

# Occupational Health and Safety Guide for **SUPERVISORS**

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## **Emergency Phone Number**

**Emergencies 911**

With the new telephone system on campus the new number for all emergencies will be the standard 911 number. There will be no need to add any prefix to switch to an outside line.

## **Urgent Situations Phone Numbers**

[Physical Plant - Work Control Centre](#) 661-3304 or 83304

[Occupational Health & Safety](#) 661-2036 or 82036

Staff Faculty Health Services 661-2047 or 82047

### **Important Phone Numbers**

St. Joseph's Health Centre 646-6100

Victoria Hospital, Emergency(Adult) 667-6529

University Hospital, Emergency 663-3197

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**Special thanks to the University of Toronto, Office of Environmental Health & Safety, for giving us permission to use their booklet "OH&S Guide for Supervisors" as a model to work from.**

# 1 Introduction

The purpose of this booklet is to provide you, the supervisors within the University, with an overview of your responsibilities in the area of occupational health and safety. It also aims to familiarize you with the resources available within the University, to assist you in fulfilling these responsibilities.

All members of the University community bear some degree of responsibility for health and safety in the workplace. However, supervisors also have legal obligations under the Ontario Occupational Health and Safety Act with respect to workplace safety and it is to the fulfilling of these legal obligations, that this booklet is directed.

All supervisors, academic and administrative, may be subject to penalties for violations of the Act and Regulations. Penalties imposed may be \$ 25,000.00 (maximum) and/or 12 months in jail.

Specific responsibilities of individual supervisors will depend to a large extent on the type of work being performed and on the size and nature of the work unit. A booklet of this type therefore cannot provide an exhaustive outline of the specific duties and responsibilities of every supervisory position. Not all of the material in this booklet will be applicable to all supervisors. The material on toxic substances will be primarily of interest to academic supervisors of laboratories and to others who work with hazardous chemicals and biological and physical agents. Where questions arise they should first be directed to your immediate supervisor.

[Occupational Health and Safety](#) and other support units within the University are available to assist you in fulfilling the health and safety responsibilities of your job.

## 2 Health and Safety Legislation

### [2.1 Occupational Health and Safety Act](#)

The Ontario Occupational Health and Safety Act is the primary legislation governing workplace health and safety. The purpose of the Act is to protect workers against health and safety hazards in the workplace. The Act applies to all facets of the operation of the University and to both academic and administrative staff.

The Act sets out the rights and duties of all parties in the workplace; it establishes procedures for dealing with workplace hazards, and it provides for the enforcement of the law where compliance has not been achieved voluntarily.

The Act is based on the principle of the internal responsibility system where the workplace parties - workers and employers - work together to identify and develop solutions to workplace health and safety problems. Ideally this system involves everyone from the Board of Governors of the University to the individual worker.

A number of provisions of the Act are directed at fostering this internal responsibility system. Among these are:

- " the requirement for employers to have a health and safety policy, and a program to implement the policy the placing of responsibility on officers and directors of a corporation to ensure that the corporation complies with the Act and regulations; (c) the requirement for joint health and safety committees in the workplace;

- " the specification of rights of workers with respect to workplace health and safety;
- " the imposition of general and specific responsibilities on employers, supervisors and workers

The Occupational Health and Safety Act also gives the government broad powers to make regulations setting out in detail how some of the duties of the various parties are to be carried out. It is therefore important that supervisors possess, in addition to a knowledge of the Act, a knowledge of those regulations which apply to the workplaces or operations under their control.

A listing of these regulations is provided in [Appendix 1](#).

At first glance it may appear that many of these regulations do not apply to the University. However, under the general provision in the Act which requires employers to "take every precaution reasonable in the circumstances for the protection of a worker" the [Ministry of Labour](#) may cite provisions in any of these regulations as a "reasonable precaution", and cause them to be enforced by a written order. The Regulation for Industrial Establishments has been used in this fashion on a number of occasions.

Any questions regarding specific details of the [Occupational Health and Safety Act and Regulations](#) and their interpretation should be directed to [Occupational Health and Safety](#).

## **2.2 Other Health and Safety Legislation**

There are a variety of other specific provincial and federal legislation, regulations and municipal by-laws of which supervisors may need to be aware, depending upon their particular job functions and the types of hazards with which they deal. A list is provided in [Appendix 2](#). To obtain details of this legislation and its application, contact [Occupational Health & Safety](#).

## **3 Supervisors and Workers**

The Occupational Health and Safety Act provides definitions of the various categories of person in the workplace and assigns specific duties and responsibilities to them.

### **Who is a Supervisor?**

A supervisor is anyone who has either charge of a workplace or authority over a worker.

This broad definition given in the Occupational Health and Safety Act is applicable in both the academic and administrative divisions of the University.

Thus in academic departments, individual faculty members or principal investigators may have charge of a workplace (e.g. a laboratory) or have some degree of authority over graduate students, teaching assistants, administrative staff, or other University employees. In such a case they are supervisors as defined in the Act.

Among the administrative staff of the University the supervisory role is generally more clearly defined and outlined in position descriptions.

## Who is a Worker?

A worker is a person who is paid to perform work or supply services. Thus all University employees are workers. In addition, where students are paid to perform work, for example, teaching assistants, they become workers under the Act.

It is the policy of the University that it will be a safe and healthful place to work and study. Therefore, although they may not meet the precise definition of worker, students should be afforded the same protection that would be afforded workers, under the Act.

