



Health and Safety Policy

VERSION 1.07

Last Modified: Sept 15, 2024

5. Health + Safety

5.1 Health + Safety Policy

Health and Safety Policy Statement

CCG is committed to providing a safe and healthy working environment for all employees and those involved in our projects. To fulfill this commitment, CCG is ultimately or ensuring that every reasonable precaution is taken for the protection of all employees. We will make every effort to maintain the highest level of safety standards.

All supervisors, employees and those involved in our projects will protect their own and fellow employees' health and safety by working in compliance with the government's current legislative requirements and safe work practices and procedures established by our company.

Supervisors are responsible for the health and safety of employees under their supervision. Supervisors will ensure that the machinery and equipment required by each employee is safe and that each employee is in compliance with established safe work practices and procedures for each piece of equipment. Employees will receive adequate training in their specific work tasks to protect their health and safety.

Every employee, subcontractor, and employee of a subcontractor must protect his or her own health by working in compliance with the law and with safe work practices and procedures as established by CCG. Your attitude and cooperation in the endorsement of accident prevention will assist in achieving our goal to make CCG a safer place to work.

At CCG the goal of our disciplinary program is to ensure that all employees understand the seriousness of our rules and safe work practices. Discipline will be kept positive and not used in a punitive or negative way. The goal of our disciplinary program is to correct the problem, action or behavior of the person. The type of discipline will fit the severity of the misconduct and will be conducted in private.

The following are types of disciplinary warnings that could be received:

1. Verbal warnings
2. Written warnings
3. Grounds for possible dismissal

Updated: Sept 15 2024

Cheryl Greene :



Date: Sept 15 2024

5.2 Health + Safety Responsibilities

Purpose

The purpose of this document is to ensure that all Senior Management, Supervisors, Employees, Visitors, and Health + Safety Representatives comply with their specific requirements within the health + safety program.

Standards + Procedures

To ensure understanding, review the following roles + responsibilities annually. If there are any changes, review the new responsibilities with all employees.

Employer/Senior Management Roles + Responsibilities

The Senior Management of Conestoga Contracting has the following health + safety responsibilities.

The Senior Management is committed to:

- Providing a healthy and safe workplace for all employees
- Providing a health + safety policy. Posting the health + safety policy in a high-traffic area. Reviewing the health + safety policy annually
- Developing and maintaining a health + safety program
- Providing information and training for a successful health + safety program
- Ensuring that all work is performed in compliance with current government legislation.
- Appointing competent supervisors
- Ensuring that equipment, protective devices and materials are provided and in good working order.
- Ensuring that operators comply with both the law and the health + safety program.
- Reviewing accident reports and responding as required
- Reporting injuries to the appropriate authorities
- Being visibility committed to making health + safety work.

Supervisor Roles + Responsibilities

The Supervisor(s) of CCG have the following health + safety responsibilities.

The Supervisor(s) are committed to:

- Implementing, supporting and enforcing the health + safety program at crew level
- Ensuring that all work is performed in compliance with current government legislation.
- Ensuring that the machinery and equipment required by each employee is safe and that each employee is in compliance with established safe work practices and procedures for each piece of equipment.
- Ensuring that employees properly wear protective safety equipment.
- Ensuring that employees are aware of potential hazards and outline appropriate safe-work procedures and training requirements.
- Correcting unsafe acts and unsafe conditions
- Conducting weekly safety meetings and site inspections
- Ensuring that injuries are treated and reported. Performing accident / incident investigations
- Setting an example by being safety conscious and insisting on safe work practices

Employees Roles + Responsibilities

The Employee(s) of CCG have the following health + safety responsibilities.

The Employee(s) are committed to:

- Working in accordance with the health + safety program and in a manner that will not endanger others.
- Ensuring that all work is performed in compliance with current government legislation.
- Using equipment and materials only in the manner intended
- Requesting the replacement of worn out, defective, or otherwise hazardous tools, equipment, and materials
- Using or wearing protective devices or clothing, as required by law and/or by the company health and safety program.
- Not removing or making ineffective any protective device without providing an adequate temporary protective device. When work is complete, original protective device must be replaced immediately.
- Assessing job-site safety and reporting hazards or unsafe working conditions to the Supervisor immediately
- Reporting all accidents, injuries and near-misses immediately to the Supervisor.
- Not engaging in any prank, contest, unnecessary exertion or boisterous conduct
- Helping new employees recognize job hazards and follow proper procedures.
- Providing recommendations to the Supervisor to improve health + safety.

