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Public Services Health
& Safety Association

Small Business Health and Safety Resource Manual



Small Business Health and Safety Resource Manual

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Table of Contents

Terms of Use	3
Icons Used in This Resource Manual	5
Introduction	6
The Legislation: Occupational Health and Safety Act	8
What Does the Law Require?	8
Rights and Responsibilities	10
Employers (OHSA S. 25, 26 & 32)	10
Supervisors (OHSA S. 27)	11
Workers (OHSA S. 28)	11
Board of Directors (OHSA S. 32)	12
Seven Steps for a Health and Safety Program	13
Step 1: Establish a Health and Safety Representative/ Joint Health and Safety Committee	13
Step 2: Post Documents	15
Step 3: Establish a Health and Safety Policy and Program	17
Step 4: Workplace Inspections and Hazard Control	23
Step 5: Injured or Ill Worker and Emergency Plans	26
Step 6: Incident/Accident Reporting and Investigations	29
Step 7: Training and Education	31
Summary	34
Action Checklist	35
Additional Sources of Information	38
Glossary	40

Icons Used in this Resource Manual

In the book you will see the following icons. The table below explains what these icons mean and how they are used.

Icon	What it means
	New Section
	Website Reference
	This is a tip or important information for you to remember.
	Action Items



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. The OHSA also applies to telework performed in or about a private residence.

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 resources are limited, small businesses 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 Immigration, Training and Skills Development \(MLITSD\) website](#)
[Health & Safety for Small Businesses](#)

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!



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 or in a readily accessible electronic format.

I have a written violence and harassment policy posted in my workplace or in a readily accessible electronic format.

I have trained my workers in the hazards of the job, and what they should do to prevent illness and injury.

I have a reporting system in place so that employees can notify me of hazards, illnesses and injuries.

I have a process in place to return ill and 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. Keeping your team safe and healthy at work is good for business.

How do you build excellence and reach your health and safety goals?

One way is through the WSIB Health and Safety Excellence program which provides a clear roadmap for you to improve workplace health and safety and receive rebates and recognition for your efforts. As an approved provider of the WSIB Health and Safety Excellence program, PSHSA will provide you with everything you need to be successful – expert advice on setting goals for improvement, professional coaching and continuous support throughout the 12-month program.

Benefits

- Earn rebates and lower your WSIB premiums (Schedule 1 firms).
- Receive recognition demonstrating your commitment to health and safety and improving your ability to attract talented job seekers, customers and investors.
- Build a well-crafted and functional health and safety program that complies with legislative requirements and the latest best practices.
- Keep employees safe by reducing the risk of workplace hazards and preventing occupational injuries and illnesses.
- Avoid costs of an unsafe and unhealthy workplace.
- Improve employee morale, productivity, commitment and your organization's health and safety culture.
- Receive support and guidance from a team of leading health and safety experts.
- Gain exclusive access to PSHSA's members-only resource website.
- Take advantage of opportunities to network, learn and share best practices with other like-minded businesses.



All Small Business Resources referenced throughout the book go to <http://www.pshsa.ca/small-business>

- [Health & Safety Excellence program](#)

Additional Resources:



- [MLITSD Small Business](#)
- Office of the Employer Advisor return to work (RTW) Resources: <https://www.employeradviser.ca/non-construction/return-to-work-nc/> ; <https://www.employeradviser.ca/non-construction/return-to-work-resources/>
- [Occupational Health & Safety Act & Regulations](#)



The Legislation: Occupational Health and Safety Act

What does the law require?

Under the OHSA, employers are required to take measures to ensure a safe workplace:

1. Develop and review annually a health and safety policy and a program. This does not apply to a workplace at which five or fewer workers are regularly employed unless otherwise prescribed (OHSA s. 25(4))
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 (worksites with 6-19 workers; OHSA s.8), or joint health and safety committee (JHSC) established (worksites with 20 or more workers; OHSA s.9), 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



Additional Resources:

MLITSD: To make sure you are following the Occupational Health and Safety Act, you can use the health and safety checklist. Consider completing it with your health and safety representative or joint health and committee members. [Download the checklist](#) to your device and open it using the latest version of [Adobe Reader](#).

What regulations apply to my workplace?

- Review the regulations: <https://www.ontario.ca/laws/statute/90o01>
- 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 hazardous products in the workplace, then

sections 5-25 of the WHMIS regulation do not apply to you. O.Reg 860 s. 4(1)

The following regulations must be incorporated:

- Notices and Reports Under Section 51 to 53.1 of the Act – Fatalities, Critical Injuries, Occupational Illnesses and Other Incidents O. Reg. 420/21
- Occupational Health and Safety Awareness and Training O.Reg. 297/13

Review the sections of the regulations that apply to you. If you need assistance, contact your PSHSA consultant [Find Your Consultant](#).

Who enforces the OHSA?