## Who is the Employer?

The University of Western Ontario is the employer of full-time and part-time academic and administrative staff. The duties incumbent on the University as an employer are delegated to various levels of the supervisory staff. Many of the duties of the employer are exercised by senior administrators and supervisors such as:

Board of Governors  
President  
Vice-Presidents & Assistant Vice-Presidents  
Deans, Senior Directors  
Academic & Administrative Directors  
Budget Unit Heads, Department Chairs & Directors  
Managers, Supervisors

## 4 Duties of Supervisors and Workers

### Supervisors

Supervisors have a general legal duty to take **every precaution reasonable in the circumstances** to protect workers.

In addition, they have the following specific duties outlined in the [Occupational Health & Safety Act and Regulations](#):

1. Supervisors must be familiar with the provisions of the Occupational Health and Safety Act and Regulations, and the [University's health and safety policies and procedures](#), as they apply to the workplace under their control.
2. Supervisors must be knowledgeable about potential or actual health and safety hazards in the workplace and advise workers about these hazards.
3. Supervisors must ensure that equipment, materials and protective devices required by regulation are provided to workers and maintained in good condition.
4. Supervisors must ensure that workers follow workplace procedures and use protective equipment required by the University or by any applicable regulations.

5. Supervisors must provide information, instruction and supervision to a worker to protect the health or safety of the worker.
6. Supervisors must ensure that subordinate supervisors have or acquire knowledge of the Occupational Health and Safety Act and regulations and the University's health and safety policies and procedures pertaining to their workplace.
7. Supervisors must ensure that an up-to-date inventory is maintained of all designated substances, hazardous materials and hazardous physical agents present in the workplace.
8. Supervisors must ensure that all hazardous materials present in the workplace are identified and labelled in the manner prescribed by regulations such as the WHMIS Regulation.
9. Supervisors must ensure that material safety data sheets are readily available for all hazardous materials present in the workplace.
10. Supervisors must ensure that workers exposed to a hazardous material or hazardous physical agent [receive and participate in prescribed instruction and training](#).
11. Supervisors must ensure hazardous materials present in the workplace are disposed of in the [manner prescribed by University procedures and applicable regulations](#).
12. In the case of a workplace injury, supervisors must ensure that prompt medical attention is provided and must report the circumstances of the injury to [Occupational Health and Safety](#) within 24 hours.

## **Workers**

1. Workers must work in compliance with the provisions of the Occupational Health and Safety Act and Regulations.
2. Workers must use or wear protective equipment, devices, and clothing that the employer requires to be worn.
3. Workers must report to their supervisor the absence of, or a defect in any protective device of which they are aware, that may endanger themselves or another worker.
4. Workers must not remove or make ineffective any protective device required by the regulations or by the employer.
5. Workers must report to their supervisor any contravention of the [Occupational Health and Safety Act or Regulations](#) or the existence of any hazard of which they are aware.
6. Workers must not use or operate any equipment, machine, device or thing or work in a manner that may endanger themselves or any other worker.
7. Workers must not engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

## 5 University Policies - Summaries

Detailed copies of all University Health & Safety Policies are available in Occupational Health & Safety [and on their web page](#). The following is only a brief description of each of the policies.

### **Health and Safety Policy**

[The University of Western Ontario Health and Safety Policy](#) was approved by the Board of Governors in August 1993. The policy states the University's commitment to maintaining a safe and healthful environment in which to work and to study. It is reproduced in [Appendix 3](#).

### **Smoking Policy**

[The University of Western Ontario Smoking Policy](#) was developed to comply with provincial legislation and the by-laws of the City of London.

It is the policy of the University that smoking is prohibited in all University buildings with the exception of Designated Smoking Areas. This prohibition extends to private offices, which cannot be designated as smoking areas. All supervisors are responsible for the enforcement of this policy in the same manner as other University policies and rules.

### **AIDS Policy**

The purpose of the [University policy on AIDS](#) is to ensure fair and equitable treatment of any person who has AIDS or is infected by the human immunodeficiency virus (HIV).

The policy affirms the University's commitment to the Ontario Human Rights Code which prohibits discrimination against or harassment of any individual on the basis of handicap, including that caused by an illness such as AIDS. Employees may continue in their positions so long as they are able to carry out the essential requirements of the position in a safe and competent manner. Students unable to meet the requirements of a program and also employees experiencing difficulties will be accommodated insofar as is reasonably possible and/or academically feasible.

Supervisors are responsible for adhering to the AIDS policy in all dealings with staff and students. Reporting of concerns can be done through the immediate supervisor or Employee Relations. If confidentiality is desired, report concerns to a physician in Health Services (Student Health or Staff/Faculty Health).

### **[Policy on Emergencies](#)**

This general policy identifies for all individuals, the procedure to follow in cases of fire, accident, release of dangerous or hazardous materials to the air, and theft. It also specifies the appropriate department that an individual should contact in the event of any hazard or potential hazard.

Supervisors are responsible for adhering to the policy and ensuring their staff are familiar with and also adhere to the policy.

### **Preventative Health Program for Animal Handlers Policy**

This policy ensures that all staff, faculty, and students who are handling mammals and other animals are monitored at pre-placement, and at regular intervals by health screening for the presence of zoonotic diseases.

Compliance with the health screening is the responsibility of Deans, Budget Unit Heads, or individual researchers, to notify Staff/Faculty Health Services or Student Health Services.

### **Rabies Immunization Policy**

This policy is designed to ensure that all students, faculty and staff of the University, working with dogs, cats, and/or wild mammals receive protection from the rabies virus. The program includes health education, immunization, and on-going monitoring.

