



SMALL BUSINESS GUIDE TO HEALTH AND SAFETY

Essential Tools and Information

Distributed for





**Small Business Guide to Health and Safety
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How am I doing now?

Before you continue, read the statements below and check those that are true for your organization.

- I am familiar with the OHSA and Regulations.
- I have a written health and safety policy posted in my workplace.
- I have a written violence and harassment policy posted in my workplace
- I have trained my workers in the hazards of the job, and what they should do to prevent injury.
- I have a reporting system in place so that employees can notify me of hazards and injuries.
- I have a process in place to return injured workers safely back to work
- I have emergency procedures in place, and employees are aware of their role.

Do you value excellence?

In organizations that value excellence, health and safety is integrated into every aspect of business operations and excellence in quality, safety, and productivity are compatible and mutually supportive.

INTRODUCTION

Every business in Ontario, regardless of the type, size or insurance coverage **MUST COMPLY** with the *Occupational Health and Safety Act (OHSA)* and its regulations.

A small business:

- Has fewer than 50 employees
- Can include childcare centres, private schools, small museums, physician/dental offices, physiotherapy clinics, small retirement homes or group homes, branch offices, municipalities and libraries
- Has limited time and resources for health and safety matters, and
- Works closely with their employees and recognizes the importance of developing their skills.

Common misconceptions:

- Serious hazards do not exist in small businesses
- Formal health and safety programs are not necessary
- Because our resources are limited, we are not required to put health and safety programs in place

Attention small business owners/operators:

- You are legally responsible for providing a healthy and safe workplace
- You must keep up with changes to legislation (OHSA)
- We recommend that you check out the Ministry of Labour (MOL) website www.labour.gov.on.ca.

This booklet is designed to make health and safety as easy as possible. PSHSA offers you a simple step-by-step process, including an easy to follow action checklist to help you to set up and maintain a basic health and safety program.

Why is Health and Safety Important?

- It's the law
- It's good business
- It improves productivity
- It reduces costs related to WSIB, lost-time and or illness/injury
- **AND it's the right thing to do!**

THE LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY ACT

What does the law require?

Under the OHSA, employers who employ more than five workers are required to take measures to ensure a safe workplace, such as:

1. Develop and review annually a health and safety policy and a program.
2. Develop and review annually a workplace violence and harassment prevention policy and program.
3. Know their responsibilities.
4. Communicate to workers their rights and responsibilities.
5. Ensure that a health and safety representative (HSR) is selected, or joint health and safety committee (JHSC) established, to perform inspections and audit the health and safety program.
6. Recognize hazards that exist in the workplace and assess and control all hazards that have the potential to cause injuries or illness.
7. Inform workers about hazards and provide training and equipment for workers to follow safe work practices and procedures at all times.

The Ontario Occupational Health and Safety Act (OHSA) and associated regulations set the minimum standard for all workplaces in Ontario.

The OHSA must be posted in an accessible location OHSA s. 25(2)(i)

When calculating the number of workers in the workplace, include both part-time and full-time staff. Organizations employing five or fewer employees must comply with items 2, 3, 4, 6 and 7 in the above list, unless otherwise directed. OHSA s. 8(2), 9(3), 25(4) and 32.0.1

Which regulations apply to my workplace?

- Review the regulations
- Decide if your workplace includes the hazards addressed in each regulation, and
- Familiarize yourself with each applicable regulation

For example, if your business does not use, store or handle WHMIS controlled materials, then sections 5-25 of the WHMIS regulation do not apply to you. WHMIS s. 4(1)

Who enforces the OHSA?

- The Ministry of Labour (MOL)
- MOL inspector can enter a workplace at any time, without notice and without a warrant however **must show current identification**
- May ask that a worker representative accompany him/her on a tour of the workplace. OHSA s. 54(3)

What happens if I don't comply?

Non-compliance with the OHSA or regulations may result in orders, fines and/or penalties. If convicted of an offence under the Act, an individual can be fined up to **\$25,000 per offence and/or imprisoned for up to 12 months**. The maximum fine for a corporation convicted of an offence is \$500,000. OHSA s. 66

Action items

- Post a copy of the OHSA and regulations relevant to your workplace (such as Health Care and Residential Facilities, Industrial Establishments, WHMIS, Critical Injury and First Aid).
- Review the sections of the regulations that apply to you. If you need assistance, contact your PSHSA Consultant.

If a charge is laid against a business or a person, the onus is on that business or person to **PROVE** that they took every reasonable precaution in the circumstances to prevent the accident/injury or illness from occurring. This is referred to as due diligence and an employer can demonstrate this by **KNOWING** the obligations under the OHS Act and showing that there was and is a functioning health and safety program in place.

Additional Resources:

- *Pocket Ontario OH&S Act & Regulations, consolidated edition*, containing Ontario statutes and regulations, can be purchased from PSHSA. Contact Head Office to order (877-250-7444) or <http://store.pshsa.ca/>
- Statutes and regulations can also be downloaded on an individual basis from www.e-laws.gov.on.ca
- Ontario Ministry of Labour, *A Guide to the Occupational Health and Safety Act*, revised, available to download from the MOL website.

RIGHTS AND RESPONSIBILITIES

The OHS Act is based on the concept of the *Internal Responsibility System (IRS)*, in which everyone in the workplace shares responsibility for health and safety according to their authority and ability. Since the employer has the greatest authority and ability, the employer bears the greatest responsibility for health and safety.



The employer can delegate but cannot transfer overall responsibility to other workplace parties.

Action item:

- Develop responsibility statements for the employer, supervisors and employees.

Under the OHS Act, a “competent” person means one who:

- is qualified because of knowledge, training and experience to organize the work and its performance,
- is familiar with the OHS Act and the regulations that apply to the work, and
- has knowledge of any potential or actual danger (hazard) to health or safety in the workplace.

Who is responsible for health and safety?