Visitor Roles + Responsibilities

The Visitor(s) of CCG have the following health + safety roles and responsibilities.

To ensure the safety of all Visitors, the following responsibilities must be adhered to:

- Reading and understanding their health + safety responsibilities
- Signing in and out on the visitor sign in log
- Remaining with their designated host
- Wearing personal protective equipment when touring the jobsite or facility
- Not smoking anywhere on company property, including the jobsite
- Reporting immediately to your host any accident, injury or illness
- Not touching any company equipment or products without permission and/or supervision

Health + Safety Representatives Roles + Responsibilities

The Health + Safety Representatives of CCG have the following health + safety roles and responsibilities.

The Health + Safety Representatives are committed to:

- Ensuring personal education and knowledge meets or exceeds the definition of a competent employee, as defined by local regulations.
- Monitoring and ensuring compliance with current government legislation
- Scheduling and inspecting jobsites as required by local regulations to identify and correct hazards.
- Reporting hazards and making written recommendations to the Supervisor
- Attending and participating in weekly safety meetings
- Helping to implement the health + safety program.
- Assisting in accident investigation

5.3 Health + Safety Required Training

Course Name	Audience	Course Requirements
Certified Member	Members of the JHSC	<ul style="list-style-type: none"> ▪ Construction Health and Safety Representative ▪ Sector-specific certification ▪ Simulated Hazard Analysis
Chainsaw	Employees who use a chainsaw	<ul style="list-style-type: none"> ▪ Use of chainsaw

Compressed Air	<p>Employees who:</p> <ul style="list-style-type: none"> ▪ Appointed as superintendent of all work in compressed air at a project. ▪ Work with compressed air ▪ Designated as a lock tender and a back-up 	<ul style="list-style-type: none"> ▪ Competent person: knowledge, training and experience to organize work. ▪ Instructions and safe procedures ▪ Competent worker: knowledge, training and experience to perform the work
Cranes, Hoisting and Rigging	<p>Employee who can operate a crane or hoisting device that is capable of moving material weighing:</p> <ul style="list-style-type: none"> ▪ More than 7,260kg ▪ Less than 7,260kg <p>Employee who are involved with the hoisting operation of the cable-supported platform, bucket or basket.</p> <p>Employees who:</p> <ul style="list-style-type: none"> ▪ Designated by the professional engineer to inspect a crane for structural integrity. ▪ Visually inspects the crane and rigging for defects and the cable. ▪ Sets-up, assembles, extends, dismantles a crane or hoisting device. ▪ Designated as a signaler 	<ul style="list-style-type: none"> ▪ Hoisting Engineer certification training ▪ Training in the safe operation of the crane or hoisting device ▪ Instructions regarding requirements, restrictions, and hazards of the hoisting operation ▪ Competent worker
Drowning Protection	At minimum, two employees to perform rescue if an employee drowns	<ul style="list-style-type: none"> ▪ Rescue operation
Electrical Hazards	<p>Employee who can connect, maintain, modify electrical equipment/installations</p> <p>Employee who may be exposed to electrical shock/burn</p> <p>Employee who:</p> <ul style="list-style-type: none"> ▪ Designated as a signaler. ▪ Ensures a circuit is not inadvertently energized while work is being done. ▪ Perform rescue operation, including CPR 	<ul style="list-style-type: none"> ▪ Electrician certification training, or ▪ Permission under the Trades Qualification and Apprenticeship act or Technical Standards Safety Act ▪ Training in proper use of PPE ▪ Competent worker
Course Name	Audience	Course Requirements
Elevating Work Platform	Employees who inspect and/or operate an elevating work platform	<ul style="list-style-type: none"> ▪ Oral and written instruction, training and hands-on demonstration for the operation of elevating work platform