Personnel at risk are identified on a 'Position Hazard Form' to Staff/faculty Health Service.

Compliance with this policy is the responsibility of the Dean, Budget Unit Head, or individual Researcher.

### **Contaminated Biological Waste Disposal Policy**

The purpose of this policy is to ensure that all lab-generated waste, which may be contaminated with hazardous biological material, is rendered non-infectious prior to disposal. This policy is also meant to ensure safe methods of disposal that comply with regulations and legislation. It outlines decontamination procedures and methods of disposal as they relate to different types of hazardous biological material.

Supervisors (eg. Principal Investigators, Course Chairpersons) of research or teaching laboratories are responsible for complying with this policy. Laboratory personnel must also be informed of the known and/or potential hazards associated with all research projects.

### **Electrical Equipment Policy**

This policy is designed to ensure that all electrical equipment currently in use at the University, or purchased by, loaned to, demonstrated to, fabricated or modified by, or otherwise obtained by the University shall meet the provisions of the Power Commission Act of Ontario.

Compliance with this policy is the responsibility of the requisitioner (new equipment), the person responsible for the equipment (equipment on loan or in use for demonstration), or the Budget Unit Head (equipment currently in use).

### **Eye Protection Policy**

The purpose of this policy is to minimize the potential for eye injury, by the provision and use of the correct type of eye protection, in compliance with the Occupational Health & Safety Act. Eligibility criteria and procedures for obtaining approved safety glasses are outlined in the policy.

Supervisors of areas where potential eye hazards exist are responsible for ensuring that persons wear suitable eye protection in areas designated as such.

### **Food Service Employees Health Screening Policy**

This policy ensures that all University employees who work in food preparation areas are regularly monitored for communicable diseases and/or infections, required by legislation.

Compliance is the responsibility of the Director, Housing and Food Services.

### **Hepatitis B Immunization Policy**

This policy is designed to ensure that all students, faculty, and staff of the University who have direct patient contact, or who handle human blood, body secretions, tissue or other potential sources of infection, are made aware of the hazard associated with exposure to Hepatitis B virus and are offered immunization.

Compliance is the responsibility of the Dean, Budget Unit Head, or individual Researcher to inform Staff/Faculty Health Service by completing a 'Position Hazard Form' whenever a person under their jurisdiction requires human biohazard monitoring.

### **Occupational Health Care Policy**

This policy is designed to ensure that all occupational health care provided by the University to all employees (full-time, part-time, temporary) is provided through Staff/Faculty Health Service.

Compliance with this policy is the responsibility of the Dean, Director, Budget Unit Head, to ensure that all employees report to Staff/faculty Health Service for all required occupational health programs.

### **Policy and Procedure for the Resolution of Unsafe Conditions**

University employees, [Occupational Health & Safety](#), and the Safety Committees all share responsibility for identifying and recommending corrective action respecting unsafe situations which are, or could be, unsafe. In the case of observing an unsafe situation:

- 1) Persons in positions of authority, who are informed of unsafe situations by their staff or become aware of them directly, are required to initiate positive corrective action at once, or to refer the matter immediately to the next level of supervision.
- 2) Occupational Health & Safety may be used as a resource during any phase of this process.

### **Roof Maintenance Procedures Safety Policy**

This policy is designed to ensure that maintenance procedures performed on roofs of University buildings having fume cabinet exhausts, are performed such that employees in the vicinity of the outlets, are protected from exposure to toxic materials or emissions.

To meet the above requirements, a schedule will be developed between Physical Plant and the affected department chairperson(s). Fume cabinets will be shut down and tagged out as necessary. The Department Chairperson, PPD shop supervisor and the project co-ordinator are responsible for maintaining compliance with the policy and are responsible for their staff maintaining compliance with the policy.

## Respiratory Protective Equipment Policy

The purpose of this policy is to ensure that the correct respiratory protection is provided and properly used by personnel at the University as dictated by the use situation.

All supervisors are responsible for adhering to the requirements of this policy in the same manner as other University Policies and rules. [The Occupational Hygiene and Safety Training Management Specialist](#) or other qualified alternate in [Occupational Health & Safety](#) is responsible for assessing the circumstances of use and recommending the appropriate type of respirator. Engineering controls (e.g.. fume hood) are considered the best and primary means of protection and will be considered initially wherever possible.

Approved: March 1994

## **6 Joint Health and Safety Committees**

The University of Western Ontario as an employer is responsible under the Occupational Health and Safety Act for establishing and maintaining joint health and safety committees. These committees are advisory bodies composed of representatives of workers and management. They have as their primary functions the identification of workplace health and safety hazards and the making of recommendations to management with respect to workplace health and safety. In order to carry out these duties they perform regular inspections of the workplace.

Supervisors have the following responsibilities with respect to the joint health & safety committee:

- (1) be aware of the committee that covers their workplace and the names of the management and worker co-chairs of that committee;
- (2) where one of their staff is a member of the committee, to provide that individual with paid time off work to carry out his/her duties as a committee member; these include time off to prepare for and attend committee meetings, and to perform inspections of the workplace;
- (3) provide a member of a health and safety committee inspecting the workplace with such information and assistance as the member requires for the purpose of carrying out the inspection;
- (4) take action on remedying health and safety deficiencies in the workplace identified through committee inspections.

Supervisors who are the Administrative/Employer representative on a Joint Health and Safety Committee have the following additional responsibilities:

- (5) where a written recommendation is received from a joint health and safety committee, to provide a written reply to that recommendation within 21 calendar days.