- The Ministry of Labour, Immigration, Training and Skills Development (MLITSD)
- MLITSD inspector can enter a workplace at any time, without notice and without a warrant however they must show current identification
- May ask that a worker representative accompany the inspector 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 \$500,000 per offence and/or imprisonment for up to 12 months. If a corporation is convicted of an offence under subsection (1),

(a) The maximum fine that may be imposed upon the corporation is \$2,000,000; and

(b) For a second or subsequent offence that results in the death or serious injury of one or more workers in a two-year period, the minimum fine that may be imposed is \$500,000. 2024, c. 41, Sched. 3, s. 9.. The maximum fine for a director or officer of a corporation is \$1,500,000 and/or imprisonment for up to 12 months. OHSA s. 66. For a second or subsequent offence that results in the death or serious injury of one or more workers in a two-year period, the minimum fine that may be imposed is \$500,000. 2024, c. 41, Sched. 3, s. 9.

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 OHSA and showing that there was and is a functioning health and safety program in place.



Additional Resources:

- Statutes and regulations can also be downloaded on an individual basis from <https://www.ontario.ca/laws>
- Ministry of Labour, Immigration, Training and Skills Development [A Guide to the Occupational Health and Safety Act](#), available to download from the MLITSD website.



How am I doing now?

Review the sections of the regulations that apply to you. If you need assistance, contact your PSHSA consultant.



Rights and Responsibilities

The OHSA 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.

Who is responsible for health and safety?

The OHSA 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 OHSA sections 25-28, 32 and 32.0.1

EMPLOYERS (OHSA S. 25, 26 & 32.0.1)

- Ensure that the equipment, materials and protective devices provided are maintained in good condition. OHSA s. 25(1)(b)
- Provide training and supervision to protect the health and safety of the worker. OHSA s. 25(2)(a)
- Appoint only competent supervisors. OHSA s. 25(2)(c)
- Acquaint workers with all workplace hazards (i.e. handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent). OHSA s. 25(2)(d)
- Assist the HSR/JHSC in the carrying out their duties. OHSA s. 25(2)(e)
- Take every precaution reasonable in the circumstances for the protection of a worker. OHSA 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. OHSA 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 a conspicuous place at the workplace, or in a readily accessible electronic format, a copy of this Act and any explanatory material prepared by the Ministry, both in English and the majority language of the workplace, outlining the rights, responsibilities and duties of workers. 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



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 (hazard) to health or safety in the workplace.



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 (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.

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)



How am I doing now?

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

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 Immigration Training and Skills Development 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](#)
- [Caught in the Middle: The Supervisor and Occupational Health and Safety](#)
- [Board of Directors: Know your liabilities](#)



eLearning from PSHSA.ca:

- [Health & Safety for Board Members elearning](#)

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 OHSA 43(1-13):
 - If they have reason to believe that the work may cause harm to any person
 - 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.



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.*



Downloadable Resources Form PSHSA.ca:

- [Right to Refuse Unsafe Work Policy](#)
- [Right to Refuse Flowchart](#)



Additional Resources:

The Ministry of Labour, Immigration, Training and Skills Development (MLITSD) website offers information on the [work refusal process](#).



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 OHSA 9(6)(a)(b)
- HSR/JHSC worker member must be non-management, selected by the workers or a trade union OHSA s. 8(5) & 9(8)
- The JHSC member names and work locations must be posted in a place where all workers have access or in a readily accessible electronic format OHSA s. 9(32) (a)(b)

Note that:

- The Ministry of Labour, Immigration, Training and Skills Development (MLITSD) may order an employer to have an HSR even if five (5) or fewer employees are regularly employed OHSA s. 8(2)
- A JHSC must be formed, regardless of the number of employees, if an organization is subject to a MLITSD

order under OHSA s. 33, or if there is a designated substance in use at the workplace. OHSA s. 9(2)(c)

What is the role of the HSR/JHSC?

While the OHSA places certain duties and responsibilities on the HSR/JHSC (OHSA 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 and keep posted the names and work locations of the committee members, in a conspicuous place or places at the workplace where they are most likely to come to the attention of the workers or in a readily accessible electronic format

Develop a Terms of Reference to outline the processes for an HSR/JHSC.

Ensure that an HSR receives training to enable them to effectively exercise the powers and perform the duties of an HSR.

Ensure that JHSC members attend Certification training as required. OHSA s. 9(12)

The HSR/JHSC is responsible for:

- Inspecting the workplace monthly OHSA s. 8(6) and 9(26)
- Identifying health and safety hazards and making recommendations OHSA s. 8(10) and 9(18)
- Assisting in critical or fatal incident investigations OHSA s. 8(14) and 9(31)
- Making written recommendations for improvements OHSA s. 8(12) and 9(20)
- investigate work refusals OHSA s 43 (4) (a, b)
- In addition to the above, the JHSC must meet at least once every three months and may be required to meet by order of the Minister. OHSA s. 9(33)

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

- Assist during a workplace inspection, incident investigation or work-refusal investigation OHSA 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 OHSA s. 8(11)(a-b) & 9(18)
- Provide known information about existing or potential hazards OHSA s. 8(11)(c) & 9(18)
- Allow the HSR/JHSC worker member to accompany a MLITSD inspector OHSA s. 54(3)
- Respond in writing to written recommendations within 21 days OHSA 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) OHSA s. 8(13) & 9(21)
- Allow time from work to attend meetings and carry out HSR/JHSC duties OHSA s. 8(15) & 9(34)
- Provide training to JHSC members as prescribed OHSA s. 9(12)

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



Downloadable Resources from PSHSA.ca

- Terms of Reference for [HSR](#) and JHSC
- Fast Fact – [Introduction to the JHSC](#)