Equipment	Employees who inspect mechanically power vehicles, machines, tools and equipment (rated > 10HP)	<ul style="list-style-type: none"> Competent worker
Explosive-actuated Fastening Tool	Employees who use an explosive-actuated fastening tool	<ul style="list-style-type: none"> Training in use of tool
Excavation	Person who supervises the removal of a support system for the walls of an excavation	<ul style="list-style-type: none"> Competent person
Fall Protection	<p>Employees who use a fall protection system</p> <p>Person who:</p> <ul style="list-style-type: none"> Provides oral and written instruction and trains on the fall protection system. Inspects and tests the safety net prior to service. <p>Employee who inspects the:</p> <ul style="list-style-type: none"> Travel resistant system. Fall restricting system. Fall-arrest system. Horizontal lifeline system <p>Employee who installs the safety net</p>	<ul style="list-style-type: none"> Oral and written instruction Training in its use Competent person Competent worker
Fire Safety	Employees who may be required to use fire extinguishing equipment. Employee who inspects fire equipment	<ul style="list-style-type: none"> Training in use of fire extinguishing equipment Competent worker
First Aid	One employee trained in first aid for every five	<ul style="list-style-type: none"> Basic first aid training program Emergency first aid training program
Formwork	Employee who inspects formwork/falsework prior to concrete placement (designated by engineer)	<ul style="list-style-type: none"> Competent worker
Hazardous Material	Employees who work with or in proximity to a controlled substance	<ul style="list-style-type: none"> WHMIS training program
Personal Protective Equipment	Employees who use personal protective equipment, devices or wear protective clothing,	<ul style="list-style-type: none"> Instruction and training in the use and care of equipment, devices and clothing
Propane	Employees who use construction heaters or hand-held torches Employees who use propane fueled roofing equipment	<ul style="list-style-type: none"> Propane in Construction training program, or record of training Working Safety with Propane in the Roofing Industry training program, or record of training
Roofing	Worker who operates: <ul style="list-style-type: none"> A hoist used on a roof. A hot tar or bitumen road tanker or kettle 	<ul style="list-style-type: none"> Competent worker
Course Name	Audience	Course Requirements
Scaffolds	<p>Worker who:</p> <ul style="list-style-type: none"> Inspects the scaffold prior to use. Supervises the erection, alteration, and dismantling of a scaffold. Inspects mechanically powered suspended platform, suspended scaffold, or boatswain chair prior to use 	<ul style="list-style-type: none"> Competent worker

Signaler	Employee who is a signaler and assists the operator of a vehicle, machine, equipment or device	<ul style="list-style-type: none"> ■ Competent work, and ■ Oral and written instruction and training in his/her duties
Supervision	<p>A person who has been:</p> <ul style="list-style-type: none"> ▪ Appointed supervisor by the employer. ▪ Appointed supervisor's assistant. ▪ Appointed to inspect the workplace in place of the supervisor. ▪ Performs tests and observations for detection of hazardous conditions on a project 	<ul style="list-style-type: none"> ▪ Competent person
Traffic Control	<p>Employee who:</p> <ul style="list-style-type: none"> ▪ Sets up/removes traffic control measures on roadway or shoulder of a roadway ▪ Directs vehicular traffic 	<ul style="list-style-type: none"> ▪ Oral and written instruction to set up/remove traffic control measures. ▪ Competent worker ▪ Oral and written instruction to direct vehicular traffic, description of signals used. ▪ Competent worker
Vehicle	<p>Employee who operates a vehicle on a project</p> <p>Person who instructs/trains employee in the operation of a vehicle</p>	<ul style="list-style-type: none"> ▪ Competence to operate a vehicle. ▪ Competent person

Definition

Competent person: means a person who.

- a.) Is qualified because of knowledge, training, and experience to organize the work and its performance
- b.) Is familiar with the Occupational Health and Safety Act and the regulations that apply to the work, and
- c.) Has knowledge of any potential or actual danger to health or safety in the workplace
Occupational Health and Safety Act, Section 1

Competent worker: in relation to specific work, means a worker who.

- a.) Is qualified because of knowledge, training, and experience to perform the work
- b.) Is familiar with the Occupational Health and Safety act and with the provisions of the regulations that apply to the work, and
- c.) Has knowledge of all potential or actual danger to health and safety in the work
Construction Regulation, Section 1

5.4 Accident / Incident Report Investigation Policy

Accident / Incident Report + Investigation Policy Statement

CCG requires that all employees **report** injuries, accidents, near misses and incidents that result in property damage immediately to their Supervisor. Supervisors are required to report accidents promptly to management to ensure timely submission of reports to the appropriate bodies required by legislation. Once a report is submitted, CCG will **investigate** each accident/incident to determine cause and will implement corrective action to reduce or eliminate risk of re-occurrence.