**Note:** Supervisors are advised to consult with the [Director, Occupational Health and Safety](#) in the formulation of responses to committee recommendations.

## 7 Accident Reporting

All full-time, part-time, temporary, and training participant employees of the University are covered under the [Workerplace Safety Insurance Board Act](#) for injuries and illnesses resulting from their employment. Coverage includes payment for health care costs and loss of earnings due to time lost from work.

Under the Act, the University is obliged to report to the [Workerplace Safety Insurance Board \(WSIB\)](#), within three days of its happening, every accident to a worker which results in lost time from work past the day of the accident, or which necessitates health care from a medical facility or medical practitioner such as a physician, hospital, dentist, chiropractor or specialist.

The WSIB levies a fine of \$250 for late reporting of a lost time or health care claim. When the supervisor fails to report the incident to Occupational Health and Safety, within the required time, the fine will be charged to that Department.

It is therefore extremely important that all work related accidents, injuries, or occupational diseases be reported promptly, within 24 hours, to Occupational Health and Safety.

Supervisors are responsible for reporting all accidents, incidents and near misses on the University's form, "Accident/Incident Investigation Report". This form **must** be fully completed by the supervisor and signed by the Department Head or designate. Copies of this form are available from [Occupational Health and Safety](#).

If the supervisor has insufficient information to fully complete the form within 24 hours, the form must be forwarded to Occupational Health and Safety stating that the remaining information will follow later.

The University also requires that all accidents to students or visitors be reported on the same accident/incident form to Occupational Health and Safety.

Forward all Accident/Incident reports to:  
Occupational Health & Safety  
Room 60, Stevenson Lawson Building  
661-2036 661-3420 (Fax)

### Reporting of Critical Injuries

A critical injury is one of a serious nature which either places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or an arm; involves the amputation of a leg, arm, hand or foot; consists of burns to a major portion of the body; or causes the loss of sight in an eye.

Any critical injury must be immediately reported to [Occupational Health & Safety](#).

Supervisors are responsible for:

1. procuring immediate medical attention;
2. notifying the appropriate emergency services by calling 911
3. notifying Occupational Health and Safety (661-2036) immediately. Further reporting of the injury by OHS,

is required to the Ministry of Labour and the University's Occupational Health and Safety Committee.

4. ensuring that the site of the accident remains undisturbed and isolated, until all investigations are complete;
5. preparing a written report of the circumstances of the accident.

### **Continuation of Employment Benefits**

When a worker is injured in the course of employment, the employer must continue to make contributions for basic employment benefits for one year after the date of the injury.

### **Re-employment Obligations**

The re-employment obligations are time limited. The employer is obligated until the earliest of:

- a) two years after the date of the injury;
- b) one year after the date the Board notifies the employer that the worker is medically able to perform the essential duties of the worker's pre-injury employment; or
- c) the date the injured worker reaches 65 years of age.

Termination of the worker within 6 months following re-hiring under either circumstances will be deemed to constitute a violation of the re-hiring obligation.

### **Injuries While Outside of Ontario**

Staff members injured while performing their job outside of the Province of Ontario may be covered for benefits under the Workplace Safety Insurance Board Act. Ontario residents are automatically covered for up to six months while temporarily working outside of Ontario. If a staff member will be working outside of Ontario for longer than six months, an extension of coverage must be approved by the Workplace Safety Insurance Board.

Supervisors must notify the WSIB Co-ordinator of the names of all staff who are working outside of Ontario. Include details of the destination, reason for going, and length of stay. The WSIB Co-ordinator will seek approval for the extension of coverage from the WSIB and notify the Department, of approval.

Accidents occurring outside of Ontario must be immediately reported to the home Department. The home department must then notify Occupational Health and Safety.

## **8 Reinstatement of Injured Workers**

In the majority of cases, a worker with a job related injury or illness will return to work within a short period of time and be able to perform all of the normal duties of the job.

However, in some cases the injury may result in either a temporary or permanent disability which prevents the worker from performing some of the duties of the job. In this case, the re-employment provisions of the Workplace Safety Insurance Board Act take effect.

### **Temporary Disability**

In some cases, a worker may be temporarily disabled from performing all of the duties of his/her job and a temporary period of modified work may be required to re-integrate the worker back into the workforce. Supervisors are urged to do everything possible to accommodate injured workers during this temporary period of re-adjustment leading to resumption of full duties.

## **Permanent Disability**

Where the WSIB determines that the worker's disability will be permanent, the University is, within certain limits, under a legal obligation to accommodate and re-employ the worker. In fulfilling this obligation the University must accommodate both the workplace and the job to the needs of the worker.

Where the WSIB determines that the worker can perform the essential duties of the pre-injury job, the employing Department must either re-instate the worker in that job or offer the worker a similar job at comparable wages.

Where the WSIB determines that the worker cannot perform the essential duties of the pre-injury job but can perform some type of work, the University must offer that employee the first suitable job which becomes available.

In all cases of worker accommodation, job modification and reinstatement under the Workplace Safety Insurance Board, the WSIB Coordinator, the Occupational Health Physician and Rehabilitation Coordinator will work with the treating physician and the supervisor, to facilitate the process.

## **9 Resolution of Health and Safety Concerns and Work Refusals**

### **Right to Refuse Unsafe Work**

The Occupational Health and Safety Act gives a worker the right to refuse work that he or she believes is unsafe. This right to refuse may be exercised if the worker has reason to believe that:

- (a) any equipment, machine, device or thing he/she is to use or operate is likely to endanger himself/ herself or another worker; or
- (b) the physical condition of the workplace is likely to endanger himself/herself; or
- (c) any equipment, machine, device or thing he/she is to use or operate or the physical condition of the workplace is in contravention of the Act or regulations and such contravention is likely to endanger himself/herself or another worker.