Certification Training From PSHSA.ca:

- [PSHSA JHSC Certification](#)
- PSHSA HSR Basic [Awareness Training](#)



Additional Resources:

Ministry of Labour, Immigration, Training and Skills Development [A Guide for Joint Health and Safety Committees \(JHSCs\) and Representatives](#) in the Workplace, available to download from the MLITSD 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 or in a readily accessible electronic format. Information is posted in a readily accessible electronic format if the following requirements are met:

1. The employer provides workers with direction on where and how to access the information.
2. The information is posted in an electronic format that can be readily accessed by workers in the workplace. OHSA s.1(5)

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 is considered best practice:

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

Posting the following items are required:

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 and 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 JHSC members	OHSA 9(32)
Copy of every current SDS (can be in an electronic format)	OHSA 38(1-6)
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, Immigration, Training and Skills Development Orders	OHSA 57(10)
Emergency Services & Numbers	WSIA



Action item:

Post, in a conspicuous place at the workplace, or in a readily accessible electronic format, posters required by law as applicable.



Additional Resource:

Ministry of Labour, Immigration, Training and Skills Development: [Posters required in the workplace | ontario.ca](https://www.ontario.ca/workplace-posters)

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](#)



Additional Resources:

- [MLITSD health and safety policy](#)
- [MLITSD Workplace Safety Plan Builder](#)



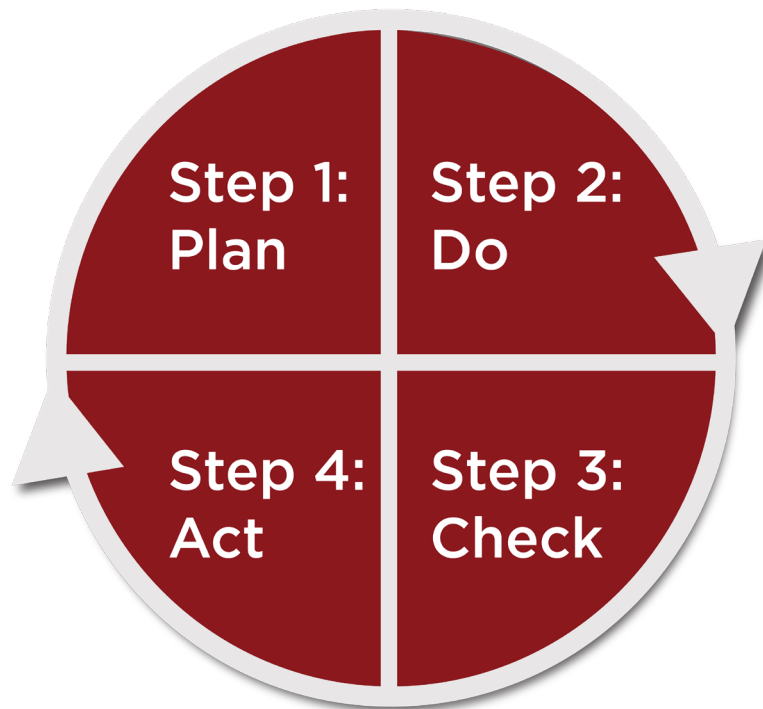
Action items:

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 or in a readily accessible electronic format . OHSA 25(2)(k)

What is a health and safety program?

A Health & Safety Program is an organized, written action plan to identify and control hazards, define safety responsibilities and procedures that result in the prevention of injuries, illnesses, and incidents. To develop a sustainable health & safety program an organization can utilize an implementation model of Plan, Do, Check, Act to help develop and implement your program by breaking down your activities into smaller, actionable steps.



PLAN: The first step in implementing a health and safety program is planning (or setting the standard/policy/procedure) for what needs to be done to integrate the program into your everyday business operations. Program needs assessments could include talking with workers; injury/illness analysis, workplace inspections, etc.

DO: After your business has approved the standard/policy/procedure, it's time to implement it. This step involves communicating, training and embedding your health and safety program into everyday business operations, so the program is living and breathing in your organization. Training would include orientation/onboarding, annual/biannual reviews, etc...

CHECK: This step you are required to monitor your health and safety program. You'll test whether the implementation of your health and safety program is working the way you intended. The overall purpose of this step is to answer the question: did you do what you set out to do and is it working to address the issue? Evaluation could include surveys, observations, interviews, etc...

ACT: This step involves looking at the results of the "check" step and acting on the gaps identified. By creating a continuous improvement plan you can fill the gaps you identified and strive for program sustainability.

Some examples of HAZARD Specific Health and Safety programs that apply to a small business are listed in the following chart. Hazard Identification and Risk Assessment must be completed prior to Program Development; refer to Step 4 Hazard Identification, Workplace Inspections and Hazard Control section for details.

