

**OCCUPATIONAL
HEALTH AND SAFETY
OVERVIEW FOR
SUPERVISORS**

Presented by:
HUMAN RESOURCES
OCCUPATIONAL HEALTH & SAFETY
www.uwo.ca/humanresources

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Objectives

On completion you will:

- Understand the major duties, obligations, the role and responsibilities of a supervisor, employer and worker under the OH&S Act.
- Be aware of the kinds of accident prevention programs and services that are available on campus to assist and support you.
- Understand the positive impact that proper attention to health and safety has on improving productivity and quality of service.
- Be able to complete an accident/incident investigation report form.

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Very Brief History

- OH&S Act Passed in December 1978
- Came out of recommendations of the Ham Commission, from the uranium industry in Elliot Lake
- Was a significant Change in safety legislation in Ontario
- Involved workers, employers and government in making workplaces safer – together

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OH&S Act

- Part I Application
- Part II Administration
- Part III Duties of Employers and other Persons
- Part III.1 Codes of Practice
- Part IV Toxic Substances
- Part V Right to Refuse or Stop Work where Health and Safety in Danger
- Part VI Reprisal by Employer Prohibited
- Part VII Notices
- Part VIII Enforcement
- Part IX Offences and Penalties
- Part X Regulations

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What the Act Does

- Defines and identifies the workplace parties
- Identifies specific responsibilities of each of the workplace parties
- Establishes a mechanism and a structure within which each party can exercise their right and meet their responsibilities
- Provides for a set of regulations which applies to all workplaces, and a means of enforcing those regulations.

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General Principles

- A balance of rights and responsibilities
- Supports the concept of the Internal Responsibility System
- Charges under the OH&S Act require proof of innocence or due diligence, rather than of guilt
- Enabling legislation – paves the way for additional requirements

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OH&S Act

- Sets out the rights and duties of all workplace parties
- Based on the principle of “Internal Responsibility”
 - ideally involves everyone
- Provides for Worker Rights
 - Right to know (sections 9 & 10)
 - Right to refuse unsafe work (sections 43 to 49)
 - Right to participate through JHSC and to select representative (sections 8 & 9)
 - Right to stop work (sections 45 to 47)
- Establishes minimum standards
- Significant penalties and fines

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Balance & Responsibilities

- The Right to Know
 - The Responsibility to provide information
- The Right to Refuse
 - The Responsibility to make the workplace safe
- The Right to Participate
 - The Responsibility to participate at the JH&SC

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Bill C-45 - New Criminal Legislation affecting Workplace Safety

Bill C-45 establishes criminal liability for organizations and individuals when they fail to take reasonable steps to prevent workplace accidents that affect workers or the general public- conviction will result in a criminal record.

What's New – Key Elements

- The legal duty is similar to the general duty clauses currently found in the Occupational Health and Safety Act of Ontario. However, it elevates the penalty to the of a crime with a permanent criminal record.

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Bill C-45 - New Criminal Legislation affecting Workplace Safety

What's New (continued)

- It applies to “everyone who undertakes, or has the authority, to direct how another person does work or performs a task...”. Bill C-45 extends legal duties to a new level that could potentially apply from a co-worker up to the president.
- The requirement “to prevent bodily harm to that person, or any other person, arising from that work or task” goes farther than any current OH&S legislation in Canada. Bill C-45 casts the net to include all employees as well as the public that may be affected by the work or task.

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BILL 168

- Bill 168 is an Act to amend the Occupational Health and Safety Act so as to address workplace violence and harassment.

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Workplace Violence Defined

Workplace Violence is defined as:

- (a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- (b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- (c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

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Workplace Harassment Defined

Workplace Harassment is defined as:

“engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome”.

This is the same wording used in the Human Rights Code but Bill 168 harassment is not restricted to harassment based on prohibited grounds of discrimination such as sex, race or age.

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PROVIDE INFORMATION

- The Bill requires employers to provide information to workers, including personal information, of a person with a history of violent behaviour. An employer must provide this information if the worker can be expected to encounter that person in the course of his or her work, and the risk of workplace violence is likely to expose the worker to physical injury.