The OHS Act establishes formal roles and responsibilities for the three workplace parties: employers, supervisors and workers. It is the employer’s responsibility to make health and safety roles and responsibilities clear to ALL workplace parties.

The following are excerpts from the OHS Act sections 25-28 and 32.

EMPLOYERS (OHS Act s. 25, 26 & 32)

- Ensure that the equipment, materials and protective devices provided are maintained in good condition. OHS Act s. 25(1)(b)
- Provide training and supervision to protect the health and safety of the worker. OHS Act s. 25(2)(a)
- Appoint only *competent supervisors*. OHS Act s. 25(2)(c)
- Acquaint workers with all workplace hazards (ie. handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent). OHS Act s. 25(2)(d)
- Assist the HSR/JHSC in the carrying out his/her duties. OHS Act s. 25(2)(e)
- *Take every precaution reasonable* in the circumstances for the protection of a worker. OHS Act s. 25(2)(h)
- Prepare and review, at least annually, a written occupational *health and safety policy* and develop and maintain a program to implement that policy. OHS Act s. 25(2)(j)

- Prepare and review, at least annually a written Violence and Harassment Policy and develop and maintain a program to implement that policy OHSA. s 32.0.1 (1)
- Post in the workplace a copy of the OHSA and relevant regulations. OHSA s. 25(2)(i).

Examples of how to satisfy these requirements:

- Perform frequent workplace inspections
- Document safe work policies and procedures
- Observe workers to ensure safe work practices
- Correct substandard acts and conditions
- Conduct employee training
- Provide health and safety information to the HSR/JHSC including a summary of incidents occurring at the workplace
- Educate supervisors about the OHSA, regulations and hazards to ensure supervisor competency

SUPERVISORS (OHSA s. 27)

The *supervisor* must ensure that workers comply with the OHSA and regulations and the policies and procedures of the organization. Supervisors must advise workers, in writing if necessary, of actual and potential hazards. They must also provide ongoing instruction and training. **In many small businesses, the employer is the supervisor.** OHSA s. 25(3)

A supervisor shall:

- Advise a worker of the existence of any potential or actual danger to the health and safety of the worker of which the supervisor is aware. OHSA s. 27(2)(a)
- Ensure that a worker uses or wears the equipment, protective devices or clothing that the worker’s employer requires to be used or worn. OHSA s. 27(1)(b)
- *Take every precaution reasonable* in the circumstances for the protection of a worker. OHSA s. 27(2)(c)

In order to be considered competent, the supervisor must:

- Be familiar with the applicable legislation and regulations
- Be capable of organizing the workload in a safe manner
- Be able to evaluate job performance
- Be knowledgeable about actual or potential health and safety hazards
- Be able to communicate effectively with staff

WORKERS (OHSA s. 28)

To be able to fulfill their responsibilities, *workers* must know their responsibilities, have the authority to carry them out and have received adequate training.



Every worker actively contributes to the effectiveness of a health and safety program.

Take every precaution reasonable:

“Due diligence” in the workplace is closely linked to **taking every precaution reasonable** in the circumstances to protect the health and safety of all workers. It is the main defence available to a person or corporation charged with an offence under the OHSA, if they can prove they acted in a sufficiently careful and reasonable manner in the circumstances. **Documentation** is vital in establishing due diligence and demonstrating an effective health and safety program.

Workers must:

- Report hazards to a supervisor or the employer. OHSA s. 28(1)(c)(d)
- Work in compliance with the OHSA, its regulations, and the policies and procedures of the business. OHSA s. 28(1)(a)
- Wear personal protective equipment as required by the employer. OHSA s. 28(1)(b)

BOARD OF DIRECTORS (OHSA s. 32)

- Shall take all reasonable care to ensure that the corporation complies with the OHSA/ regulations, orders and requirements of Ministry of Labour inspectors and Directors, and/ or orders of the Minister.

Board of Directors must:

- Ensure an organization determines and applies proactive measures in the form of policies, procedures and programs to ensure the health and safety of workers in the workplace.

Downloadable Resources from PSHSA.ca

- Use the following Fast Facts to share information with workplace parties:
 - *Occupational Health and Safety Is Everyone's Business*
 - *The Leadership Factor: Occupational Health and Safety Begins With Us*
 - *Caught in the Middle: The Supervisor and Occupational Health and Safety*
 - *Empowerment and Self-Protection: Occupational Health and Safety for Workers*
 - *Board of Directors: Know your liabilities*

Reason to believe:

The worker does not need documented proof, such as a test result, that they are in danger in order to refuse work.

For example:

If there is a nauseating smell in the air the worker does not need to have a report stating that the concentration of a chemical in the air is above allowable limits.

What are the worker rights?

Workers have three basic rights under the OHSA:

1. Workers have the right to know:
 - About hazards in their job, like equipment, working conditions, processes, chemicals and violence
2. Workers have the right to participate:
 - Identify and report hazards to supervisors
 - Assist in resolving workplace health and safety concerns
 - Act in the role of HSR or as a JHSC member
3. Workers have the right to refuse work:
 - If they have *reason to believe* that the work may cause harm to any person OHSA 43(1-13)
 - If workplace violence is likely to endanger himself or herself OHSA 43(3)(b.1)

There are specific steps to follow in the event of a work refusal and all workplace parties should understand these steps.

Some workers have a **limited right** to refuse unsafe work. They cannot refuse if the hazard is inherent in the work, or if the refusal would directly endanger the life, health or safety of another person.

Downloadable Resources from PSHSA.ca

- Right to Refuse Unsafe Work Policy
- Right to Refuse Flowchart

Additional Resources:

The Ministry of Labour (MOL) website offers information on the work refusal process:

Chapter 7: The Right to Refuse Work
- A Guide to the Occupational Health and Safety Act.
<http://www.labour.gov.on.ca/>

Action item:

- Prepare a written policy outlining how the right to refuse unsafe work will be exercised at your workplace.

