challenged to improve contractor safety at facilities through the concept of forming a Contractor Safety Coalition. The Contractor Safety Coalition was formed in January of 1997. The Coalition's main goal was to help direct the company's contractors in a way to form some consistency among all the Coalition members. The Coalition can only see this concept growing with other facilities joining in. **SAFETY IS A MORAL AND ECONOMIC ISSUE.** Any improvement we can make to ensure the safety of our contractors and their hourly employees, while on our facilities, can only be recognized as a step in the right direction.
3. In our task force, we found that each company was at a different level of working with contractors and their safety programs. Contractors have been asking for some consistency among area companies for contractor policies and procedures.
4. It is the Coalition's intent to work with all our contractors to help them improve the safety culture at our facilities. Using new safety concepts will help ensure contractor safety at our facilities. The success of the Coalition will be monitored by the Energy Managers Association. The Energy Coalition may grow, depending on the success of its program within our facilities.

**B ECCS OPERATING Guidelines**

**1. MEMBERSHIP PROCESS**

**ECCS MEMBERSHIP**

Proprietorships, partnerships or corporations within the state, who are involved in the maintenance, construction, or construction related purchases from contractors, shall be eligible for membership in the ECCS. Each membership entitles a vote in electing officers, adding new members and transacting other business.

Current Members

Basin Electric Power Cooperative	Minnkota Power Cooperative
Great River Energy	Otter Tail Power
Dakota Gasification Company	Bobcat Company Gwinner
ND Safety Council, administrative support	Montana Dakota Utilities

**2. COMMON TRAINING PROCESS**

**SAFETY TRAINING POLICY**

It is the policy of the North Dakota Energy Coalition for Contractor Safety (ECCS) to require all contractor employees to complete minimum safety training as prescribed by the Coalition; and that contractors must comply with all local, state and federal safety and health standards.

The ECCS recognizes that the OSHA 10-hour Construction Safety and Health and 10 hour General Industry Safety and Health training courses meet their safety training requirements. Adequate flexibility exists with the OSHA curriculum to meet job specific requirements. This requirement must be met before contract employees will be allowed to perform work at any Coalition participant site. All training is valid for three years from date of completion. Records for all training done outside of the North Dakota Safety Council (NDSC) must be sent to the NDSC. Arrangements can be made with the NDSC for the OSHA 10-hour courses.

North Dakota Safety Council  
1710 Canary Ave, Ste A  
Bismarck, ND 58501  
Phone #701-223-6372  
Fax # 701-223-0087

Contractors may conduct their own 10-hour OSHA safety training if the instructor is authorized.

## **DOCUMENTATION OF TRAINING**

The following information submitted using the “ECCS Database Form” must be included in all training documentation sent to the North Dakota Safety Council (NDSC).

- Employee Legal Name (with middle initial)
- Last 4 digits of Social Security Number
- Training update (mo.-date-yr.)

Excluding the OSHA 10 hour Construction Safety and Health or 10 hour General Industry Safety and Health training courses, the North Dakota Safety Council will review a class outline for a fee to determine if the training meets ECCS requirements.

All information submitted to the NDSC for entry into the ECCS database will be subject to a processing fee of \$7.50 per person per entry, payable to the NDSC. This fee is the responsibility of the contractor, union organization, or individual who is submitting the information.

## **TRAINING REQUIREMENTS**

Initial training must meet the minimum requirements of OSHA 10 hour Construction Safety and Health or 10 hour General Industry Safety and Health training courses.

Refresher training is required every 3 years and may include completion of one of the following:

- OSHA 10 hour Construction Safety and Health or 10 hour General Industry Safety and Health training course;
- Approved 8 hour ECCS Refresher Classroom Training (course must be taught by an authorized OSHA 500 or 501 Instructor and meet the curriculum designated by the ECCS. Information may be found at [www.ndsc.org](http://www.ndsc.org)); or
- Approved 8 hour ECCS Refresher Online Course (information may be found at [www.ndsc.org](http://www.ndsc.org)).