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The Right to Refuse to Work

- The Bill permits a worker to refuse to work or perform particular work where he or she has reason to believe that workplace violence is likely to occur. However, the OHSA currently prohibits certain workers, for example, hospital employees, from refusing work when unsafe conditions are inherent in the work or are a normal condition of employment. The Bill allows for a regulation to define when an unsafe condition is inherent in the work or is a normal condition of employment.

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How to Read the Act

Section → 29 (1) The owner of a workplace that is not a project shall

Subsection → (a) ensure that,

Clause → (i) such facilities as may be prescribed are provided
(ii) any facilities to be provided are maintained as prescribed

Subclause → (iii) the workplace complies with the regulation, and
(iv) no workplace is constructed, developed, reconstructed, altered or added to except in compliance with the Act and the Regulations,
and
(2) The owner of a mine shall cause plans, drawings, or specifications to be maintained and kept up to date not more than six months last past on such scale and showing such matters or things as may be prescribed.

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UWO Health & Safety Policy

- Affirms UWO's commitment to health and safety
- Deans, department heads and supervisors are responsible for health and safety in their areas
- Students, staff and faculty are responsible for following all safety requirements
- Safety committees will be established as required

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OH&S Act- Employer Duties

- Provide information, training, equipment, and PPE
- Maintain equipment
- Appoint competent supervisors
- Take every precaution reasonable in the circumstances for the protection of a worker
- Review at least annually a written OH&S Policy
- Provide results of reports respecting OH&S
- Establish medical surveillance programs
- Many, many more. Review OHS Act sections 25 and 26

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OH&S Act - Supervisor Duties

- “Take every precaution reasonable”
 - Same duty as employer because supervisor is agent for employer
- **Be familiar with the Act, UWO policies**
- **Advise workers of the existence of any potential or actual danger to the health and safety of the worker**
- **Ensure workers work in a safe manner and wear PPE**
- **Review duties listed in OHS Act section 27**

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Position Hazard Communication Form

- Supervisor must complete one for each worker
- Information on the Form will guide Supervisors as to what training a worker needs in order to work safely
- Information is reviewed by Workplace Health Physician who will determine if the worker must participate in a medical surveillance program.

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OH&S Act- Worker Duties

- **Comply with policies and procedures and OH&S Act and Regulations**
- **Wear PPE required by employer**
- **Report defects in equipment, contraventions of the Act and accidents**
- **Not to engage in any prank or operate any equipment in a manner that may endanger anyone**
- **Review OHS Act section 28**

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**Duty to Accommodate
Guideline**

- The duty to accommodate means eliminating disadvantage to employees
- Pursuant to its Employment Equity Policy , Western has committed itself to ensuring that each individual will have genuine, open and unhindered access to employment opportunities, free from systemic or other barriers

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**Duty to Accommodate
Guideline**

- “Accommodation”-refers to the design and adaptation of the work environment to the needs of as many types of persons as possible.

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**Duty to Accommodate
Guideline**

- Respect for the dignity of each individual in accommodating his or her needs
- Individual consultation
- Integration and participation for persons with disabilities
- Design by inclusion
- Removal of other barriers beyond the physical ones, including attitudinal and systemic

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Duties of Employer :

“When appointing a supervisor, appoint a competent person.”
Section 25 (2) (c)



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Health & Safety Committee Structure



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Due Diligence

- How can you apply it in your workplace?
- What do you think it means?



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**Due Diligence
General Principles**

- Be aware
- Be objective
- Be proactive
- Take note
- Take reasonable care

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Applying Due Diligence

- Be trained and have working knowledge of health and safety principles
- Hold regular meetings with those you supervise
- Carefully plan jobs, consider the hazards involved in a procedure and attempt to eliminate them
- Encourage two-way meetings between workers and yourself
- Ensure employees have necessary safety knowledge to perform the work

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**Applying Due Diligence -
Training**

- Identify your staff's training needs
- Ensure they have attended appropriate courses offered by OH&S - Employee Orientation, WHMIS etc.
- Provide site specific training on hazards specific to your work area where applicable

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Specific Training

- Equipment
- Procedures
- Others



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UNIVERSITY

Name: _____ Date: _____
 Supervisor: _____
 Course: _____
 Instructor: _____

List of specific training for all employees in the University system. Specific training is provided for each employee in the University system.

Employee Name Or Identifier	Contents	Date Completed	Specific Training Required (Signature Initials)

Please print or use computer for last name.