SEVEN STEPS FOR A HEALTH AND SAFETY PROGRAM

STEP 1: ESTABLISH A HEALTH AND SAFETY REPRESENTATIVE/ JOINT HEALTH AND SAFETY COMMITTEE

Depending on the size of your organization or the substances in use, you may need to have a health and safety representative selected or establish a joint health and safety committee.

- Businesses that have 6-19 employees must have an HSR; businesses with 20 or more employees must have a JHSC
- A JHSC shall have at least two members in a workplace with fewer than 50 workers, and at least four members in a workplace with more than 50 workers OHS s. 9(6)(a)(b)
- HSR/JHSC worker member must be non-management, selected by the workers or a trade union OHS s. 8(5) & 9(8)
- The JHSC member names and work locations must be posted in a place where all workers have access OHS s. 9(32)

Note that:

- The Ministry of Labour may order an employer to have an HSR even if five (5) or fewer employees are regularly employed OHS s. 8(2)
- A JHSC must be formed, regardless of the number of employees, if an organization is subject to an MOL order under OHS s. 33, or if there is a *designated substance* in use at the workplace. OHS s. 9(2)(c)

What is the role of the HSR/JHSC?

While the OHS places certain duties and responsibilities on the HSR/JHSC (OHS s. 8 & 9), it is important to understand that the day-to-day health and safety functions and corrective actions to be taken in the workplace are the responsibility of the employer, supervisor and worker.



The primary functions of the HSR/JHSC are to identify workplace hazards and to make recommendations to the employer regarding ways to control the hazards.

Action items:

- If an HSR/JHSC is required at the business, allow workers to select worker representatives.
- Post the name of the HSR/JHSC members.
- Develop a Terms of Reference to outline the processes for an HSR/JHSC.
- Ensure that an HSR receives training to enable him or her to effectively exercise the powers and perform the duties of an HSR. OHS s. 8(5.1)
- Ensure that JHSC members attend Certification training as required. OHS s. 9(12)

The HSR/JHSC is responsible for:

- Inspecting the workplace monthly OHS s. 8(6) and 9(26)
- Identifying health and safety hazards and making recommendations OHS s. 8(10) and 9(18)
- Assisting in critical or fatal incident investigations OHS s. 8(14) and 9(31)
- Making written recommendations for improvements OHS s. 8(12) and 9(20)

In addition to the above, the JHSC must meet at least once every three months at the workplace OHS s. 9(33)

The employer has the following obligations to the HSR/JHSC:

- Assist during a workplace inspection, incident investigation or work-refusal investigation OHS s. 8(9) & 9(29)
- Provide notice when health-and-safety-related tests are occurring, in order that the HSR/JHSC worker member may be present at the beginning of testing OHS s. 8(11)(a-b) & 9(18)
- Provide known information about existing or potential hazards OHS s. 8(11)(c) & 9(18)
- Allow the HSR/JHSC worker member to accompany a Ministry of Labour inspector OHS s. 54(3)
- Respond in writing to written recommendations within 21 days OHS s. 8(12) & 9(20)
- Include a timetable for implementing recommendations if accepted or reason for not accepting (employer is not required to implement all recommendations) OHS s. 8(13) & 9(21)
- Allow time from work to attend meetings and carry out HSR/JHSC duties OHS s. 8(15) & 9(34)
- Provide training to HSR/JHSC members as prescribed OHS s. 8(5.1) & 9(12)

PSHA recommends a Terms of Reference be developed for the HSR/JHSC to clearly outline the duties and responsibilities of the position.

Downloadable Resources from PSHA.ca

- Terms of Reference for HSR and JHSC
- Fast Fact - *Introduction to the JHSC*

Additional Resources:

Ontario Ministry of Labour, *A Guide for Joint Health and Safety Committees (JHSCs) and Representatives in the Workplace*, available to download from the MOL website.

STEP 2: POST DOCUMENTS

In support of the right to know, the *Occupational Health and Safety Act (OHSA)* requires that certain information be posted in the workplace in a conspicuous area. Other legislation such as the *Workplace Safety and Insurance Act (WSIA)* and the *Fire Code* also require documents to be posted.

Posting the following items in addition to those listed above is considered best practice:

- Workplace Inspection Reporting Forms
- Minutes of JHSC meetings
- Emergency procedures and evacuation plan

Required Postings	Legislation
Occupational Health and Safety Policy	OHSA 25 (2)(k)
Workplace Violence & Harassment Policy	OHSA 32.0.1 (2)
OHSA and Regulations	OHSA 25(2)(i)
“Health & Safety at Work: Prevention Starts Here”	OHSA 25(2)(i)
Guide to the OHSA	OHSA 25(2)(i)
Guide to the JHSC	OHSA 25(2)(i)
Name of HSR or JHSC members	OHSA 9(32)
MSDS information/binders	OHSA 38(5)
In case of Injury Poster (Form 82)	R.1101 1(1)(b)(i)
First Aid Certificates	WSIA
Fire Plan	Fire Code R. 454
Ministry of Labour Orders	OHSA 57(10)
Employment Standards Poster	OHSA 25 (3.1)
Emergency Services & Numbers	WSIA

STEP 3: ESTABLISH A HEALTH AND SAFETY POLICY AND PROGRAM

If an organization employs more than five people, the OHSA requires that the employer prepare a written health and safety policy and a program to support that policy. OHSA s. 25(2)(j) and 25(4)

What is a health and safety policy?

- A clearly written commitment by the employer to a high standard of health and safety and legal compliance
- A guide for the workplace parties to strive toward a common goal
- Outlines health and safety responsibilities of employer, supervisors, workers, contractors, clients, visitors and the general public

Since every business is different, a health and safety policy must be written to specifically suit the business. Note that organizations with five or fewer workers are exempt from preparing a health and safety policy.