## **OTHER SAFETY TRAINING**

ECCS participants have some site-specific rules and regulations for contract employees, i.e. emergency response sirens, chemicals in the work areas, plant specific policies, no smoking, “competent” person training etc. Some of the Coalition participants fall under the (1910.119) Process Safety Management Site regulation and NFPA 70E standard. These participants will have more site-specific process training than others.

### 3. **SUBSTANCE ABUSE PROCESS**

#### **SUBSTANCE ABUSE POLICY**

ECCS requires all contractor employees to successfully pass an annual drug screening. Requirements listed below must be met before contractors will be allowed to perform work at any ECCS Member site. The intent of the policy is to assist in the continuance of a safe and productive workplace.

All contractors will be required to implement a substance abuse policy that requires annual testing, random testing, and testing for just cause.

There are several acceptable methods that can be utilized to meet the requirements of the substance abuse policy.

- A. The contract company must submit drug-screening documentation using the “Online Submission Form” on the North Dakota Safety Council’s ECCS Website.
- B. Labor unions/associations can submit drug screening documentation or the MOST card using the “Online Submission Form” for its members to the NDSC.
- C. If requested, the NDSC will arrange the drug screening. The drug screenings will be conducted by qualified technicians. The test will be a 10 panel certified lab test with a medical review officer reviewing all positive test screens.
- D. In the event of a positive test, the contractor will notify the NDSC in writing, within 24 hours, identifying that the employee is no longer qualified for unspecified reasons. Contractor employees who test positive will not be allowed to retest for 30 days.
- E. Contractor employees who refuse to submit to a drug test will be considered to have tested positive. If the laboratory identifies an adulterant in the sample, the test will be considered a refusal to test. In either case, the provisions of section “D” listed above will apply.

## **DOCUMENTATION OF DRUG SCREENS**

The North Dakota Safety Council (NDSC) maintains the documentation database for the ECCS Members. All drug screen results must be submitted to NDSC using the “ECCS Submission Request Form”. Drug screens and documentation must meet the criteria listed below.

- As of July 1, 2017, all specimens must be sent to a certified lab and have at least a 10 panel drug screen performed.
- Copies of results may be required before an individual is entered into the ECCS Database.
- Documentation of results should include the employee’s last 4 digits of Social Security Number, first name, initial of middle name, last name, and the date that they successfully completed the drug screening.
- Do not send positive test results because these do not meet the criteria for an approved worker in the ECCS.
- Proof of testing from a certified lab must be available upon request.

## **RAPID/QUICK TESTS**

All random, for cause and initial drug testing will be accomplished with a 10-panel test, as a minimum.

The contractor may use a “quickie” test that is rated at 99% or better accuracy and administered by a qualified person to initially get workers on site or for random sampling. Any quickie test sample must also be sent to a certified laboratory for full analysis.

Quickie test results should be sent to NDSC for entry into the ECCS Database. Quickie results are valid for 5 business days from the date of the sample. (“Business days” are the days between and including Monday to Friday and do not include public holidays and weekends.)

Contractors must notify NDSC once full analysis is complete from the certified laboratory to ensure the employee’s information remains in the ECCS Database. Quickie test results are not representative for annual drug testing results.

## **HIRING CRITERIA REQUIREMENTS**

To improve contractor safety performance at all the participating North Dakota Energy Coalition locations, the Energy Managers Association commissioned a review to identify opportunities and develop guidelines for all Energy Coalition members to help meet the objective of hiring safe and reliable contractors. One of the recommendations was to establish consistent selection and evaluation criteria for hiring and maintaining contractors with excellent safety performances.

The Energy Coalition members use hiring and selection criteria to select contractors for work in their facilities. At a minimum, the contractor's OSHA Incident Rates and Experience Modification Rates are reviewed in the hiring process.

- OSHA recordable rates of 3.00 or less are preferred
- Previous years' Experience Modification Rate (EMR) or Experience Modification Factor (EMF) of less than 1.00. (Submit letter from Workers Compensation provider to Coalition members.)
- Contractor's safety manual/policy evaluated at 100% by NDSC.