Hazard Category	Examples of Hazards	Programs	Hierarchy of Controls
Chemical Agents	<ul style="list-style-type: none"> Solids, liquids or gases Exposure to hazardous products, consumer, medical products, designated substances, etc. 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 	<ul style="list-style-type: none"> WHMIS Antineoplastic Drugs 	<ul style="list-style-type: none"> Elimination – remove the hazard Substitution – replace the hazard Engineering – design out the hazard Administrative – Safe Work Policies/ processes/practices PPE – protect at the worker.
Biological Agents	<p>Infectious agents</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 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 	<ul style="list-style-type: none"> Infection Prevention and Control Program 	<ul style="list-style-type: none"> Elimination Substitute Engineering Administrative PPE
Physical Agents	<p>Noise</p> <ul style="list-style-type: none"> Unwanted sound of 85 decibels or greater without hearing protection <p>Temperature extremes</p> <ul style="list-style-type: none"> Working in cold or hot areas where the body cannot easily maintain normal internal temperatures <p>Radiation</p> <ul style="list-style-type: none"> Exposure to ionizing or non-ionizing radiation (such as UV light) <p>Vibration</p> <ul style="list-style-type: none"> Rapid alternating and reciprocating motion about a fixed point e.g. jackhammer 	<ul style="list-style-type: none"> Hearing Conservation Program Heat stress & Cold stress Prevention Programs Radiation Prevention Program Vibration Prevention Program 	<ul style="list-style-type: none"> Elimination Substitute Engineering Administrative PPE

Musculoskeletal Disorders Awkward postures Force Repetition	<ul style="list-style-type: none"> • Computer Work Station • Client handling (lift, transfer or reposition) • Manual material handling (lifting, pushing, pulling, lowering) • Design or organization of work • 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 	<ul style="list-style-type: none"> • MSD Prevention Program 	<ul style="list-style-type: none"> • Elimination • Substitute • Engineering • Administrative • PPE
Psychosocial	<ul style="list-style-type: none"> • Workplace Violence • Workplace Harassment • PTSD • Organizational stressors <ul style="list-style-type: none"> – Excessive workload, role uncertainty, responsibility for others, job satisfaction, job security 	<ul style="list-style-type: none"> • Workplace Violence & Harassment Prevention Program • Psychological Health & Safety Program 	<ul style="list-style-type: none"> • Elimination • Substitute • Engineering • Administrative • PPE

Safety	<p>Slip/Trips/Falls</p> <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>Driving</p> <ul style="list-style-type: none"> • Driver performance • Vehicle condition, type and use • Materials/persons transported • Environmental conditions <p>Energy</p> <ul style="list-style-type: none"> • Any equipment that requires a lockout procedure • Usually associated with maintenance or repair equipment • Frayed electrical cords or excessive equipment plugged into power bars • Steams/heat from autoclaves <p>Machines/Equipment</p> <ul style="list-style-type: none"> • Moving parts • Pinch points • Blades <p>Safe work practices</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"> • STF Prevention Program • Drive Safe Program • Lockout/Tag Out Program 	<ul style="list-style-type: none"> • Elimination • Substitute • Engineering • Administrative • PPE
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Violence and Harassment Prevention Legislation

Workplace violence is:

- The exercise of physical force against a worker – in a workplace, that could cause physical injury to the worker
- An attempt to exercise physical force against a worker – in a workplace, that could cause physical injury to the worker
- A threat to exercise physical force against a worker – in a workplace, that could cause physical injury to the worker

Workplace Harassment is:

- Engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome, or
- Workplace sexual harassment; (“harcèlement au travail”)

Workplace Sexual Harassment is:

- Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is

known or ought reasonably to be known to be unwelcome, in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Employers are required to:

- Prepare and review, at least annually, 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.
- Post written policies at a conspicuous place in the workplace or in a readily accessible electronic format (employers of 1-5 workers are not required to have written form and for it to be posted or in a readily accessible electronic format unless MLITSD orders otherwise. OHSAA s. 32.0.1 (3))

To protect a worker from workplace harassment, an employer shall ensure that the program:

- c. Includes measures and procedures for workers to report incidents of workplace harassment to the employer or supervisor;
- d. Include measures and procedures for workers to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;
- e. Set out how incidents or complaints of workplace harassment will be investigated and dealt with;
- f. Set out how information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law;
- g. Set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation;

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 MLITSD (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 OHSAA 52(1)

The employer shall assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work.

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 Policy](#)
- Electronic Workplace Violence Risk Assessment Tools at workplace-violence.ca

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 \(WHMIS\)](#)
- [Five Steps to Building your Client Handling Program](#)
- [Musculoskeletal Disorders](#)
- [Slips, trips and falls](#)

Additional Resources:

From the MLITSD Website

- [Preventing workplace violence and workplace harassment](#)
- [Workplace Violence and Harassment: Understanding the Law](#)
- [workplace violence prevention policy](#)
- [workplace harassment prevention policy](#)
- [Code of practice to address workplace harassment](#)



A Ministry of Labour, Immigration, Training and Skills Development 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 and posted at a conspicuous place in the workplace or in a readily accessible electronic format, or to assess the risk of violence for the workplace. OHS s.55.1 and 55.2

Step 4: Hazard identification and risk assessment, workplace inspections and



Action items:

Complete a workplace violence risk assessment.

Write a workplace violence and harassment policy for your business and review it at least annually. Post it in the workplace where it can be seen or in a readily accessible electronic format.

Train employees on the content of the workplace violence and harassment prevention program.

hazard control

Hazard Identification and Risk Assessment

A hazard is anything (e.g., chemicals, moving vehicles, etc.) that can hurt workers (injury), make them sick (illness) or cause property damage

Understanding the hazards in a workplace and how those hazards could result in injury or illness is known as risk assessment. Once you've recognized the hazards in your workplace, the next step is to determine the likelihood of harm (injury or illness occurring), and its severity.