There are limits on this right of refusal for certain classes of workers such as municipal and provincial police, fire fighters, and some health care workers.

The Act sets out specific procedures which are to be followed in a work refusal and it is important that supervisors understand this procedure.

**Note:** It is important that in any case of a work refusal Occupational Health and Safety be contacted as soon as possible to ensure that appropriate procedures are followed.

### **Prohibition of Reprisals by an Employer or Supervisor**

The Occupational Health & Safety Act prohibits the employer or persons acting on behalf of the employer from taking any action against a worker who has acted in compliance with the Act or any regulation. Specifically prohibited are:

- (a) dismissal or threats to dismiss;
- (b) discipline or threats to discipline;
- (c) imposition of any penalty; or
- (d) intimidation or coercion.

## **Procedure for Resolution of Health and Safety Concerns**

The procedures for handling health and safety concerns raised by staff members are divided into five Stages. An employee has the option of initiating the process at either Stage 1 or Stage 4. Where the process reaches or is initiated at Stage 4, the procedures are mandatory and are given in the Occupational Health & Safety Act. For convenience the procedures are summarized in the flowchart in Appendix 5.

It is hoped that all employees will initiate the process at Stage 1 and that supervisors will be responsive to health & safety concerns raised by staff members. However, an employee has the right to refuse work which he/she considers to be unsafe and to initiate the process at Stage 4.

At any stage of the process the supervisor and the employee may contact the Department of Occupational Health & Safety for advice and assistance in resolving the issue.

### **Stage 1**

#### **Expression of Concern**

1. Supervisors should encourage employees to discuss health & safety concerns with them. The supervisor and the employee should have a frank discussion of the concern and attempt to resolve the issue.

### **Stage 2**

#### **Referral to Line Management**

2. If the supervisor and the employee are unable to resolve the issue, the supervisor should refer the problem to the next level of supervision. If no agreement is reached at this level then the issue may either be referred to higher levels of management or to the joint health and safety committee.

### **Stage 3**

#### **Referral to Joint Health and Safety Committee**

3. Where an issue is referred to a joint health and safety committee by the employee or the supervisor, the committee should investigate the matter and submit its written recommendations to the responsible supervisor designated for that committee and to the Director, Occupational Health and Safety.

The responsible supervisor must respond in writing to the written recommendations of the committee within 21 days giving either a timetable for implementing the recommendations or stating the reasons why he/she does not agree with them.

### **Stage 4**

#### **First Formal Work Refusal**

The procedures to be followed in the event of a formal work refusal by a staff member are outlined in the Occupational Health and Safety Act. They are mandatory and supervisors are strongly urged to contact Occupational Health and Safety for assistance.

4. Where a worker reports his refusal to work or do a particular work to his supervisor, the supervisor shall

immediately investigate the situation in the presence of the worker and a member of the joint health and safety committee who represents workers. (Note: supervisors must have a member of Occupational Health and Safety present).

5. A written record of the occurrence and the results of the investigation must be made, and a copy sent to Occupational Health and Safety for their records.

6. Until the investigation is completed the worker shall remain in a safe place near his work station.

7. If the situation is resolved at this point, the worker will return to work.

8. The worker may continue to refuse to work if he or she has reasonable grounds to believe that the work continues to be unsafe. At this point the refusal continues to Stage 5.

### **Stage 5**

#### **Second Formal Work Refusal**

9. The worker, the responsible manager, or Occupational Health & Safety shall notify a Ministry of Labour Inspector, who will come to the workplace to investigate.

10. While waiting for the inspector, the worker must remain in a safe place near the work station, unless the responsible manager assigns some other reasonable work during normal working hours.

11. Pending the investigation and decision of the inspector, no other worker shall be assigned to do the work under dispute unless, in the presence of a member of the joint health and safety committee who represents workers, the second worker has been advised of the other worker's refusal and of the reasons for the refusal.

12. The inspector will investigate the refusal to work in the presence of a representative of the employer, the worker, and a member of the health and safety committee who represents workers. The inspector shall give his/her decision in writing.

## **10 Toxic Substances**

A toxic substance, as defined in legislation, is any biological, chemical, or physical agent whose presence or use in the workplace may endanger the health or safety of a worker.

There are a number of different types of regulations and guidelines, both external to and internal to the University, which relate to the control of toxic substances.

### **Designated Substance Regulations**

The Occupational Health and Safety Act provides for the "designation" of certain substances which are known to be particularly hazardous. Eleven substances have been designated under the Act with separate regulations for each substance. Each regulation requires that a written assessment be prepared to evaluate whether or not a worker's health is likely to be affected by exposure to that substance in the workplace. It may also provide for specific mandatory control measures.

The following designated substance regulations may apply to workplaces in the University. If your workplace

contains any of these substances or your staff may be exposed to them in the course of their work, Occupational Health and Safety should be notified of their presence and the manner in which they are used. This Office can assist you in preparing the written assessment.

- " Acrylonitrile
- " Arsenic
- " Asbestos (General Regulation)
- " Asbestos on Construction Projects and in Buildings and Repair Operations
- " Benzene
- " Coke Oven Emissions
- " Ethylene Oxide
- " Isocyanates
- " Lead
- " Mercury
- " Silica
- " Vinyl Chloride

### **Regulation to Control Exposure to Biological or Chemical Agents**

This regulation sets limits for the concentration in workplace air of some 600 toxic substances. Under most conditions of use within the University the values given here are unlikely to be exceeded. However, if there is any doubt, an assessment should be requested from Occupational Health & Safety.