**ANY DEVIATION FROM THESE GUIDELINES REQUIRES THE INDIVIDUAL SITE'S COALITION PLANT MANAGER'S OR PLANT MANAGEMENT APPROVAL FOR HIRING.**

**TYPICALLY ONLY GRANTED IF THE CONTRACTOR IS THE ONLY COMPANY SPECIALIZED THAT CAN DO THE WORK OR IN EXTREME EMERGENCY CONDITIONS.**

**IF A PLANT MANAGER'S APPROVAL IS GRANTED, THERE MAY BE SPECIAL REQUIREMENTS THAT MUST BE MET BY THE CONTRACTOR BEFORE WORKING ON THE COALITION WORK SITE.**

### **5. THIRD PARTY AUDITS OF SAFETY MANUALS/POLICIES**

The ECCS requires that all contractors have a complete and workable safety manual in effect prior to commencing work on an ECCS property. The safety manual should be in compliance with Federal, State and/or local safety standards.

To streamline the initial phase of the contractor safety evaluation, ECCS has contracted with the North Dakota Safety Council (NDSC) who will act as ECCS's agent to review the contractor's safety and health program and assure that the contractor's manual is in compliance with all regulations.

The information your company provides will be evaluated by NDSC and the results will be provided to your company and the ECCS. The evaluation will document the existence and current condition of the contractor's safety and health program and may be utilized by the ECCS companies in its bid selection process. The document should be sent to [ECCS@ndsc.org](mailto:ECCS@ndsc.org).

The ECCS has subscribed to the services performed by NDSC under this program.

All contractors are expected to submit their safety programs to attain **100%** completion in all applicable safety categories.

**THE INITIAL COST OF NDSC PERFORMING THE THIRD PARTY AUDIT OF THE CONTRACTOR'S SAFETY AND HEALTH MANUAL WILL BE PAID FOR BY THE ECCS. IF SUBSEQUENT SUBMITTALS ARE REQUIRED, THE APPLICANT IS RESPONSIBLE FOR THE COST OF ALL THIRD PARTY AUDITS AFTER THE FIRST ONE.**

## **6. RECORD KEEPING**

After completion and submission of all required training and drug testing, the NDSC will maintain all employee records.

The "ECCS Annual Contractor Questionnaire" must be completed online and submitted to the NDSC by January 31st of each year. Failure to complete and return by this date may result in the termination of your approved contractor status and subject to administrative fee for re-instatement and must submit a new application.

## **7. SAFETY RECOGNITION**

The ECCS will annually recognize contractors for their safety performance. The recognition will be based on the minimum requirements below:

- Contractors must have worked a combined minimum of 3000 hours at any ECCS work site.
- An OSHA rate of 3.00 or less.
- A 100% compliance on their safety program submitted to NDSC.

## **BENEFITS OF CONTRACTOR SAFETY COALITION**

### **A. Employee Benefits**

1. All employees receive consistent safety awareness training through standardized format
2. The ECCS emphasizes:
  - a) Personal responsibility for safety
  - b) Increased safety awareness to prevent unsafe acts and correct unsafe conditions
  - c) Reduction in human pain and suffering through accident prevention
  - d) Increased worker productivity and morale

### **B. Contractor Benefits**

1. Cost effective safety training which reduces:
  - a) Accidents
  - b) Injuries
  - c) Production loss
  - d) Property damage
  - e) Direct and indirect cost
2. Eliminates duplication in safety training
3. Safety training and drug testing dates maintained at central location
4. Safety services available for technical assistance
5. Continuing education programs available to train contractor's supervisors
6. Increased level of contractor safety compliance with OSHA and ANSI standards

### **C. Owner Benefits**

1. Safer contractors/contract workers in plants
2. Shared cost of safety training with ECCS participants
3. Participation in continuing education program
4. Reduction of contractor accidents and injuries which could effect site operations and productivity
5. Improved public relations
6. Reduction in owner liability because of an increased level of contractor safety compliance
7. Represents a progressive, unified effort by the owners of the energy companies to improve the safety performance of contractors within the state of North Dakota.