Downloadable Resource from PSHSA.ca

- Health and Safety Policy

Action items:

- Write a health and safety policy for your business and review it at least annually. OHSA s.25(2)(j)
- Sign and date the policy, and post it in a conspicuous location where workers can see it and access it at all times. OHSA 25(2)(k)

What is a Health and Safety Program?

A health and safety program includes needs assessments, training and evaluation of the **hazards** that exist within the business.

<p>Program Needs Assessment (hazard assessment):</p> <ul style="list-style-type: none"> •Workplace walkthroughs and talking with worker •Analysis of injury and/or illness trends •Workplace inspections/ hazard reporting •Pre-program implementation (baseline) surveys •Review of incident investigations 	<p>Training:</p> <ul style="list-style-type: none"> •Orientation •During meetings •Hazard specific training •Annual or bi-annual reviews •Lunch and learns 	<p>Evaluation:</p> <ul style="list-style-type: none"> •Post program implementation surveys •Analysis of injury/illness data •Workplace inspections/ hazard reporting
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All programs should include risk/needs assessments, policies, procedures, training and evaluation

Some examples of Health and Safety programs that apply to a small business are listed in the following chart:

Program	Program elements	
WHMIS	<ul style="list-style-type: none"> •Chemical waste management •Use of antiseptics, disinfectants and decontaminants 	<ul style="list-style-type: none"> •Use of personal protective equipment (PPE)
Infection, prevention and control	<ul style="list-style-type: none"> •Biohazardous waste •Sharps disposals •Safety Engineered Medical Sharps 	<ul style="list-style-type: none"> •Immunization •Use of personal protective equipment (PPE)
Violence Prevention & Harassment	<ul style="list-style-type: none"> •Client aggression •Workplace bullying or harassment •Working alone 	<ul style="list-style-type: none"> •Domestic violence •Theft/vandalism •Use of personal protective equipment (PPE)
Musculoskeletal Disorder Prevention	<ul style="list-style-type: none"> •Safe materials handling •Office ergonomics •Client Handling Techniques 	<ul style="list-style-type: none"> •Safe lifting techniques •Use of personal protective equipment (PPE)
Machinery or equipment use	<ul style="list-style-type: none"> •Inspection procedures such as moving parts, pinch points and blades •Guarding 	<ul style="list-style-type: none"> •Lock-out/tag out Maintenance programs/schedules •Use of personal protective equipment (PPE)
Slips, Trips and Falls Prevention	<ul style="list-style-type: none"> •Maintenance programs for indoor/ outdoor walking areas including snow and ice removal/clutter •Spill clean-up practices 	<ul style="list-style-type: none"> •Using signs •Use of personal protective equipment (PPE)
Motor Vehicle Safety	<ul style="list-style-type: none"> •Fleet vs personal vehicle •Liability insurance •Defensive driving 	<ul style="list-style-type: none"> •Highway Traffic Act •Transfer Dangerous goods •Valid driver's license

Violence Prevention Legislation introduced in 2010

Workplace violence is an occupational health and safety hazard. As of June 15, 2010, the OHSA was amended to include requirements to address violence and harassment in the workplace.

These amendments require employers of six (6) or more employees to:

- Prepare a written workplace violence and harassment policy
- Put in place a workplace violence and harassment policy and program, and
- Develop and maintain a program to implement the policy.

If a violent incident occurs at the workplace, take the steps listed below:

- Obtain medical attention if required
- Complete incident reports, and any required reports to the MOL (critical injury or fatality) or WSIB reports, if applicable
- Report to police if the incident is a contravention of the Criminal Code
- Report to the HSR/JHSC/trade union OHSA 52(1)

Depending on the severity of the incident or the severity of the employee's response, consider the following actions as well:

- Debriefing by a skilled professional for the individual or the team as required, and
- Referrals to community agencies and/or the treating practitioner.

Downloadable Resources from PSHSA.ca

- Workplace Violence and Harassment Prevention Policy and Program
- Electronics Workplace Violence Risk Assessment Tools

Use the following PSHSA Fast Facts when developing policies and procedures:

- *Workplace Violence: Complying with the Occupational Health & Safety Act*
- *Workplace Hazardous Materials Information System (WHMIS)*
- *Hand Hygiene: Spread Protection, Not Infection*
- *Building a Successful Client Handling Program*
- *Musculoskeletal Disorders*

Additional Resources:

From the MOL Website

- Developing Workplace Violence and Harassment Policies and Programs: What Employers Need to Know
- Workplace Violence and Harassment: Understanding the Law

A Ministry of Labour Inspector may write an order for a workplace with five or fewer employees, requiring the employer to prepare written policies for workplace violence and/or workplace harassment, or to assess the risk of violence for the workplace.

OHSA s.55.1 and 55.2

Action items:

- Write a workplace violence and harassment policy and post it in the workplace where it can be seen.
- Complete a workplace violence risk assessment.
- Train employees on the content of the workplace violence prevention program.

STEP 4: WORKPLACE INSPECTIONS AND HAZARD CONTROL

Action items:

- Develop a process for documented inspections by the employer/supervisor and by the HSR/JHSC.
- Complete a written hazard assessment for the workplace.
- Share the hazard assessment with the HSR.
- Review the hazard assessment annually.

How do I conduct workplace inspections?

Workplace inspections are a key component to the Internal Responsibility System. The HSR/JHSC worker member is required to do monthly inspections and report hazards. OHS s. 8(6-7) & 9(23) These shall be scheduled and documented. Checklists or hazard recording forms are helpful.

Employers and supervisors must also conduct inspections in order to ensure that their workers are safe and to demonstrate due diligence. These inspections should be ongoing and documented on a regular basis. Such inspections include observing workers for compliance with safe work practices.