Definitions

An Accident is defined as an unplanned event that causes harm to people or damage to property. Accidents are categorized as one of the following:

- Critical injury
 - Life in jeopardy
 - Unconsciousness
 - Substantial blood loss
 - Fracture of the arm or leg
 - Amputation of the arm, hand, leg or foot
 - Burns to the majority of the body.
 - Loss of sight
- Near miss – a situation where injury or damage did not occur but could have if the conditions were slightly different.
- Lost time injury – any injury that prevents the employee from coming to work the day following the injury.
- Occupational illness – employees' health is impaired, resulting from exposure in the workplace.
- Incident – property is damaged but no injury to employees.
- Medical aid – medical treatment is given by a doctor, but the injury only requires the day the injury occurred off.
- First aid – injuries that can be treated on the job without any days off.

Responsibilities

- Employees – Required to report all accidents / incidents immediately to their immediate Supervisor.
- Supervisors – Required to conduct initial investigation and submit reports using the Accident/Incident Report + Investigation Form.
- Management team – Required to determine if there is need, and if necessary, carry out a detailed investigation. They are also required to determine cause, recommend corrective action and report to owner.
- Joint Health and Safety Committee – Required to carry out a detailed investigation, identify hazards, determine cause and recommend corrective action. JHSC participation offers employees assurance that the investigation is a fact-finding not fault-finding exercise.
- Owner – Required to review all reports, determine corrective action and ensure the correction is implemented.

Procedure

1. The employee immediately reports a work-related accident to their Supervisor.
2. Administer first aid, as required. If medical aid is required, arrange transportation for injured.
3. Provided injured employee with Return-to-Work package as soon as possible after injury.
4. Eliminate the hazard, if possible or if employee is critically injured, preserve the accident scene.
5. The management team with the Health and Safety committee will immediately investigate the following types of accidents/incidents and complete an Accident/Incident Report + Investigation Form determining cause and recommending corrective action:
 - Fatalities
 - Lost time
 - Property damage
 - Environmental release
 - Critical injuries
 - Occupational illness
 - Fire

Investigate and review reports quarterly of the following types of injuries/accidents to determine any investigation needs:

- Health care
- First aid
- Near miss

6. Owner will review the Accident/Incident Report + Investigation Form and ensure corrective action is implemented. Copies will be sent to appropriate bodies.

Referenced Documents

- Accident/Incident Report + Investigation Form
- Return to Work package

5.5 First Aid Transportation Procedure

CCG will provide transportation to the hospital, doctor's office or employee's home, following an illness or injury.




Method of Transportation

CCG will provide the following illness/injury appropriate transportation:

- Preferred method of transportation is an ambulance, if required
- If an ambulance is not required, a taxi will be called, and taxi slips provided for the injured employee and the accompanying first aide or designate.

Refusal of Transportation

If the injured employee refuses transportation, the company will:

-  Offer an acceptable alternative method of transportation.
-  Stress the importance of accepting transportation to the hospital, doctor's office, or employee's home.
-  Call 911 to have medical attention administered on-site.

Responsibilities – Individual Accompanying the Injured Employee

1. Continue to administer first-aid, if required
2. Take injury package to the medical facility.
3. Maintain contact and provide updates to the company when the injured employee has reached their destination (hospital, doctor's office, employee's home)
4. Return to the company to provide follow-up and assist in the Accident/Incident documentation

5.6 Hazard Analysis Procedure

Purpose

The purpose of the hazard analysis is to identify potential hazards and to control or eliminate these hazards in the workplace.

Commitment to safety

CCG is committed to identifying and controlling or removing hazards in our workplace and on the jobsite. The hazard analysis will assist in determining:

- What are the steps in the work activity?
- What are the potential hazards in the work activity?

- What are the protective measures for the safety of our workers assigned to infrequently performed work activities?

Resources

To properly conduct a hazard analysis, the following resources could be consulted:

- Legislation
- Existing practices and procedures
- Previous accident reports
- Worker knowledge – unsafe conditions, known hazards.