In consultation with the JHSC/HSR determine what your hazards are, using the table in Step 3 as a guide.

Once your hazards have been identified, determine the level risk by applying the following procedure and risk matrix.

Estimate how likely the hazard is to cause injury, illness or damage to property. Consider:

- Nature of exposure
- Time spent exposed
- Number of workers exposed

- How often workers are exposed
- Historical data

Probability Rating Definitions:

- High – injury or illness due to exposure to this hazard is very likely
- Medium – there is a chance that the hazard will cause injury or illness
- Low – the hazard will probably not cause injury or illness

Estimate how serious the injury, illness or damage could be using a scale of major, moderate or minor.

Severity Rating Definitions:

- Major – the hazard could cause fatal or serious injury, illness and/or property damage resulting in permanent or long-term disability and/or significant loss
- Moderate – the hazard could cause moderate injury, illness and/or property damage resulting in lost time.
- Minor – the hazard could only cause minor injury or illness without lost time or other loss.

Using the chart below, plot the probability and severity for the hazard to identify the level of risk.

		Probability of Injury (Column D)		
		High	Medium	Low
Severity of Injury (Column E)	Major	High	High	Medium
	Moderate	High	Medium	Low
	Minor	Medium	Low	Low

How do I conduct workplace inspections?

Workplace inspections are a key component to the Internal Responsibility System and can help identify hazards and risks in the workplace and therefore prevent injuries and illnesses. The HSR/JHSC worker member is required to do monthly inspections and report hazards. OHSA 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](#)



Action items:

Develop a process for documented inspections by the employer/ supervisor and by the HSR/JHSC.

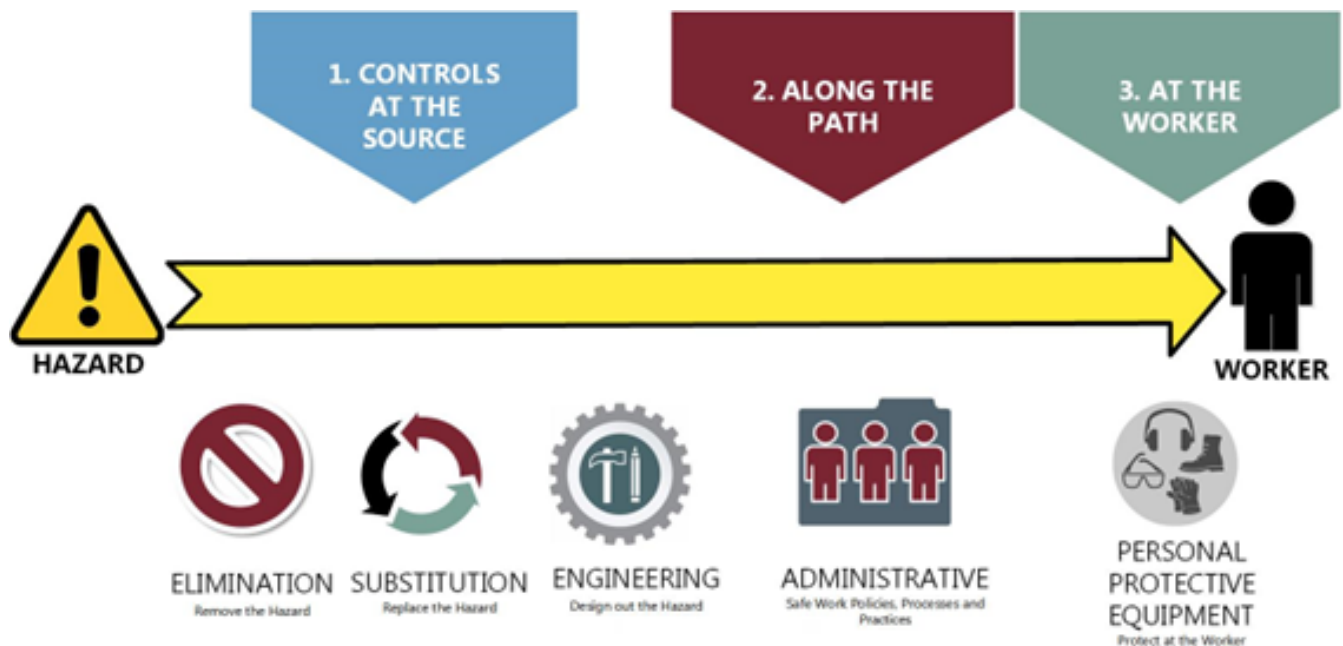
Develop a written hazard identification program for the workplace.

Complete the hazard assessment with the HSR/JHSC.

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, health & safety programs, training, and communication)
- At the worker, through the use of personal protective equipment



Several hierarchy of control options may be available to choose from:

For Example – Applying Hierarchy of Control to COVID-19 (source: MLITSD <https://www.ontario.ca/page/guide-developing-your-covid-19-workplace-safety-plan>)

Elimination: Remove the risk of exposure entirely from the workplace. For example, having everyone work from home all the time would eliminate COVID 19 risk from a workplace.

Substitution: Replace a hazardous substance with something less hazardous (for example, replace one chemical with another). For an infectious disease such as COVID 19, substitution is not an option.