Downloadable Resources from PSHSA.ca

- Workplace inspection policy
- Workplace inspection checklist
- Workplace Inspection Report

Type of Hazard	Examples
<p>Musculoskeletal</p> <ul style="list-style-type: none"> • Client handling (lift, transfer or reposition) • Manual material handling (lifting, pushing, pulling, lowering) • Design or organization of work 	<ul style="list-style-type: none"> • Lifting people or materials improperly or without the use of lifting devices • Working in a static or awkward position • Moving/re-arranging furniture, pushing wheelchairs, carts, supplies, food, handling chemicals, wastes, etc. • Wrist injury from repetitious movement during keyboarding
<p>Chemical</p> <ul style="list-style-type: none"> • Solids, liquids or gases • Exposure to controlled, consumer, medical products, designated substances, etc. 	<ul style="list-style-type: none"> • Use of cleaning/laundry products in a client's home/office/workplace • Use of medical products or hazardous drugs to care for clients in the home
<p>Physical</p> <ul style="list-style-type: none"> • Excessive heat, noise or vibration exposure • Exposure to radiation from X-rays or lasers 	<ul style="list-style-type: none"> • Unwanted sound of 85 decibels or greater without hearing protection • Working in cold or hot areas where the body cannot easily maintain normal internal temperatures • Exposure to ionizing or non-ionizing radiation (such as UV light)
<p>Biological</p> <ul style="list-style-type: none"> • Pathogenic organisms (blood-borne pathogens) capable of causing illness or disease • Bacteria, viruses, fungi (moulds, yeast), parasites, plants 	<ul style="list-style-type: none"> • Exposure to persons who may be ill or carriers of pathogenic organisms • Exposure to organisms from raw meats or from eating foods improperly prepared, cooked or stored • Exposure to the potential of any biological hazards as a result of close contact, personal care and/or interaction with people • A needle stick or other sharps exposure
<p>Work Practice Hazards</p> <ul style="list-style-type: none"> • Failure to establish safe work practices or failure to follow safe work policies and procedures 	<ul style="list-style-type: none"> • Not wearing proper shoes, not wiping up spills immediately, improper use of cleaners, not diluting disinfectants as per procedure, not salting ice in winter, taking short cuts or risks that can result in injury, not following safe driving practices, etc.
<p>Energy Hazard</p> <ul style="list-style-type: none"> • Electricity • Steam, heat, chemical energy • Pneumatic pressure or hydraulic pressure 	<ul style="list-style-type: none"> • Any equipment that requires a lockout procedure. • Usually associated with maintenance or repair of equipment. • Frayed electrical cords or excessive equipment plugged into power bars • Steam/heat from autoclaves.
<p>Violence/Aggression</p> <ul style="list-style-type: none"> • Use of force or aggressive behaviour, including hitting, kicking, punching, pushing, slapping, pulling hair, biting, etc. 	<ul style="list-style-type: none"> • Can include anyone (children or adults) who can enter the workplace or come into contact with a worker on the job, while in a workplace, or travelling or working outside the facility • Animal attacks
<p>Machines/Equipment</p> <ul style="list-style-type: none"> • Moving parts • Pinch points • Blades 	<ul style="list-style-type: none"> • Any piece of a machine that is energized and can result in electrical shocks, moving parts that need to be guarded (such as shredders), sharp edges (such as metal edges of equipment), cutting tools, etc.
<p>Organizational stressors</p> <ul style="list-style-type: none"> • Excessive workload, role uncertainty, responsibility for others, job satisfaction, job security 	<ul style="list-style-type: none"> • Working short-staffed, working with inadequate resources, downsizing, minimal control over tasks, etc.

How do I control hazards?

To develop effective controls, apply them:

- **at the source**, by eliminating the hazard, introducing a less dangerous alternative material or process
- **along the path**, by placing the control between the hazard and the worker (such as guards or shields)
- **at the worker**, through the use of personal protective equipment or well-defined safe practices

Several control options may be available to choose from:

Engineering controls: Eliminate the hazard altogether, re-design the process, areas, tasks and/or equipment, substitute with a less hazardous substance or process, isolation or enclosure of the process, local exhaust ventilation, general ventilation, wetting-down processes, shielding, shock/vibration mountings and machinery or workplace re-design.

Work practice controls: These control methods involve activities such as ongoing worker education and training, written job procedures including details of the use of personal protective equipment, housekeeping programs, labelling, proper storage methods, hand hygiene, rules/standards compliance and behaviour reinforcement.

Administrative controls: These controls include re-scheduling workers to minimize the potential hazards of shift work, rotating workers to reduce the risk of musculoskeletal injuries, continual revision of inspection checklists to reflect the dynamic nature of the workplace, management support of health and safety initiatives, mandatory reporting of deficiencies/hazards and follow-up by supervisors to ensure that procedures are followed.

Personal Protective Equipment: This control measure occurs at the worker and involves the use of personal protective equipment such as gloves, masks, respirators, gowns or other barriers to protect the worker from coming in contact with a hazard that cannot be eliminated or enclosed.



Hazards that are not effectively controlled may lead to an incident resulting in worker injury!

STEP 5: INJURED OR ILL WORKER AND EMERGENCY PLANS

What do I do if a worker is injured/ill?

Plans need to be in place **before** an emergency occurs. Depending upon the size of your organization, first aid requirements (Reg. 1101) vary. If further medical treatment is required, the employer must provide and pay for transportation to the medical facility, and must also pay the worker the full day's wages.

The employer has a duty to *accommodate* workers with disabilities to the point of undue hardship. The employer should always attempt to return an injured worker to work as soon as possible. For the worker, carefully planned return to work with appropriate accommodations helps to speed recovery, maintain self-esteem and minimize dramatic changes in financial well-being. For employers, the benefits of return-to-work programs include cost containment, maintaining compliance with social and legislative obligations and maintaining quality of service through a stable workforce.

Talk to your PSHSA consultant if you need assistance setting up a return-to-work program suitable for your workplace.