Signature of Supervisor: _____ Signature of Trainee: _____ Date: _____

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Internal Inspections

- Performed by Worker Representatives serving on the JHSC and OHS
- OHS issues orders to eliminate hazards in the workplace
- Supervisors should perform monthly inspections (inspection guidelines and templates are available on OHS web page)

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Designated Substances

- Acrylonitrile
- Arsenic
- Asbestos
- Asbestos (Construction Projects)
- Benzene
- Coke Oven Emissions
- Ethylene Oxide
- Isocyanates
- Lead
- Mercury
- Silica
- Vinyl Chloride



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OH&S Services

A team of specialists in...

- Training - www.uwo.ca/humanresources
 >Faculty/Staff > Health & Safety > Programs > Training
- Biosafety, radiation, hazardous materials, laboratory safety and WHMIS programs.
- Construction and Facilities Safety
- Personal Protective Equipment
- Initial accident/incident reporting
- First Aid

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Responsibility to Report Hazards

- NEW Hazards Reporting Procedure
- Tool to report hazards 
- Employee takes corrective actions if able and qualified
- Otherwise, corrective action initiated & follow-up on by Supervisor
- Ask OH&S for guidance if needed
- If longer than 20 days, employee informs Health & Safety Representative and/or JOHSC member

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Responsibility to Report Hazards

- Hazards Reporting Procedure, with form:

http://www.uwo.ca/humanresources/facultystaff/h_and_s/h_s_prog_index.htm

HAZARD REPORT

The University of Western Ontario provides all employees the opportunity to report health and safety hazards. Hazard reporting is a critical function of our employees and the University of Western Ontario depends on it.

Section A - Identification of a workplace hazard

Name of Employee	Date
Employee Signature	
Section B Signature	
Location/Building/Room/Room	
Description of Hazard	

Section B - Supervisor/Manager Completion (This Section)

Health & Safety Representative (H&S Rep) has been notified

Management Action (This section is to be completed by the supervisor/manager)

Management Action: None Corrective Action (Describe below) Investigation

Investigation: None Investigation (Describe below)

Signature: _____ Title: _____

Date: _____


*Follow up (Use only when corrective action has been taken)

Supervisor Signature: _____ Title: _____

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“Prevention is the goal, but ...” Accident/Incident Reporting Steps

- Employee (or co-worker) notifies Supervisor immediately of any injury or illness
- Get treatment for employee
- Ensure scene is safe
- Get details from employee
- Fill out Accident/Incident report within 24 hours and distribute
- Take corrective actions
- Notify persons in organization if needed
- Direct Supervisor follows up with employee (re: pain manifestation)
- Do accident/incident investigation



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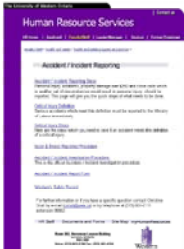
Accident/Incident Reporting



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For more Information...

- Website:
http://www.uwo.ca/humanresources/facultystaff/h_and_s/acc_inc/accident_inc_index.htm
- Accident/Incident Report Form
- Accident/Incident Investigation Procedure
- Injury & Illness Reporting Procedure



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Accident/incident Investigation: Steps

- Assess the scene
- Do interviews
- Determine contributing factors
- Write a report
- Initiate corrective actions
- Follow-up on corrective actions



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Purpose of Accident / Incident Investigations

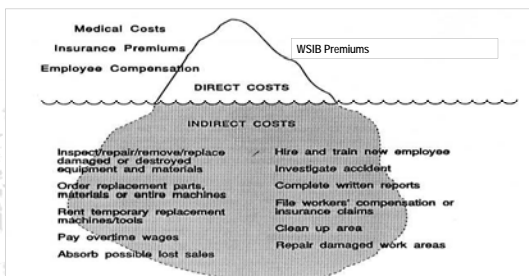


- To determine all the facts and contributing factors in the mishap
- To analyze the causes and take corrective action on the findings
- To ultimately prevent a similar mishap
- Do not attempt to find fault or lay blame during the investigation process