The supervisor must ensure that exposure values are not exceeded.

### **WHMIS Regulation**

The Workplace Hazardous Materials Information System (WHMIS) Regulation regulates the use of hazardous biological and chemical agents in the workplace. Some aspects of this regulation with respect to inventories and safety data sheets for biological materials were not yet in force at the time of writing of this guide and supervisors should contact the appropriate support staff services, listed in Section 13 to determine the current status.

Under the WHMIS regulation managers and supervisors are responsible for:

#### **1. Identifying Hazardous Materials**

Hazardous materials are chemical and biological agents which fall into one of the following categories - compressed gas, flammable and combustible material, oxidizing material, poisonous and infectious material, corrosive material, or dangerously reactive material.

- (a) Supervisors must ensure that an up-to-date inventory, as prescribed by regulation, is maintained in the workplace of all designated substances and hazardous materials.
- (b) Supervisors must ensure that all hazardous materials present in the workplace are labelled in the manner prescribed by the WHMIS Regulation unless they fall into one of the exempt categories.

## **2. Providing Material Safety Data Sheets**

(c) Supervisors must ensure that material safety data sheets are available in the workplace.

A Material Safety Data Sheet contains specific information regarding the material identification and use of the material, hazardous ingredients, physical and chemical properties, hazards, toxicity, handling requirements, first aid measures, and disposal procedures for a hazardous chemical. Manufacturers and suppliers of hazardous chemicals are required to provide these to purchasers. There is a link from the [Occupational Health and Safety web page](#) to several MSDS data bases.

Occupational Health and Safety should be contacted for further information.

## **3. Training Workers**

(d) Supervisors must ensure that workers exposed to a hazardous material receive and participate in instruction as prescribed in the WHMIS Regulation.

The minimum training requirement is an introductory course on "WHMIS". Further specific training on a Departmental basis may be needed depending upon the specific workplace hazards. For further information contact Occupational Health and Safety.

### **Hazardous Physical Agents**

At the time of writing of this guide, there were no specific regulations relating to physical agents with the exception of x-rays and lasers. The Occupational Health and Safety Act requires an inventory of hazardous physical agents, but no such agents, (other than x-ray generating equipment and lasers), have as yet been designated by regulation. As this situation may change, supervisors should contact Occupational Health and Safety to obtain current information.

### **Regulations for Industrial Establishments**

Ontario Regulation 851 for Industrial Establishments made under the Occupational Health and Safety Act contains some provisions with respect to toxic agents. Specific provisions relate to confined spaces, hazardous rooms (rooms containing chemicals which may explode or cause fire), use of eyewash units and showers, temperature, and noise.

### **Radioisotopes and Radiation**

Canadian Nuclear Safety Commission Act and Regulations

This is Federal legislation which governs the use of all open and sealed sources of radioactive prescribed substances. All radioisotope users at the University must obtain an internal permit from the Radiation Safety Office, to purchase and use radioactive materials. Contact the OHS for further information.

### **Biohazardous Agents**

The Health Canada publication "Laboratory Biosafety Guidelines" 2<sup>nd</sup> Ed. 1996, has been adopted by the University of Western Ontario Biosafety Committee as the code of practice for University laboratories where biohazards are handled. Biohazardous, infectious agents are controlled substances under the WHMIS Regulation 860 of the Occupational Health & Safety Act of Ontario. Researchers using biohazardous materials must complete the University Biohazardous Agents Registry Form before starting their work.

For further information on laboratory procedures, practices and biosafety training, contact Occupational Health

and Safety.

### **Chemical Waste Handling/Disposal**

The University manages the disposal of chemical waste through the Environmental Services Lab, OHS. The specific procedures for dealing with hazardous chemical waste and chemical spills are provided in the [University's Hazardous Materials Management Handbook](#).

**It is illegal to discharge hazardous chemicals into the municipal sewer system in contravention of the requirements under the [Ontario Environmental Protection Act](#), the Ontario Water Resources Act and City of London Bylaw No. WM-2.**

The Environmental Services Lab will arrange for the collection and disposal of all hazardous chemicals. For further information contact Occupational Health & Safety.

## **11 Fire Safety**

Fire Prevention in Physical Plant, is the University's liaison with the City of London Fire Department in all fire related matters. The University workplace is required to comply with the Ontario Fire Marshall's Act, the Ontario Fire Code, and all other referenced codes and standards.

Supervisors must contact Fire Prevention to ensure that their workplace, or area of responsibility satisfies all Code requirements. This legislation applies to evacuation procedures, selection of proper fire protection equipment, the reporting of fire hazards, and any physical changes to the work environment.

Supervisors must also ensure that their staff are informed of the fire alarm procedures. Budget unit heads, Deans, and Directors are responsible for complying with fire orders written for their area or building.

Failure to comply with legislated requirements could result in fines, criminal charges, and/or summary conviction. Fire safety and prevention is everyone's responsibility

If you have any questions, concerns, or require information regarding fire safety, please call the Fire Prevention at ext. 88267 and request to speak to someone about fire safety.

## **12 Employee Health**

Staff/Faculty Health Services is dedicated to achieving and maintaining optimum quality of work life and personal well being for all employees. Supervisors are responsible for notifying Staff/Faculty Health Services of all new employees and for ensuring that the Position Hazard Communication Form (see Appendix 7) is completed for each of their employees. This form is the Department's communication to Occupational Health and Safety and to the employee, of the known potential hazards in the workplace. The Form must be completed 1) when a new employee is hired, 2) when an employee is reclassified, 3) when the hazards change and 4) when the position changes.