Procedure for Completing a Hazard Analysis

1. Breakdown of work activity: (corresponds to column 1 – Hazard Analysis Worksheet)
Work activity is a segment of the operation necessary to advance the work.
 - Supervisor identifies the work activity for hazard analysis.
 - Supervisor in charge of the activity will breakdown the activity into steps in the correct sequence; with assistance from others as required

2. Identify potential hazards: (corresponds to column 2 – Hazard Analysis Worksheet)
Identify work activities with potential for injury and illness. Within these work activities, identify specific hazards that exist. Hazard identification is based on observation of the job, previous knowledge of accident and injury causes, and personal experience.
 - Potential hazards are identified for each work activity.
 - Examples of hazard types:
 - Chemical – compressed gas, controlled substances, flammables
 - Physical – vibration, noise, weather, heat, cold
 - Ergonomic – awkward body position, repetition, force, duration
 - Safety – material handling, inadequate machine
 - Examples of hazard sources:
 - People - actions
 - Equipment – production equipment, tools
 - Materials – raw materials, chemicals
 - Environment – noise, air quality
 - Processes – combination of all of the above

3. Hazard risk rating: (corresponds to column 3 – Hazard Analysis Worksheet)
The A, B, C classification system is used to assess the level of risk:
 - A – Imminent danger which requires immediate corrective action.
 - B – Hazardous condition or activity which is not imminently dangerous but should be attended to as soon as possible.
 - C – Low hazard. Generally, does not include machinery with moving part

Factors in assigning a job hazard rating include:

 - Accident frequency and severity Accidents occur frequently, or accidents occur infrequently but result in disabling injuries
 - Potential for severe injury or illness Consequences of accident, hazardous condition or exposure to harmful substances are potentially severe
 - Newly established jobs Hazards may not be evident or anticipated, due to the lack of experience

2. Initial the Hazard Reporting form

Forms

Hazard Reporting form

5.8 Lockout Procedure

Purpose

The purpose of a lock-out is ensure that all energy sources are isolated and effectively controlled prior to any work being done on or in close proximity to machinery or equipment.

Definitions

- Lock-out:** Physically neutralize all energies in a piece of equipment prior to performing maintenance or repair work. Lockouts generally involve:
- Stopping all energy flows
 - Locking switches and valves
 - Securing the machine, device or power transmission line in a de-energized state

Roles and Responsibilities

- Senior Management:**
- Develop tagging and locking procedure.
 - Ensure that tagging and locking procedure conforms to health + safety program.
 - Provide general and specific tagging and locking training.

Isolation Procedure for all Energy Sources

Prior to starting work on any machinery, equipment, or process, it is required to isolate the energy source using the five-step process: Lock, Tag, Clear, Try and Release.

Equipment removed from service because of safety concerns must be locked, tagged, cleared, and tried by the person in charge of the work to ensure that it cannot be used.

Step 1: Lock

- 1.1 Person in charge will notify all affected personnel of the extent and duration of the shutdown.
- 1.2 Person in charge will ensure that all machinery, equipment, process is shutdown, locked and tagged.
- 1.3 Employees working on or near equipment must place their assigned lock and tag at the lockout point(s). A lockout scissor clip may be required.

Step 2: Tag

- 2.1 Tag must be securely attached to each lock.
- 2.2 The must be made of non-conductive material.
- 2.3 The tag must include the words "DO NOT OPERATE", the name of the worker and date of lockout.

Step 3: Clear

- 3.1 The person in charge will clear the machinery, equipment or process of any hazards or people.

Step 4: Try.

- 4.1 The person in charge will try to activate the equipment once he/she is certain that all energy sources are locked-out, tagged and clear.

- a. Operate equipment controls to ensure the machinery, equipment or process will not activate.
- b. Return the machinery, equipment or process controls are returned to the off or neutral position after test.
- c. Relieve/restrain any residual/stored energy and ground electrical energy stored in capacitors.
- d. Visually check to determine energy sources have been neutralized and test with appropriate test equipment.

Step 5: Release

5.1 The person in charge will release the equipment for repairs once he/she has assessed that everything is properly locked out.

5.2 The individual employees lock, and tag must remain on any system until:

Repair of the system is complete and is safe to operate.

Responsibility for the system has been turned over to another employee and the lock and tag of the employee accepting the responsibility is securely attached to the equipment.

5.9 Personal Protective Equipment

In order to ensure that all employees are protected from hazards, where possible, it is policy that all employees on a CCG project wear the appropriate personal protective equipment (PPE) at all times.