Downloadable Resources from PSHSA.ca

- Fast Fact - *Occupational Illness: Requirements to Report to the Ministry of Labour*

Additional Resources:

For WSIB registered firms, review the information contained in the WSIB Fact Sheet - *How Do I Report an Injury or Illness to the WSIB?* (Including the Form 7) from the WSIB website.

What emergency plans do I need?

Emergency plans are procedures for dealing with such sudden unexpected situations as fires, explosions, major releases of hazardous materials, violent occurrences or natural hazards. The objective of the plans is to prevent or minimize fatalities, injuries and damage.

The plans should be in writing, readily accessible to all workers, and include specific responsibilities. The extent of the response will vary depending on the nature of the business and the types of emergencies that may exist. For most businesses, an emergency response program would include:

- Fire prevention
- Toxic gas leak or chemical spill
- Violent encounter
- Evacuation
- First aid

The employer should prepare a contact list of all workers and their home/cell phone numbers, with permission, to be used in the event of an emergency when this information must be quickly communicated.

Emergency contact numbers for fire, police, ambulance, etc. should be posted and readily available, including specific numbers, not only 911.

Accommodation is defined in section 17(2) in Human Rights Legislation:

“The commission, a board of inquiry or a court shall not find a person incapable unless it is satisfied that the needs of the person cannot be accomplished without undue hardship on the person responsible for accommodating those needs, considering the costs, outside sources of funding and health and safety requirements, if any.”

For fire prevention:

- Inspect fire equipment monthly and arrange for an external inspection annually
- Conduct and document regular fire drills
- Ensure fire equipment and exits are not blocked

For toxic gas leaks or chemical spills:

- Plan ahead by reviewing the material safety data sheets (MSDSs) for any gases and chemicals in use
- Develop spill-response procedures based on the information provided
- Obtain any specific spill clean-up materials needed
- Ensure staff are aware of the procedures for and location of equipment
- Make prior arrangements with an external company, if workers do not have the ability or capacity to deal with a leak or spill.

Action items:

- Prepare an emergency services contact list.
- Prepare a worker contact information list, with permission.
- Develop written emergency response procedures.
- Train all staff in emergency response procedures.
- Appoint a first aid responder and post his/her first aid certificate.
- Post Form 82 – “In Case of Injury” poster.
- Adopt a standard incident-reporting form for capturing this information.
- Prepare an annual summary of incidents.

For a violent encounter:

- Educate workers in what to do if confronted by a violent person
- Educate workers in how to minimize contact with a violent person
- Pre-program a speed dial for the police

For evacuation:

- Identify emergency exits
- Determine how clients will be evacuated
- List any equipment that needs to be powered down before leaving the building

For first aid:

- Ensure the first aid supplies required for the location based on the First Aid Requirements regulation 1101 under the Workplace Safety and Insurance Act
- Appoint trained first aid responders
- Document first aid events
- Conduct and record a quarterly inspection of the first aid kit

Every business requires a posted fire plan and at least one annual fire drill. Other emergencies that might require procedures include bomb threats, black or brown outs and floods.

Downloadable Resources from PSHSA.ca

- First Aid Policy
- First Aid Inspection Record
- Fast Fact – *First Aid*



All businesses, regardless of the size are required to have a first aid kit and a person on-site who has had St. John First Aid training or the equivalent.

STEP 6: INCIDENT/ACCIDENT REPORTING AND INVESTIGATIONS

What do I need to report internally?

Employers must record all incidents causing injury at the workplace. Prudent employers also document *near misses*, as these provide insight into potential hazards that, if corrected, can prevent incidents and injuries.

- Incident reporting procedures should be developed and reviewed with employees
- All employees should be encouraged to immediately report any hazardous conditions that they observe, as this is an effective method of preventing incidents and injuries.

Reviewing and analyzing reported hazards and incidents can indicate trends that are occurring in your workplace, as well as injury-prevention opportunities.

Downloadable Resources from PSHSA.ca

- *Employee Incident Report*
- *Organizational Analysis of Incidents*
- *Incident Reporting and Investigation Policy*

What do I need to report externally?

Incidents that result in medical aid or lost time from work must be reported to the WSIB using Form 7, the HSR/JHSC and the union, if any.

Incidents involving occupational illness, critical injury (as defined by regulation 834) or fatality require reporting to the Ministry of Labour in addition to the HSR/JHSC, union, if any, and WSIB.

The table on the next page outlines instances where internal and external reporting is required depending on the result of the worker incident. OHS s. 51 and 52

How do I investigate reported incidents?

A thorough and timely investigation of a hazard or near miss establishes **root cause before** an injury occurs. At that point, controls can be put in place to prevent further damage to a person, equipment or property.

All too often, investigations occur only after an injury has been sustained. In addition, supervisors conducting investigations are often doing so without having received the appropriate investigation training. This makes it difficult for them to sufficiently establish root cause. The result is often the identification of immediate rather than root cause.

For most incidents, the best person to conduct the investigation is the supervisor or employer. However, the HSR/JHSC should be part of the investigation of critical injuries or fatalities. OHS s. 8(14) & 9(31) As a result, the HSR/JHSC would also benefit from training.

Near misses are incidents or hazardous conditions that did not result in injury, but could have under different circumstances.

For instance, an employee trips on a wrinkle in the carpet but does not fall. If this is reported, the carpet can be fixed. If it is not identified as a hazard, perhaps next time someone will trip and fall sustaining an injury.