## **13 Resource Services**

This section outlines the major staff support services which are available to supervisors throughout the University, in Occupational Health & Safety or related areas.

### **1. Occupational Health and Safety**

Stevenson Lawson Building, Room 60

661-2036 or extension 82036

661-3420 (Fax)

- \* Accident/Incident Investigation & Reporting
- \* Asbestos
- \* Biological Agents
- \* Chemical Agents
- \* Chemical/Hazardous Waste Disposal
- \* General Safety Hazards
- \* Indoor Air Quality
- \* Radiation Safety
- \* Safety training programs
- \* Worker's Compensation

### **2. Fire Prevention**

Services Building, Room 118

661-3304 or extension 82267

661-2174 (Fax)

- \* Liaison with City of London Fire Department
- \* Fire Code interpretation, Building plan review
- \* Fire safety inspections, audits, consultation
- \* Fire risk analysis and Loss Control
- \* Fire education and training
- \* Procedures development Fire safety and evacuation plans
- \* Fire database info reports, statistics, inventory
- \* Fire alarm system testing
- \* Fire equipment selection, placement, cataloguing
- \* Fire equipment & extinguisher testing, inspection & maintenance

### **3. Staff/Faculty Health Services**

University Community Centre, Room 25

661-2047 or extension 82047

661-3380 (Fax)

- \* Employee health screening, immunization
- \* Occupational illness & injury treatment, rehabilitation
- \* Health hazard identification, risk counselling & preventative health strategies
- \* Fire staid training and Fire staid kit maintenance
- \* Maintain health records for occupational exposures and injuries

## **14 References**

1. University of Toronto, Office of Environmental Health & Safety "Occupational Health and Safety Guide for Supervisors"
2. University of Western Ontario Manual of Administrative Policies and Procedures
3. An Introduction to Occupational Health Care, Staff/Faculty Health Services
4. Physical Therapy Services, Staff/Faculty Health Services
5. Employee Assistance Program
6. U.W.O. Radiation Safety Manual Radioisotopes & Radiation
7. U.W.O. Hazardous Materials Management Handbook

## **Appendices**

### **Appendix 1**

#### **Regulations Made Under the Occupational Health and Safety Act**

##### Economic Sector Regulations

Construction Projects (O.Reg.213/91)  
Industrial Establishments (O.Reg.851)  
Mines and Mining Plants  
Critical Injury Defined (O.Reg.834)  
Diving Operations  
Elevated or Suspended Work Places on Building Facades  
Fire fighters' Protective Equipment  
Health Care and Residential Facilities (O.Reg.67/93)  
Oil and Gas - Offshore  
Roll-over Protective Structures (O.Reg.856)  
Teachers  
University Academics and Teaching Assistants  
Window Cleaning

##### Hazardous Substance Regulations

Designated Substance - Acrylonitrile  
Designated Substance - Arsenic  
Designated Substance - Asbestos  
Asbestos on Construction Projects and in Building and Repair Operations  
Designated Substance - Benzene

Designated Substance - Coke Oven Emissions  
Designated Substance - Ethylene Oxide  
Designated Substance - Isocyanates Designated Substance - Lead Designated Substance - Mercury  
Designated Substance - Silica  
Designated Substance - Vinyl Chloride

Control of Exposure to Biological or Chemical Agents

Hazardous Materials Inventories

Inventory of Agents or Combinations of Agents for the Purpose of Section 21 of the Act

Workplace Hazardous Materials Information System

X-Ray Safety

## **Appendix 2**

Other Pertinent Legislation and Regulations

Workers' Compensation Act (Ontario)  
Fire Stair Requirements

Ontario Fire Marshall's Act  
Ontario Fire Code

Ontario Building Code

Environmental Protection Act (Ontario)  
Air Pollution - General Regulation  
Waste Management - General Regulation  
Hauled Liquid Industrial Waste Disposal Sites  
Waste Management- PCB Regulation

Transportation of Dangerous Goods Act (Canada)

Dangerous Goods Transportation Act and Regulations (Ontario)

Hazardous Products Act (Canada)  
Regulations Respecting Controlled Products

Environmental Protection Act (Canada)  
Chlorobiphenyl Regulations  
Biotechnology Regulations

Environmental Contaminants Act (Canada)

Guidelines for the Management of PCB Wastes

Atomic Energy Control Act (Canada)  
Transport Packaging of Radioactive Materials Regulation  
AECB Regulatory Guides  
RED Act

American National Standards Institute (ANSI) Z136.1 - 1993  
"Standard for the Safe Use of Lasers"

Pest Control Products Act (Canada)

Pesticides Act and Regulations (Ontario)

Public Health Act

Public Hospitals Act

Healing Arts Radiation Protection Act (Ontario)

Smoking in the Workplace Act (Ontario)

City of London By-Laws  
WM-2

### **Appendix 3 HEALTH AND SAFETY POLICY**

#### **Effective 06AUG93 POLICY**

1.00 The University has an ethical as well as a legal responsibility to provide a safe environment in which to study and to work. In addition, the University strives to foster the development of a safety consciousness in all members of the University community for the purpose of minimizing the risk of injury to persons or the damage to property or facilities. As safety standards change the University is committed to keeping abreast of these changes, to communicating these standards within the campus, and to ensuring compliance on an ongoing basis.