Personal Protective Equipment (PPE) Responsibilities

Supervisors have a responsibility to ensure that:

- All employees and visitors on site wear:
 - Approved safety footwear
 - Approved hard hats.
 - Approved safety glasses
- Specialized PPE (welders' goggles, fall arrest equipment, respiratory protection equipment) is used when required.
- Employees are trained in the use and care of the PPE they are using.
- PPE is cleaned and inspected regularly.
- Defective or damaged equipment is removed from service.
- PPE requirements are communicated to all new hires, subcontractors and visitors to the site.

Employees have a responsibility to ensure that:

- They purchase and come to the site wearing:
 - Approved safety footwear
 - Approved hard hats.
 - Approved safety glasses
- PPE is worn whenever necessary.
- PPE is cleaned and inspected regularly.
- Defective or damaged equipment is removed from service.
- Participate in PPE training (fall protection, hearing protection, respirator usage)
- Not to remove or make ineffective any protective device required by regulation or employer.

Personal Protective Equipment (PPE) Procedures

Supervisor will give new hires an orientation. This orientation will include the use and care of PPE and any specialized training.

Supervisor will ensure that approved head protection (when required) and footwear is worn at all times by staff while on site.

All employees are responsible to report any hazardous condition.

The Supervisor is responsible for communicating that failure to comply with stated regulations will result in disciplinary actions.

Types of Personal Protective Equipment

Personal protective equipment falls into two categories:

Basic protective equipment

- Basic protective equipment must be worn at all times by all employees in the workplace.
- Basic protective equipment includes hard hat, safety glasses, safety footwear, safety vests and appropriate clothing.

Specialized protective equipment

- Specialized protective equipment should be worn for specific jobs or for protection from specific hazards.
- Specialized protective equipment includes welder's goggles, fall arrest equipment, respiratory protection equipment and specialized clothing.

Head Protection

Safety headwear is designed to protect the head from impact from falling objects, bumps, and contact with energized objects and materials. A hard hat that meets government legislation is required.

Eye and Face Protection

Safety eye and face protection is designed to protect the employee from flying objects and materials, molten metals, splashing liquids and visible radiation.

There are two types of eyes and face protection:

Basic eye protection

- Eye cup goggles
- Mono-frame goggles and spectacles with side shields

Face protection

- Welder's shields or helmets with specific cover
- Chemical and impact resistant face shields

Foot Protection

Safety footwear is designed to protect against foot hazards in the workplace. Safety footwear protects against compression, puncture injuries, and impact.

Safety footwear that meets government legislation is required.

Applicable Legislation

Refer to your local government current legislation.

5.10 Refusal to Work.

As part of an employee's general responsibility to ensure their own health and safety, every employee has a right under the Act to refuse to do any work that they believe is likely to cause them serious harm.

The Occupational Health + Safety Act (OHSA) states:

Refusal to Work.

- (3) A worker may refuse to work or do particular work where he or she has reason to believe that,
- (a) Any equipment, machine, device, or thing he or she is to use or operate is likely to endanger himself, herself, or another worker.
 - (b) The physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself; or
 - (c) Any equipment, machine, device, or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself, or another worker. R.S.O. 1990, c.0.1, s. 43(3)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Report of Refusal to Work

- (4) Upon refusing to work or do particular work, the worker shall promptly report the circumstances of the refusal to the worker's employer or supervisor who shall forthwith investigate the report in the presence of the worker and, if there is such in the presence of one of,
- (a) A committee member who represents workers, if any.
 - (b) A health and safety representative, if any; or
 - (c) A worker who because of knowledge, experience and training is selected by a trade union that represents the worker, or if there is no trade union, is selected by the workers to represent them.

Who shall be made available and who shall attend without delay? R.S.O. 1990, c.0.1, s. 43(4)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Worker to Remain Near Workstation

- (5) Until the investigation is completed, the worker shall remain in a safe place near his or her workstation. R.S.O. 1990, c.0.1, s. 43(5)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Refusal to Work Following Investigation

- (6) Where, following the investigation of any steps taken to deal with the circumstances that caused the worker to refuse to work or do particular work, the worker has reasonable grounds to believe that,
- (a) The equipment, machine, device, or thing that was the cause of the refusal to work or do particular work continues to be likely to endanger himself, herself or another worker.
 - (b) The physical condition of the workplace or the part thereof in which he or she works continues to be likely to endanger himself or herself; or
 - (c) Any equipment, machine, device, or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention continues to be likely to endanger himself, herself or another worker,