Type of Injury/ Definition	Workplace Example(s)	Reporting Requirement
<p>Medical/Healthcare Aid:</p> <p>The injury results in a visit to a doctor, dentist or other healthcare provider for the purpose of diagnosing and prescribing medical care as a result of an injury at work.</p>	<ul style="list-style-type: none"> • A cut that requires stitches • Physiotherapy for a neck injury from awkward posture • Medical follow-up to a needle stick injury • An employee was bitten by a client and needed to see a doctor for follow-up 	<p>Written notice to the HSR/JHSC and trade union, if any, within four days of the occurrence, containing the required information.</p> <p><i>Note:</i> WSIB Form 7 reporting requirements</p>
<p>Lost-time Injury:</p> <p>An employee does not return for their next scheduled shift due to inability to work resulting from an injury that occurred in the workplace.</p>	<ul style="list-style-type: none"> • A severe back injury from lifting a heavy piece of equipment • An employee was hit on the head by a client 	<p>Written notice to the HSR/JHSC and trade union, if any, within four days of the occurrence, containing the required information.</p> <p><i>Note:</i> WSIB Form 7 reporting requirements</p>
<p>Occupational Illness:</p> <p>A condition that results from exposure in the workplace to a physical, chemical or biological agent.</p>	<ul style="list-style-type: none"> • Occupational asthma from ongoing exposure to latex • Skin sensitization from long-term exposure to a chemical 	<p>Written notice to the MOL, HSR/JHSC and trade union, if any, within four days of being notified by the employee of the occupational illness containing the required information.</p> <p><i>Note:</i> WSIB Form 7 reporting requirements</p>
<p>Fatality or Critical Injury that:</p> <ul style="list-style-type: none"> • Places life in jeopardy • Produces unconsciousness • Results in a substantial loss of blood • Involves the fracture of an arm or leg (not a finger or toe) • Involves the amputation of an arm, leg, hand or foot (not a finger or toe) • Involves burns to a major portion of the body, or • Causes the loss of sight in an eye (Regulation 834) 	<ul style="list-style-type: none"> • A broken leg from falling off a step stool • A splash of corrosive chemical in the eye resulting in lost vision • An employee becoming unconscious after slipping in water and hitting her head on a countertop • An employee fractured his wrist after a client attacked the employee • A worker is killed in a motor vehicle collision 	<p>Immediate notice (by telephone or other direct method) to the MOL, HSR/JHSC and trade union, if any.</p> <p>Written notice to the MOL within 48 hours containing the required information.</p> <p><i>Note:</i> WSIB Form 7 reporting requirements</p>

Action items:

- Develop a process for investigating incidents, hazards and near misses.
- Adopt a standard investigation form for documenting this information.

Downloadable Resources from PSHSA.ca

- Incident Reporting and Investigation Policy
- Investigation Form
- Fast Fact - *How to Investigate an Incident*

STEP 7: TRAINING AND EDUCATION

A successful health and safety program requires the participation and support of all workplace parties. When all parties provide input into the development of a program, it is likely to have greater success and compliance. Therefore, it is important to educate all workplace parties about the health and safety policy and program. Health and safety education should focus on training for workers, supervisors and the employer.

Training can be completed in-house by the employer or by knowledgeable employees on many topics. In some cases, an external provider may be needed. All new workers should receive orientation immediately upon starting the job.



Under the OHSA, employers must give workers specific information and instructions on how to stay safe on the job. When planning training, consider any special language needs or barriers to be overcome, such as shift schedules.

Additional Resources:

Worker Health and Safety in 4 Steps, MOL

<http://www.labour.gov.on.ca/english/hs/pdf/workbook.pdf>

An Employer Guide to Worker Health and Safety Awareness in Four Steps, MOL

<http://www.labour.gov.on.ca/english/hs/pubs/employerguide.php>

What do I include in orientation training?

Although the content of the employee orientation training program will vary in each workplace according to the hazards present, consider these topics:

- Occupational health and safety legislation including the right to refuse unsafe work
- Health and safety responsibilities
- An introduction to the HSR/JHSC and their role (if applicable)
- Hazard and incident/injury reporting
- Emergency procedures and location of first aid stations
- Workplace inspections
- Workplace Violence & Harassment Policy
- Worker's Rights
- Health & Safety Policy
- Early and Safe Return to Work

Health and safety orientation should also include a workplace-specific component. The supervisor has the responsibility for training the worker in the specific hazards of the job and controls that are required, including personal protective equipment. Training may also be required when there is a change in process, equipment or procedures. There may also be a need for re-training if an employee demonstrates inadequate performance according to the standard set for safe procedures. Workplace-specific procedures might include:

- Musculoskeletal disorder prevention
- Workplace Hazardous Materials Information System (WHMIS)
- Manual Materials Handling (MMH)
- Slips, trips and falls prevention

Action items:

- Include health and safety in new employee orientation.
- Develop an orientation checklist.

- Infection prevention and control
- Workplace violence prevention
- Safe driving
- High hazard activities such as Traffic Control, Trenching and Confined Space Entry



All businesses, regardless of the size are required to have a first aid kit and a person on-site who has had St. John First Aid training or the equivalent.

Downloadable Resource from PSHSA.ca

- Health and Safety Orientation Checklist

Additional Resources:

The WSIB offers booklets and a video to assist employers in providing health and safety orientation to new employees. For the *WSIB's Launching a Safe Start* booklets and DVD, contact the WSIB Prevention Hotline at 1-800-663-6639

DVD: *You have rights and responsibilities* (5011C)

Launching a Safe Start - A Worker's Guide (5010A)

Action items:

- Develop a schedule for necessary ongoing training in health and safety.
- Identify employer/supervisor training needs and schedule training.

What might be included in refresher training?

Periodically, employees will need refresher training to ensure procedures are being carried out correctly. The refresher training will depend on the hazards present at the workplace, and on the needs identified.

What training do I need as an employer?

The success of the Health and Safety program depends on the commitment from the employer/supervisor and their ability to meet the definition of competent person. PSHSA recommends training on the following topics:

- OHS and regulations
- Roles and responsibilities
- Due diligence
- Offences and penalties
- Hazard awareness
- Workplace hazard-specific training
- Workplace inspections
- Hazard/incident/injury reporting
- Investigations
- High Hazard Activities

Where can I get help?

If you have questions about the material in this booklet, or need assistance, contact the PSHSA consultant serving your region. Locate the consultant through our website PSHSA.ca or contact the PSHSA Head Office at 1-877-250-7444. We would be happy to help you!

