

## Ingersoll Support Services Inc.

<b>Policy: Health and Safety Duties and Responsibilities</b>	<b>Policy # HS 2</b> Section: Health and Safety
<b>Reviewed and Effective:</b> June 26 2019 <b>Date of Origin:</b> March 2009	<b>Ministry requirement - OHSA</b>
<i>Ingersoll Support Services will ensure that all employees, supervisors and directors know their duties and rights under the Occupational Health and Safety Act.</i>	

### Procedure:

#### The Internal Responsibility System:

The internal responsibility system is an approach whereby each party in the workplace shares the responsibility of Health and Safety. The workers, supervisors and the employer collectively identify and correct hazards in the workplace.

*Note: in all HS policies and procedures, the term supervisor refers to both Team Supervisors and Managers. The term employer refers to the Director of Services, Executive Director and the Board of Directors.*

#### Employer Duties:

- Take every precaution reasonable for the protection of workers
- Cooperate with the Joint Health and Safety Committee (JHSC)
- Provide information to the JHSC
- Respond to recommendations from the JHSC
- Give the JHSC copies of orders or reports issued by the Ministry of Labour
- Report workplace death, injuries or illness to the JHSC
- Provide access to the Occupational Health and Safety Act
- Ingersoll Support Services will undertake all general duties under the *Occupational Health and Safety Act of the Province of Ontario* by:
  - Instructing, informing and supervising workers to protect their health and safety (Section 25(2)(a));
  - Assisting in a medical emergency by providing any information-including confidential to business information-to a qualified medical practitioner who requests the information in order to diagnose or treat any person (Section 25(2)(b));

- Appointing competent persons as supervisors (Section 25(2)(c));
- Informing workers, or a person in authority over workers, about any hazard in the work and training workers in the handling, storage, use, disposal and transport of any equipment, substances, tools, material, etc. (Section 25(2)(d));
- Helping committees and health and safety representatives to carry out their duties (Section 25(2)(e));
- Not employing workers who are under such age as may be prescribed or knowingly permit underage persons to be in or near the workplace (Section 25(2)(f) and (g));
- Taking every precaution reasonable in the circumstances for the protection of a worker (Section 25(2)(h));
- Visibly placing in the workplace a copy of the Occupational Health and Safety Act, as well as explanatory material prepared by the Ministry that outlines the rights, responsibilities and duties of workers. (Section 25(2)(i));
- Preparing a written occupational health and safety policy, reviewing that policy at least once a year and setting up a program to implement it (Section 25(2)(j));
- Visibly placing a copy of the occupational health and safety policy in the workplace, where workers will be most likely to see it (Section 25(2)(k));
- Providing the joint committee or the health and safety representative with the results of any occupational health and safety report that the employer has. If the report is in writing, the employer must also provide a copy of the relevant parts of the report (Section 25(2)(l));
- Advising workers of the results of such a report. If the report is in writing, the employer must, on request, make available to workers copies of those portions that concern occupational health and safety (Section 25(2)(m));
- Ensuring that every part of the physical structure of the workplace can support all loads to which it may be subjected, in accordance with the Ontario Building Code Act and any standards prescribed by the ministry (Section 25(1)(e)).

### **Supervisor's Duties:**

Ingersoll Support Services will ensure that all Supervisors perform all duties specified by the Act. Supervisor: means a person who has charge of a workplace or authority over a worker. Workplace: means any land, premises, location or thing at, upon, in or near which a worker works. All Supervisors employed by Ingersoll Support Services must:

- Ensure that a worker complies with the Act and regulations (Section 27(1)(a));
- Ensure that any equipment, protective device or clothing required by the employer is used or worn by the worker (Section 27(1)(b));

- Advise a worker of any potential or actual health or safety dangers known by the supervisor (Section 27(2)(a));
- If prescribed, provide a worker with written instructions about the measures and procedures to be taken for the worker's protection (Section 27(2)(b)); and
- Take every precaution reasonable in the circumstances for the protection of workers (Section 27(2)(c)).
- Supervisors will report incidents to the JHSC
- As specified by the Ontario Occupational Health and Safety Act, all Supervisors employed by Ingersoll Support Services must:
  - Ensure that a worker complies with the Act and regulations;
  - Ensure that any equipment, protective device or clothing required by the employer is used or worn by the worker;
  - Advise a worker of any potential or actual health or safety dangers known by the supervisor;
  - If prescribed, provide a worker with written instructions about the measures and procedures to be taken for the worker's protection;
  - Take every precaution reasonable in the circumstances for the protection of workers;
  - Do everything in their power to assist an inspector in the performance of his/her duties under the Act.

### General Duties of Supervisors

- Supervisors have the everyday responsibility of ensuring that work is completed safely, including that Personal Protective Equipment is available, sanitized and in good working order
- Supervisors must take note of unsafe actions and discipline the workers, where necessary, to prevent the recurrence of unsafe actions
- Supervisors should include a section on safety in their performance evaluations and score employees accordingly
- Supervisors should ensure that a copy of the Occupational Health and Safety Act is available for employees
- Supervisors must themselves model the appropriate safety behaviour
- Supervisors must ensure that any documents relating to Health and Safety are retained in the case of a request from the Ministry of Labour for documentation concerning the Health and Safety. Supervisors must order items when informed by the Health and Safety committee that the quantities are low (e.g. First Aid Supplies or lock out tag out supplies)
- Supervisors must be competent in the following areas:
  - Qualified through knowledge, training and experience to organize the work and its performance;

- Be familiar with the Act and the regulations that apply to the work being performed;
- Know about any actual or potential danger to health and safety in the workplace.

### Duties When Supervising New/Young Workers and/or Placement Students

- Supervisors must ensure that new employees are provided with a safety orientation to the workplace, prior to assigning duties to the new employees. This also includes any necessary safety training (i.e. WHMIS)
- Contact with a supervisor should be readily available to the worker in order that any questions can be answered promptly and aid provided when necessary
- The supervisor must also provide additional training on any tasks if it is requested by a worker
- Supervisors must ensure that they request only those employees who are certified to perform certain tasks. An expired certificate is not acceptable (i.e. NVCI, appropriate orientation). It is understood that not all Placement Students and/or Volunteers will have required certifications. Supervisors must therefore ensure that these individuals complete such tasks alongside a certified person
- Supervisors must ensure that young workers are informed of their rights and have participated in all of the necessary training prior to performing the task
- Supervisors must ensure that any directions they give are understood and do not have the potential to cause injury

### **Workers**

- Take responsibility for personal health and safety
- Work in compliance with the Occupational Health and Safety Act
- Report “near-misses” and safety concerns in the workplace
- Actively record and report items of concern related to health and safety on the monthly Health & Safety Checklist located in the red binder of their workplace. This includes recording and dating any follow-up or actions taken, as well as any maintenance conducted on the premises

### **Contractors**

- Responsible for the provision of a valid WSIB issued clearance certificate
- Responsible for knowledge of and compliance with the Occupational Health and Safety Act and its regulations
- Must report safety concerns in the workplace to the employer

## **Corporate Officers and Director's Duties**

- Must take all reasonable care to ensure that the corporation complies with the Occupational Health and Safety Act and its regulations
- Comply with orders and requirements of the Ministry of Labour

## **Certified Members' Rights**

- Conduct inspections
- Investigate dangerous circumstances and/or complaints
- Be present for investigations for refusal to work
- Can order the employer to stop work in certain circumstances
- The right to refuse work is limited for workplaces such as residential accommodation settings (see Policy HS 8b)