The worker may refuse to work or do particular work and the employer or the worker or a person on behalf of the employer or worker shall cause an inspector to be notified thereof. R.S.O. 1990, c.0.1, s. 43(6)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Investigation by Inspector

(7) An inspector shall investigate the refusal to work in consultation with the employer or a person representing the employer, the worker, and if there is such, the person mentioned in clause (4) (a), (b), or (c). R.S.O. 1990, c.0.1, s. 43(7)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Decision of Inspector

(8) The inspector shall, following the investigation referred to in subsection (7), decide whether the machine, device, thing or the workplace or part thereof is likely to endanger the worker or another person. R.S.O. 1990, c.0.1, s. 43(8)

(9) The inspector shall give his or her decision, in writing, as soon as is practicable, to the employer, the worker, and, if there is such, the person mentioned in clause (4) (a), (b), or (c). R.S.O. 1990, c.0.1, s. 43(9)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Worker to Remain at a Safe Place Pending Decision

(10) Pending the investigation and decision of the inspector, the worker shall remain at a safe place near his or her workstation during the worker's normal working hours unless the employer, subject to the provisions of a collective agreement, if any,

(α) Assigns the worker reasonable alternative work during such hours; or

(β) Subject to section 50, where an assignment of reasonable alternative work is not practicable, gives other directions to the work. R.S.O. 1990, c.0.1, s. 43(10)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Duty to Advise Other Workers

(11) Pending the investigation and decision of the inspector, no worker shall be assigned to use or operate the equipment, machine, device or thing or to work in the workplace or in the part of the workplace being investigated unless, in the presence of the person (12), the worker has been advised of the other worker's refusal and of his or her reasons for the refusal. R.S.O. 1990, c.0.1, s. 43(11)

(12) The person referred to in subsection (11) must be,

A committee member who represents workers and, if possible, who is a certified member.

A health and safety representative; or

A worker who because of his or her knowledge, experience and training is selected by the trade union that represents the worker or, if there is no trade union, by the workers to represent them.

R.S.O. 1990, c.0.1, s. 43(12)

Extracted from the OHSA s.43 – Right to Refuse or Stop Work Where Health or Safety in Danger

Entitlement to be Paid.

(13) A person shall be deemed to be at work and the person's employer shall pay him or her at the regular or premium rate, as may be proper,

For the time spent by the person carrying out the duties under subsections (4) and (7) of a person mentioned in clause (4) (a), (b) or (c); and

For the time spent by the person carrying out the duties under subsection (11) of a person in subsection (12). R.S.O. 1990, c.0.1, s. 43(13)

5.11 Joint Health + Safety Committee

Purpose

The Joint Health and Safety Committee (JHSC) can only function properly when the members representing employees and the members representing employers are committed to their responsibilities. The parties must cooperate to ensure these guidelines and the full intent of the Occupational Health and Safety Act will be carried out.

Establishment of the Joint Health and Safety Committee

It is required that a JHSC is established when the company employs twenty (20) or more regular employees.

Structure and Selection Process for the Joint Health and Safety Committee

It is required that:

- The JHSC consist of an equal number of members representing employees from different trades and management who are regularly employed by the company:
 - For companies with twenty (20) or more employees, the minimum membership is two (2) members.
 - For companies with fifty (50) or more employees, the minimum membership is four (4) members.
- In emergency situations, alternates may be named to replace members of the JHSC.
- Two (2) co-chairpersons are appointed:
 - One (1) representing the employees.
 - One (1) representing the management.

Employee Member:	<ul style="list-style-type: none"> ▪ An employee is selected by peers. ▪ An election by peers will be held to select the appropriate number of employee members
Management Member:	<ul style="list-style-type: none"> ▪ President/Owner will select the appropriate number of management members
Employee Certified Member	<ul style="list-style-type: none"> ▪ The employee members will decide who will become the certified employee member
Management Certified Member	<ul style="list-style-type: none"> ▪ The management members (JHSC) will decide who will become the certified management member
Replacement Process of Certified Member	<ul style="list-style-type: none"> ▪ The same process for selecting the certified members will apply
Selection of Employee Co-chair	<ul style="list-style-type: none"> ▪ The employee members will decide who will become the employee co-chair
Selection of Management Co-chair	<ul style="list-style-type: none"> ▪ The management members (JHSC) will decide who will become the management co-chair

Joint Health and Safety Committee Meetings

Frequency

The JHSC will meet quarterly or more frequently as necessary.