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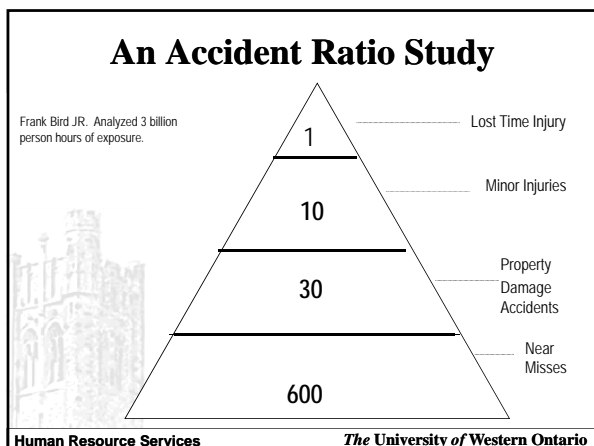
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Costs



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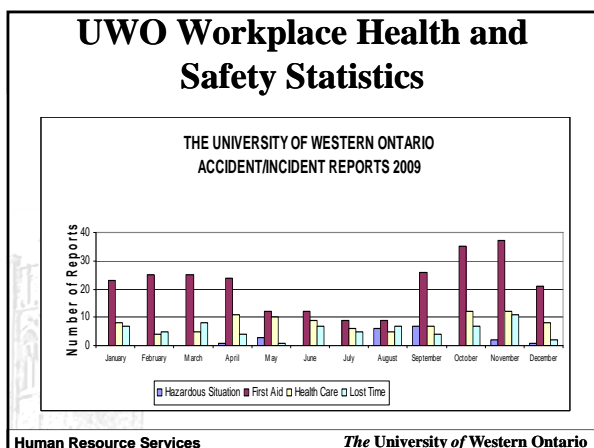
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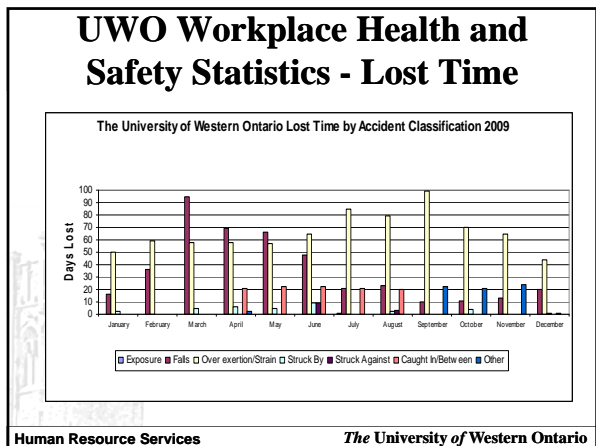


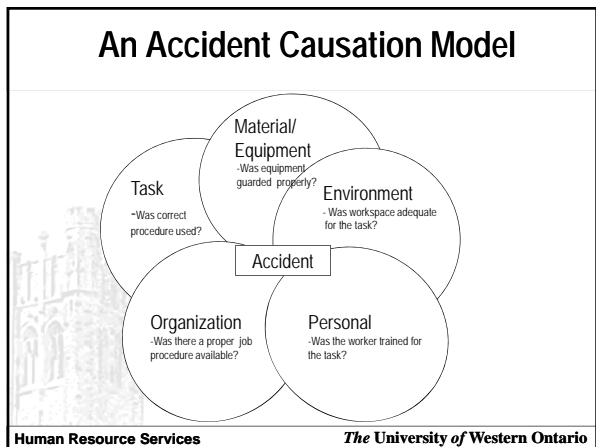
Management Responsibilities

- Chair, Unit Head have additional responsibilities
- Ensure Accident/Incident Investigation reports are done & faxed within one working day.
- Review all Accident/Incident Investigation Reports for his/her department & identify the causes or contributing factors.
- Ensure all corrective actions have been taken
- Assist or work in cooperation with OHS and/or the local health and safety committee and/or the Joint Occupational Health and Safety Committee as needed to correct or address identified matters of health and safety within his/her department.

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Links

- <http://www.e-laws.gov.on.ca/>
- <http://www.shs.uwo.ca/workplace/>
- http://www.uwo.ca/humanresources/leadermanager/recruit_orientation/r_o_index.htm

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Personal Action Plan

- Review employer, supervisor, and worker responsibilities
- Review potential hazards in area of responsibility
- Ensure precautions are in place for all hazards
- Complete a Position Hazard Communication form for each employee
- Ensure each employee has attended required OHS training
- Conduct hazard specific training in your area

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