SUMMARY

This booklet outlines the basic components of a Health and Safety program and provides a starting point for the employer to establish a written health and safety policy and program. **But it is not enough just to have the program in writing; it must be effectively implemented by the employer and communicated to all employees.**

As well, the employer must demonstrate commitment to health and safety by:

- Acting on HSR/JHSC recommendations
- Co-operating with and supporting the HSR/JHSC
- Ensuring health and safety information is distributed and communicated
- Holding supervisors and employees accountable for health and safety
- Holding meetings at which health and safety is a regular part of the agenda
- Allocating adequate resources
- Fulfilling their legislated obligation to take every reasonable precaution to protect the health and safety of the workforce (that is, “exercising due diligence”)

ACTION CHECKLIST

Action	Person Responsible	Date Completed
Post a copy of the OHSA and regulations relevant to your workplace (such as Health Care and Residential Facilities, Industrial Establishments, WHMIS, Critical Injury and First Aid).		
Review the sections of the regulations that apply to you. If you need assistance, contact your PSHSA Consultant.		
Develop responsibility statements for the employer, supervisors and employees.		
Prepare a written policy outlining how the right to refuse unsafe work will be exercised at your workplace.		
If an HSR/JHSC is required at the business, allow workers to select worker representatives.		
Post the name of the HSR/JHSC members.		
Develop a Terms of Reference to outline the processes for an HSR/JHSC.		
Ensure that an HSR receives training to enable him or her to effectively exercise the powers and perform the duties of an HSR .		
Ensure that JHSC members attend Certification training as required.		
Write a health and safety policy for your business and review it at least annually.		
Sign and date the policy, and post it in a conspicuous location where workers can see it and access it at all times.		
Write a workplace violence and harassment policy and post it in the workplace where it can be seen.		
Complete a workplace violence risk assessment.		
Train employees on the content of the workplace violence prevention program.		
Develop a process for documented inspections by the employer/supervisor and by the HSR/JHSC.		
Complete a written hazard assessment for the workplace.		
Share the hazard assessment with the HSR.		
Review the hazard assessment annually.		
Prepare an emergency services contact list.		
Prepare a worker contact information list, with permission.		
Develop written emergency response procedures.		
Train all staff in emergency response procedures.		
Appoint a first aid responder and post his/her first aid certificate.		
Post Form 82 - "In Case of Injury" poster.		
Adopt a standard incident-reporting form for capturing this information.		
Prepare an annual summary of incidents.		
Develop a process for investigating incidents, hazards and near misses.		
Adopt a standard investigation form for documenting this information.		
Include health and safety in new employee orientation.		
Develop an orientation checklist.		
Develop a schedule for necessary ongoing training in health and safety.		
Identify employer/supervisor training needs and schedule training.		

ADDITIONAL SOURCES OF INFORMATION

Many documents available from PSHSA, the WSIB and the MOL can assist an employer to establish and communicate the health and safety program. Only a few documents have been referenced in this guide.

Be sure to check out WSIB's Safe Communities Incentive Program (SCIP). A two part H&S incentive program. For more details, eligibility and to apply for the Safe Communities Incentive Program (SCIP), visit: <http://www.wsib.on.ca/files/Content/Downloadable%20FileSCIP%20Application%20Form/3118.pdf>

Contact these organizations or visit the web sites to review the information available.

Public Services Health and Safety Association (PSHSA)

4950 Yonge Street, Suite 902
Toronto, Ontario M2N 6K1
Tel.: 416-250-7444
Toll free: 1-877-250-7444
Fax: 416-250-7484
<http://www.pshsa.ca>

Ontario Ministry of Labour – Occupational Health and Safety Branch
Toll Free (Ontario): 1-877-202-0008
<http://www.labour.gov.on.ca/>

Workplace Safety and Insurance Board (WSIB)
200 Front Street West, 6th Floor
Toronto, Ontario M5V 3J1
Tel.: 416-344-1002
Toll free: 1-800-387-0066
<http://www.wsib.on.ca>

GLOSSARY

competent person: Under the OHSA, a “competent” person means one 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.

designated substance: a biological, chemical or physical agent, or a combination thereof, that is prescribed as a designated substance. The exposure of a worker to a designated substance is prohibited, regulated, restricted, limited or controlled. Designated substances include acrylonitrile, arsenic, asbestos, benzene, coke oven emissions, ethylene oxide, isocyanates, lead, mercury, silica and vinyl chloride.

employer: a person who employs one or more workers or contracts for the services of one or more workers. OHSA s. 1(1)

hazard: a practice, behaviour, condition or situation that can contribute to and/or cause injury, illness or property damage.

hazard assessment: the process of evaluating the level of risk associated with identified workplace hazards.

HCRFR: Health Care and Residential Facilities Regulation

HSR: health and safety representative

IRS: internal responsibility system

industrial establishment: an office building is included in the OHSA definition of industrial establishment

JHSC: joint health and safety committee

lockout: the process of de-energizing or disengaging machinery or equipment capable of movement before cleaning, servicing, adjusting or setting up operations

MOL: Ontario’s Ministry of Labour

MSD: musculoskeletal disorder

OHSA: Occupational Health and Safety Act

PSHSA: Public Services Health and Safety Association

supervisor: a person who has charge of a workplace or authority over a worker. OHSA s. 1(1)

WHMIS: Workplace Hazardous Materials Information System

worker: a person who performs work or supplies services for monetary compensation. OHSA s.1(1)

WSIB: Workplace Safety and Insurance Board

You asked. *We listened.*

Small businesses need health & safety assistance that is cost-effective, available on demand and easy to understand.

We've launched our new eConsulting model!

New services:



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econsulting@pshsa.ca



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1-877-250-7444 & press 2



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SMALL BUSINESS GUIDE TO HEALTH AND SAFETY

Essential Tools and Information

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