Meeting Agenda

The meeting agenda will be prepared and contain the minutes of the previous meeting for approval and other items pertaining to occupational health and safety on a project. All items raised from the agenda will be dealt with on the basis of concerns.

Minutes

The JHSC members will designate a recording secretary to:

- Record
- Prepare
- Distribute minutes.

The minutes will be reviewed, edited, approved, and signed by the co-chairpersons prior to distribution to the committee members.

Functions of the Joint Health and Safety Committee

Function

Main function of the Health and Safety representatives:

- Inspect the jobsite at least once per month, as required by the Occupational Health and Safety Act

Powers

In addition to the job-site inspections, Health and Safety representatives also have the power to:

- Identify potential hazards at the jobsite.
- Report findings and make recommendations about these hazards to the employer and other employees.
- Get information from the employer about testing of equipment and materials at the jobsite.
- Be consulted on testing and be present to ensure test results are valid.
- Inspect the scene of critical injury or death and report findings to a Ministry of Labor Director
- Be present during an investigation of a work refusal.

Additional Powers

Health and Safety representatives can become involved in other health and safety related activities:

- Help develop the company's health and safety policy and program.
- Promote employee support of the health and safety policy and program.
- Help develop health and safety rules and standards.
- Perform job hazard analysis.
- Assess the safety of new equipment, procedures or materials.
- Train employees on health and safety

Inspecting the Jobsite

Most of the Health and Safety representatives' powers and duties are related to three (3) main activities:

- Recognizing hazards
- Assessing hazards
- Recommending action to control hazards.

Recognizing hazards

Recognizing a hazard is the first step in controlling it. The following could help recognize hazards:

- Construction experience
- Health and safety training

- Knowledge of construction regulation
- Asking employees and supervisors for their input
- Being alert

2. Assessing hazards

Assessing hazards means to evaluate their significance. Once a hazard has been identified, assess its extent and severity:

- Determine the seriousness of the hazard and the urgency in fixing it.
- Examine which employees will be exposed to the hazard, and for how long.
- Decide how much worse the hazard would be due to other factors such as weather and heavy equipment.
- Identify the best-practice safety rules that apply to the hazard.

Recommending actions to control hazards.

Health and Safety representatives have the power to recommend controls to their employer when a hazard could harm employees.

To help recommend controls, consider where to apply the control:

- At the source of the hazard
 - Eliminate the hazard or use a safer substitute.
 - Enclose or isolate the hazard.
- Along the path between the hazard and the employee
 - Prevent the employee from getting to the hazard (e.g., guardrails)
 - Prevent the hazard from getting to the employee (e.g., welding screens)
- At the employee
 - Wear personal protective equipment.

Process for Written Health and Safety Recommendations

One function of the JHSC is to make recommendations for the improvement of the health and safety of the employees.

The following explains the process for submission of written health and safety recommendations:

1.	Who can submit recommendations	Joint Health and Safety Committee
2.	Recommendations are submitted to:	Employer
3.	What can be submitted:	Any health and safety recommendation to rectify a situation that is a potential hazard
4.	Time frame:	As soon as hazard is identified
5.	How:	In writing, using the Health and Safety Recommendations form

Know your Powers and Duties.

- Read sections 8 and 43 of the Occupational Health and Safety Act

5.12 Right to Participate JHSC

In compliance with current government legislation, all employees have a right to participate in matters affecting workplace health and safety. A condition of the Act which makes employees involvement possible is the requirement for a joint (labor and management) health and safety committee (JHSC).

Joint Health + Safety Committee

Workplaces that employ 20 or more employees on a regular basis have a legal requirement to form a Joint Health + Safety committee.

At minimum, the committee must have one (1) individual representing management and one (1) individual representing the employees.

Joint Health + Safety Duties

The following is a brief description of the Joint Health + Safety Committees duties:

- Meet, at minimum, once (1) every three (3) months.
- Record minutes of meetings
- Perform monthly inspections of work areas to identify hazards.
- Provide management with findings and written recommendations from monthly inspections.
- Support the Safety program
- Review inspection and accident reports

Right to Participate

To exercise your right to participate, contact management to join the Joint Health + Safety Committee.
