

CATEGORY: Human Resources

POLICY NO.:

SUBJECT: Roles and Responsibilities

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APPROVED BY: [Click here to enter text](#)

DATE: 13-Sep-17

PURPOSE

To ensure all workplace parties understand their roles and responsibilities under the Occupational Health & Safety Act (OHSA) and respective regulations.

DEFINITIONS

Director

Means an inspector under this OHSA who is appointed as a Director for the purposes of the OHSA.

Board of Directors of [Click here to enter text.](#) Family Health Team

Refers to a group of persons formed as a board to oversee and guide the FHT.

The employer, such as the Executive Director, may be considered “an officer of the corporation”.

Competent Person

A person who,

- Is qualified because of knowledge, training and experience to organize the work and its performance;
- Is familiar with the OHSA and the regulations that apply to the work; and
- Has knowledge of any potential or actual danger to health or safety in the workplace.

Employer

A person who employs one or more workers or contracts for services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.

Prescribed

As prescribed by a regulation made under the OHSA.

Manager/Supervisor

A person who has charge of a workplace or authority over a worker.

Volunteer

A person who occasionally or regularly carries out unpaid, beyond reimbursement of expenses, activities for [Click here to enter text.](#)

Worker

Means any of the following, but does not include an inmate of a correctional institution or like institution or facility who participates inside the institution or facility in a work project or rehabilitation program:

- 1. A person who performs work or supplies services for monetary compensation.
- 2. A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
- 3. A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.
- 4. A person who receives training from an employer, but who, under the *Employment Standards Act, 2000*, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met.
- 5. Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation;

Workplace

Means any land, premises, location or thing at, upon, in or near which a worker works

ROLES & RESPONSIBILITIES

All individuals in the workplace, at all levels and functions, are responsible for carrying out their duties and responsibilities as they pertain to health and safety.

Responsibility and authority can be delegated to subordinates, giving them the right to act for their superiors. However, the superior remains accountable for and ensuring delegated actions are carried out.

Board of Directors

Board of Directors as found in sections 32 of the OHSA

Every Board of Director of [\(Enter Your Organization Specific Content\)](#) [\(Click here to enter text.\)](#) shall take all reasonable care to ensure the corporation complies with: the OHSA and the regulations; orders and requirements of inspectors and Directors; and orders of the Minister.

Employer

Employer will perform the following:

- Workplace inspections
- Information sessions (safety talks, staff meetings, tail gate meetings)
- Accident / incident investigations
- Employee training
- Correct substandard acts or conditions
- Demonstrate due diligence

Employer responsibilities, as found in sections 25, 26 of the OHSA:

25. (1) An employer shall ensure that,

- a) the equipment, materials and protective devices are provided as prescribed;
- b) the equipment, materials and protective devices provided by the employer are maintained in good condition;
- c) the measures and procedures prescribed are carried out in the workplace;
- d) the equipment, materials and protective devices provided by the employer are used as prescribed; and
- e) a floor, roof, wall, pillar, support or other part of a workplace is capable of supporting all loads to which it may be subjected without causing the materials therein to be stressed beyond the allowable unit stresses established under the Building Code Act.

25 (2) Without limiting the strict duty imposed by subsection (1), an employer shall,

- a) provide information, instruction and supervision to a worker to protect the health or safety of the worker;
- b) in a medical emergency for the purpose of diagnosis or treatment, provide, upon request, information in the possession of the employer, including confidential business information, to a legally qualified medical practitioner and to such other persons as may be prescribed;
- c) when appointing a supervisor, appoint a competent person;
- d) acquaint a worker or a person in authority over a worker with any hazard in the work and in the handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent;

- e) afford assistance and co-operation to a committee and a health and safety representative in the carrying out by the committee and the health and safety representative of any of their functions;
- f) only employ in or about a workplace a person over such age as may be prescribed;
- g) not knowingly permit a person who is under such age as may be prescribed to be in or about a workplace;
- h) take every precaution reasonable in the circumstances for the protection of a worker;
- i) post, in the workplace, a copy of this Act and any explanatory material prepared by the Ministry, both in English and the majority language of the workplace, outlining the rights, responsibilities and duties of workers;
- j) prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy;
- k) post at a conspicuous location in the workplace a copy of the occupational health and safety policy;
- l) provide to the committee or to a health and safety representative the results of a report respecting occupational health and safety that is in the employer's possession and, if that report is in writing, a copy of the portions of the report that concern occupational health and safety; and
- m) advise workers of the results of a report referred to in clause (1) and, if the report is in writing, make available to them on request copies of the portions of the report that concern occupational health and safety.