Engineering controls: Make physical changes to reduce or remove the hazard, for example, through ventilation or separating workers from the hazard.

Administrative controls: Make changes to the ways people work and interact, using policies, procedures, training and signage. For example, you could:

- Establish contactless curbside pickup
- Create policies to limit the number of people in a space at one time
- Schedule to stagger work shifts and breaks
- Establish new cleaning and disinfection protocols
- Provide education and training on proper hand washing technique
- Set up a screening process

Personal protective equipment (PPE)

This is equipment and clothing worn by a worker to minimize exposure to hazards and prevent illnesses and infection. PPE is used to protect the wearer and can include such things as surgical/procedure masks and eye protection.

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



Action items:

Establish a defined procedure for implementing controls by applying the hierarchy of controls

Establish health and safety programs with control measures to lower the risk level of the hazards identified in the hazard assessment

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 H&S 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](#)
- [First Aid Policy template](#)



Additional Resources:

For WSIB registered firms, review the information contained on the WSIB website on how to [Report an injury or illness | WSIB](#)

Accommodation is defined in section 17(2) in Human Rights Legislation: “No tribunal or court shall find a person incapable unless it is satisfied that the needs of the person cannot be accommodated without undue hardship on the person responsible for accommodating those needs, considering the cost, outside sources of funding, if any, and health and safety requirements, if any.”

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, pandemic or natural hazards. The objective of the plans is to prevent or minimize fatalities, injuries, illnesses 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.

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 safety data sheets (SDSs) 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.

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

- Educate workers on how to summon immediate assistance
- 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.

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.



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 their first aid certificate.

Post Form 82 - "In Case of Injury" poster, if the WSIA applies to your business

Adopt a standard incident reporting form for capturing this information.

Prepare an annual summary of incidents.

Step 6: Hazard reporting and incident/accident reporting and investigations

Why is reporting hazards important?

Reporting workplace hazards helps identify where there is a safety concern. Once you know where incidents, injuries or illnesses could happen, you can take steps to prevent them. Everyone in the workplace needs to take an active role in reporting hazards in the workplace.

What do I need to report internally?

Employers must record all incidents causing injury and illness 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/illness-prevention opportunities.



Downloadable Resources from PSHSA.ca

- [Employee Incident Report](#)



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.

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 420/21) or fatality require reporting to the Ministry of Labour, Immigration, Training and Skills Development 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 are required to be part of the investigation of critical injuries or fatalities. OHSA s. 8(14) & 9(31) As a result, the HSR/JHSC would also benefit from training.

Type of injury/definition	Workplace examples	Reporting Requirement
Medical/Healthcare Aid: 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	<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 	<ul style="list-style-type: none"> • Written notice to the HSR/JHSC and trade union, if any, within four days of the occurrence, containing the required information. (Reg 420/21) • Note: WSIB Form 7 reporting requirements
Lost-time injury: An employee does not return for their next scheduled shift due to inability to work resulting from an injury that occurred in the workplace.	<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 	<ul style="list-style-type: none"> • Written notice to the HSR/JHSC and trade union, if any, within four days of the occurrence, containing the required information. (Regulation 420/21) • Note: WSIB Form 7 reporting requirements
Occupational illness: A condition that results from exposure in the workplace to a physical, chemical or biological agent.	<ul style="list-style-type: none"> • Occupational asthma from ongoing exposure to latex • Skin sensitization from long-term exposure to a chemical 	<ul style="list-style-type: none"> • Written notice to the MLITSD, HSR/JHSC and trade union, if any, within four days of being notified by the employee of the occupational illness containing the required information. (Regulation 420/21) • Note: WSIB Form 7 reporting requirements

Fatality or critical injury that:

- | | | |
|--|--|---|
| <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 minor portion of the body, or • Causes the loss of sight in an eye (Regulation 420/21) | <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 | <ul style="list-style-type: none"> • Immediate notice (by telephone or other direct method) to the MLITSD, HSR/JHSC and trade union, if any. • Written notice to the MLITSD within 48 hours containing the requirement information. (Regulation 420/21) • Note: WSIB Form 7 reporting requirements |
|--|--|---|



Downloadable Resources from PSHSA.ca

- Fast Fact – [How to Investigate an Incident](#)



Action items:

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

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.



eLearning Resources from PSHSA.ca:

- Worker Health and Safety in 4 Steps E-Learning, PSHSA: <http://www.pshsa.ca/product/mandatory-worker-awareness-elearning-course/>
- Supervisor Health and Safety Awareness E-Learning, PSHSA: <https://www.pshsa.ca/elc/mandatory-supervisor-awareness-training-elearning-2>



Additional Resources:

- MLITSD Supervisor Health and Safety Awareness Five Steps – Workbook & E-Learning: <https://www.ontario.ca/page/supervisor-health-and-safety-awareness-five-steps>
- MLITSD Worker Health and Safety Awareness Four Steps – Workbook & E-Learning: <https://www.ontario.ca/page/worker-health-and-safety-awareness-four-steps>

What do I include in orientation/onboarding 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
- Infection prevention and control
- Workplace violence prevention
- Workplace Harassment prevention
- Safe driving
- High hazard activities such as Working at Heights, Traffic Control, Trenching and Confined Space Entry



Action items:

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



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 Resources from PSHSA.ca:

- [Young Worker Orientation](#)



eLearning Resources from PSHSA.ca:

- PSHSA WHIMS: <https://www.pshsa.ca/el/whmis-elearning>
- PSHSA Office Ergonomics: [https://www.pshsa.ca/el/eofficeergo-ergonomics-elearning-for-office-workers free](https://www.pshsa.ca/el/eofficeergo-ergonomics-elearning-for-office-workers-free)
- PSHSA Ladder Safety: <https://www.pshsa.ca/el/ladder-safety-elearning>
- PSHSA Lock Out Tag Out: <https://www.pshsa.ca/el/lockout-tagout-elearning-2>
- PSHSA Harassment in the Workplace: <https://www.pshsa.ca/el/workplace-harassment-elearning-2>
- PSHSA Personal Protective Equipment: <https://www.pshsa.ca/el/personal-protective-equipment-ppe-elearning-2>
- PSHSA Slip Trips & Falls Prevention: <https://www.pshsa.ca/el/slips-trips-and-fall-prevention-elearning-2>
- PSHSA R2 Fundamentals: <https://www.pshsa.ca/el/r2-the-fundamentals>
- PSHSA ResilientMe: <https://www.pshsa.ca/resilientme> free
- PSHSA Infection Prevention and Controls at Work Basic Awareness Training: <https://www.pshsa.ca/infection-prevention-and-control-at-work-basic-awareness-training>
- Infection Prevention and Controls at Work Basic Awareness Training (french): <https://www.pshsa.ca/pr%C3%A9vention-et-contr%C3%B4le-des-infections-au-travail-formation-de-sensibilisation-de-base>

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:

- OHSA 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



Action items:

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

Where can I get help?

If you have questions about the material in this booklet, or need assistance, contact the PSHSA Health & Safety consultant serving your region. Locate the consultant through our website <https://www.pshsa.ca/find-a-consultant> or contact the PSHSA at 1-877-250-7444 or through Live Chat. We would be happy to help you!

- [PSHSA.ca](https://www.pshsa.ca)
- 416-250-2131
- (toll free: 1-877-250-7444)



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	Related Health & Safety Excellence Program Topic
Review the sections of the regulations that apply to you. If you need assistance, contact your PSHSA consultant			Control of hazards; Legal and other requirements*
Develop responsibility statements for the employer, supervisors and employees			Leadership & commitment; Health & safety responsibilities
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			Health & safety participation
Post and keep posted the names and work locations of the committee members, in a conspicuous place or places at the workplace where they are most likely to come to the attention of the workers or in a readily accessible electronic format			Health & safety communication; Health & safety participation
Develop a Terms of Reference to outline the processes for an HSR/JHSC			Health & safety participation
Ensure that an HSR receives training to enable them to effectively exercise the powers and perform the duties of an HSR			Health & safety participation; Competency*; Health & safety training*
Ensure that JHSC members attend Certification training as required			Health & safety participation; Competency*; Health & safety training*
Post, in a conspicuous place at the workplace, or in a readily accessible electronic format, posters required by law as applicable			
Write a health and safety policy for your business and review it at least annually			Leadership & commitment
Sign and date the policy, and post it in a conspicuous location where workers can see it or in a readily accessible electronic format			Leadership & commitment; Health & safety communication

Action	Person Responsible	Date Completed	Related Health & Safety Excellence Program Topic
Complete a workplace violence risk assessment			Risk assessment; Control of Hazards
Write a workplace violence and harassment policy for your business and review it at least annually. Post it in the workplace where it can be seen or in a readily accessible electronic format.			Control of hazards; Health & Safety communication
Train employees on the content of the workplace violence and harassment prevention program.			Control of Hazards; Competency*; Health & safety training*
Develop a process for documented inspections by the employer/supervisor and by the HSR/JHSC			Workplace inspections; Pre-use inspections*
Develop a written hazard identification program for the workplace.			Hazard identification
Complete the hazard assessment with the HSR/JHSC			Hazard identification; Risk assessment; Control of Hazard Basic
Review the hazard assessment annually			Hazard identification; Risk assessment; Control of hazards-Basic
Establish a defined procedure for implementing controls by applying the hierarchy of controls			Control of hazards basics
Establish health and safety programs with control measures to lower the risk level of the hazards identified in the hazard assessment.			Control of hazards basics; Control of hazards
Prepare an emergency services contact list			Emergency prevention and preparedness*; Emergency response*
Prepare a worker contact information list, with permission			
Develop written emergency response procedures			Emergency prevention and preparedness*; Emergency response*
Train all staff in emergency response procedures			Emergency prevention and preparedness*; Emergency response*; H&S training*
Appoint a first aid responder and post their first aid certificate			First aid; Health and & safety communication

Action	Person Responsible	Date Completed	Related Health & Safety Excellence Program Topic
Post Form 82 – “in case of Injury” poster if the WSIA applies to your business			Health and safety communication; Injury, illness and incident reporting
Adopt a standard incident-reporting form for capturing this information			Injury, illness and incident reporting
Prepare an annual summary of incidents			Monitoring, measurement and analysis**; Review health and safety trends**
Develop a process for reporting hazards			Hazard Reporting
Develop a process for reporting incidents/injuries/illnesses			Injury, Illness Incident Reporting
Develop a process for investigating incidents, hazards and near misses			Incident investigation and analysis
Adopt a standard investigation form for documenting this information			Incident investigation and analysis
Include health and safety in new employee orientation/onboarding			Competency*; Health & safety training*
Develop an orientation checklist			Competency*; Health & safety training*
Develop a schedule for necessary ongoing training in health and safety			Competency*; Health & safety training*
Identify employer/supervisor training needs and schedule training			Competency*; Health & safety training*