2.00 The University will comply with all applicable Federal, Provincial and Municipal legislation with respect to health and safety. Legislated standards in health and safety are accepted by the University as minimum standards, and the University reserves the right to establish and enforce more stringent standards as may be considered appropriate, such policies being considered as binding upon all students, staff and faculty.

3.00 Deans, department heads, supervisors and others in positions of authority are responsible for safety in their assigned area.

4.00 Students, staff and faculty are responsible for complying with all applicable safety requirements.

5.00 The University will develop, implement and enforce health and safety policies and procedures under the authority of the University Health and Safety Policy, and through the structure of safety committees and Occupational Health and Safety.

## **UNIVERSITY HEALTH AND SAFETY COMMITTEE**

6.00 The University Health and Safety Committee is the senior safety committee of the University. It has the responsibility for reviewing the overall safety performance of the University, for recommending health and safety policy, and for overseeing the activities of any subcommittees reporting to it. This advisory committee reports directly to the President.

7.00 The scope of the University Health and Safety Committee is to evaluate and to develop policies and procedures and to deal with matters respecting the overall health and safety of the University community, its faculty, staff, students and the general public.

8.00 The membership of the University Health and Safety Committee shall be:

### 8.01 Voting Members

Vice President (Administration), who shall be Chair

Provost & Vice President (Academic)

Vice President (Research)

Assistant Vice President - Human Resources Division

Two Deans, at least one of whom must be from Engineering Science, Medicine, or Science, to be appointed by the Provost for three year terms (renewable).

### 8.02 Non-Voting Members

Director, Occupational Health and Safety, who shall be Secretary to the Committee

### 8.03 Resource Persons

AVP, Physical Plant & Capital Planning Services Division

Chairs, Subcommittees of the University Health and Safety Committee

Resource persons will attend only those meetings dealing with matters pertaining to their committees or departments.

9.00 The terms of reference of the University Health and Safety Committee shall be:

(a) To review health and safety related policies, practices and programs on a regular basis, including all regulations and guidelines legislated by external agencies, and to make recommendations to the President as appropriate.

(b) To review actions by its subcommittees, and to recommend to the President the appropriate method for hearing appeals of those decisions.

(c) To review and revise the health and safety subcommittee structure as required.

9.01 The University Health and Safety Committee may recommend the establishment of either permanent or temporary subcommittees as appropriate, or as required by legislation. The University Health and Safety Committee may also recommend the dissolution of such subcommittees, subject to the requirements of legislation. Such subcommittees may include, but are not limited to, subcommittees dealing with such speciality subjects as Radiation Safety, Biosafety, Fire Safety and Laboratory Safety.

9.02 Actions and/or policies recommended by subcommittees will be referred to the University Health and Safety Committee for review and approval, with the exception of actions and/or policies recommended by those subcommittees having legislated authority to act within the area of their jurisdiction. In those cases the University Health and Safety Committee will serve as a facilitating and co-ordinating body rather than as an approval body. Examples of such subcommittees include any Occupational Health and Safety Committees which are established as joint health and safety committees under the Occupational Health and Safety Act, and the Radiation Safety Committee as established under the Atomic Energy Control Act.

9.03 Health and safety policies recommended by the University Health and Safety Committee and/or approved by the President will be included in a University Safety Manual.

## **OCCUPATIONAL HEALTH AND SAFETY**

10.00 Occupational Health and Safety is recognized as a resource for the University community to assist all persons in positions of responsibility to meet their obligations in the provision and maintenance of a safe campus.

10.01 Occupational Health and Safety is the focal point for the co-ordinated administration of the University health and safety program, and is the University's representative in contacts dealing with the health and safety of students, staff and faculty, with such bodies as the Workplace Safety Insurance Board, the Occupational Health and Safety Division of the Ministry of Labour, the Atomic Energy Control Board, the Ministry of the Environment, the Public Health Unit, and similar agencies.

[Note: This is not to imply that other University departments that require routine contact with the above noted outside agencies are required to deal through the Occupational Health and Safety Department on matters that are handled routinely by the individual departments. Those departments are encouraged to maintain a dialogue with the Occupational Health and Safety in matters of mutual interest.]

10.02 Occupational Health and Safety has general responsibility for the communication to, and the education of, the University community regarding its obligations in health and safety, for the ongoing inspection of the campus for compliance with legislated and University standards, and for meeting operating responsibilities which may be assigned to the Department as appropriate.

10.03 Occupational Health and Safety has the general responsibility for developing and providing a wide range of training programs in order to meet the requirements of legislation with respect to health and safety education, and to ensuring that information relating to these programs is widely communicated to the University. It is the responsibility of the Deans, department heads, supervisors and other persons in authority to determine who among those reporting to them require training, and to ensure that those requiring training attend the appropriate programs.

10.04 Occupational Health and Safety has the responsibility for communicating University health and safety

policies, developed by the health and safety committee system and approved by the President, to the University community, for ensuring that such policies are distributed for inclusion in the University Safety Manual, and for enforcing compliance with such policies.

10.05 The Director of Occupational Health and Safety will prepare an annual report on the safety of the University campus for review by the University Health and Safety Committee and the Audit Committee of the Board of Governors.

**Appendix 4**

Accident/Incident Investigation Report

**Appendix 5**

Resolution of Health and Safety Concerns and Work Refusals part 1

Resolution of Health and Safety Concerns and Work Refusals part 2

**Appendix 6**

[Fire Alarm Procedures](#)

**Appendix 7**

Position Hazard Communication Form

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[Allan Hood](#)