25.(3) For the purposes of clause (2) (c), an employer may appoint himself or herself as a supervisor where the employer is a competent person.

25.(4) Clause (2) (j) does not apply with respect to a workplace at which five or fewer employees are regularly employed.

Additional duties of employers:

26. (1) In addition to the duties imposed by section 25, an employer shall,

- a) establish an occupational health service for workers as prescribed;
- b) where an occupational health service is established as prescribed, maintain the same according to the standards prescribed;
- c) keep and maintain accurate records of the handling, storage, use and disposal of biological, chemical or physical agents as prescribed;
- d) accurately keep and maintain and make available to the worker affected such records of the exposure of a worker to biological, chemical or physical agents as may be prescribed;
- e) notify a Director of the use or introduction into a workplace of such biological, chemical or physical agents as may be prescribed;
- f) monitor at such time or times or at such interval or intervals the levels of biological, chemical or physical agents in a workplace and keep and post accurate records thereof as prescribed;

- g) comply with a standard limiting the exposure of a worker to biological, chemical or physical agents as prescribed;
- h) establish a medical surveillance program for the benefit of workers as prescribed;
- i) provide for safety-related medical examinations and tests for workers as prescribed;
- j) where so prescribed, only permit a worker to work or be in a workplace who has undergone such medical examinations, tests or x-rays as prescribed and who is found to be physically fit to do the work in the workplace;
- k) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of a worker; and
- l) carry out such training programs for workers, supervisors and committee members as may be prescribed.

26.(2) For the purposes of clause (1) (a), a group of employers, with the approval of a Director, may act as an employer.

26.(3) If a worker participates in a prescribed medical surveillance program or undergoes prescribed medical examinations or tests, his or her employer shall pay,

- a) the worker's costs for medical examinations or tests required by the medical surveillance program or required by regulation;
- b) the worker's reasonable travel costs respecting the examinations or tests; and
- c) the time the worker spends to undergo the examinations or tests, including travel time, which shall be deemed to be work time for which the worker shall be paid at his or her regular or premium rate as may be proper.

Supervisor

Supervisor(s) will perform the following:

- Workplace inspections
- Information sessions and training for workers (safety talks, staff meetings)
- Accident / incident investigations
- Correct substandard acts or conditions
- Demonstrate due diligence

Duties of supervisor as found in sections 27 of the OHSA:

27. (1) A supervisor shall ensure that a worker,

- a) works in the manner and with the protective devices, measures and procedures required by this Act and the regulations; and
- b) uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn.

Additional duties of supervisor

27.(2) Without limiting the duty imposed by subsection (1), a supervisor shall,

- a) advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;
- b) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker; and
- c) take every precaution reasonable in the circumstances for the protection of a worker.

Workers and Supplied Labours

Duties of workers/supplied labours as found in section 28 of the OHSA

28. (1) A worker shall,

- a) work in compliance with the provisions of this Act and the regulations;
- b) use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
- c) report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
- d) report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.

28.(2) No worker shall,

- a) remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately;
- b) use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or
- c) engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

28.(3) A worker is not required to participate in a prescribed medical surveillance program unless the worker consents to do so.

Worker Rights

The OHSA gives *workers the following rights:*

- a) The Right to Participate
 - Workers have the right to be part of the process of identifying and resolving workplace health and safety concerns. This right is expressed through worker membership on joint health and safety committees, or through worker health and safety representatives.

- b) The Right to Know
 - Workers have the right to know about any potential hazards to which they may be exposed. This means the right to be trained and to have information on machinery, equipment, working conditions, processes and hazardous substances. The parts of the OHSA that implement the [Workplace Hazardous Materials Information System](#) (WHMIS) play an important role in giving workers the right to know.
- c) The Right to Refuse Unsafe Work
 - Workers have the right to refuse work that they believe is dangerous to either their own health and safety or that of another worker. They may also refuse work if they believe they are endangered by workplace violence. T
- d) The Right to Stop Work
 - In certain circumstances, "certified" members of a Joint Health & Safety Committee have the right to stop work that is dangerous to any worker.

TRAINING

Every employee will be trained in their respective roles and responsibilities under the OHSA.

EVALUATION

(Click here to enter text.) shall review annually the Roles & Responsibilities under the Occupational Health and Safety Act policy in consultation with the Joint Health & Safety Committee and Health & Safety Representatives.

Signature: _____

Print Name: _____

Date: _____