*Level 2: Intermediate topic

**Level 3: Advanced topic



Resources

- OHSA <https://www.ontario.ca/laws/statute/90o01>
- Posting requirements <https://www.ontario.ca/page/posters-required-workplace>
- Sample work refusal policy <https://www.pshsa.ca/resources/right-to-refuse-unsafe-work-policy-template>
- Sample work refusal flowchart <https://www.pshsa.ca/right-to-refuse-flowchart-template>
- Sample workplace violence and harassment policy <https://www.pshsa.ca/workplace-violence-and-harassment-policy-template>
- Code of practice to address Workplace Harassment <https://www.ontario.ca/page/code-practice-address-workplace-harassment>
- Workplace Violence risk assessment tools <https://workplace-violence.ca/>
- Sample workplace inspection report <https://www.pshsa.ca/workplace-inspection-report>
- Sample workplace inspection checklist <https://www.pshsa.ca/sample-workplace-inspection-checklist>
- Hazard Management tool <https://www.pshsa.ca/hazard-management-tool-hmt>
- Sample employee incident report form <https://www.pshsa.ca/employee-incident-report>
- MLITSD preventing workplace violence and workplace harassment <https://www.ontario.ca/page/preventing-workplace-violence-and-workplace-harassment>

Additional sources of information

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

Contact these organizations or visit the websites to review the information available.

Public Services Health and Safety Association (PSHSA)

4950 Yonge Street, Suite 1800

Toronto, Ontario M2N 6K1

Tel.: 416-250-2131

Toll free: 1-877-250-7444

<http://www.pshsa.ca>

Ministry of Labour, Immigration, Training and Skills Development – Health and Safety Contact Centre

webohs@ontario.ca

Toll Free: 1-877-202-0008

<https://www.ontario.ca/page/ministry-labour-immigration-training-skills-development>

Workplace Safety and Insurance Board (WSIB)

200 Front Street West

Toronto, Ontario M5V 3J1

Tel.: 416-344-1000

Toll free: 1-800-387-0750

<http://www.wsib.ca>

WSIB Health & Safety Excellence Program

<https://www.wsib.ca/en/healthandsafety>

Why join the health and safety excellence program?

Join the [Health and Safety Excellence program](#) to make your workplace safer, while earning rebates on your WSIB premiums. As an approved provider that delivers the program on behalf of the WSIB, PSHSA will help you every step of the way.

The program has over 40 topics to choose from, spread across three levels – foundation, intermediate and advanced. Completing topics can help you reduce the chances of workplace injuries and illnesses, support the psychological well-being of employees and boost productivity. We'll help you choose and implement the topics that make sense for your business.

The amount you earn in rebates is based on the number of topics you complete and your WSIB premiums for the previous year. Plus, you'll receive an extra \$1,000 every time you register and create a new health and safety action plan.

If you're a small business or new to health and safety, we make it easier for you to build your health and safety program and give you confidence you're taking the right steps to make your workplace safer. Check out the WSIB's [frequently asked questions](#) to learn more about the program.

Register with PSHSA today! <https://www.pshsa.ca/health-and-safety-excellence-program>



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.

Risk 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: Means an office building, factory, arena, shop or office, other than an office located in a private residence, and any land, buildings and structures appertaining thereto

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

MLITSD: Ministry of Labour, Immigration, Training and Skills Development

MSD: Musculoskeletal disorder

OHSA: Occupational Health and Safety Act

Occupational illness: Means a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological mechanisms are affected and the health of the worker is impaired thereby and includes an occupational disease for which a worker is entitled to benefits under the Workplace Safety and Insurance Act, 1997; (“maladie professionnelle”) OHSA s. 1(1)

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

8. A person who performs work or supplies services for monetary compensation.
9. A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student

is enrolled.

10. A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, career college or other post-secondary institution.
11. REPEALED: 2017, c. 22, Sched. 1, s. 71 (2).
12. Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation; (“travailleur”)

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

Workplace harassment: Means,

- a. Engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome, or
- b. Workplace sexual harassment; (“harcèlement au travail”)

Workplace sexual harassment: Means,

- a. Engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b. Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome; (“harcèlement sexuel au travail”)

Workplace violence: Means,

- a. The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- b. An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- c. A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker

WSIB: Workplace Safety and Insurance Board



Small Business Health and Safety Resource Manual

Public Services Health and Safety Association (PSHSA)

4950 Yonge Street, Suite 1800
Toronto, Ontario M2N 6K1
Canada

Telephone: 416-250-2131

Fax: 416-250-7484

Toll Free: 1-877-250-7444

Web site: www.pshsa.ca

Connect with us:

 [@PSHSAca](https://twitter.com/PSHSAca)

 [@pshsa](https://www.instagram.com/pshsa)

 [@Public Services Health & Safety Association](https://www.linkedin.com/company/public-services-health-and-safety-association)

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