
DUTIES AND RESPONSIBILITIES: EMPLOYERS

Employer

Under Section 25 of the Occupational Health and Safety Act (the Act), duties of the employer include:

1. Providing equipment, materials and protective devices (e.g., guards on machines, safety harnesses, eye wash stations, gloves, etc.)
2. Providing equipment, materials and protective devices that are maintained in good condition.
3. Ensuring equipment, materials and protective devices are used properly and in a safe manner.
4. Providing information, instruction and supervision to employees to protect the health and safety of the employee.
5. Appointing competent supervisors.
6. Providing (upon request), in a medical emergency, information in the possession of the employer, including confidential business information to a legally qualified medical practitioner, and to such other persons as may be required by law.
7. Acquainting a worker or a person in authority over an employee with any hazard in the workplace and in the handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent.
8. Affording assistance and co-operation to the joint health and safety committee (JHSC), and a health and safety representative in the carrying out by the committee and the representative of any of their functions. (In a workplace where 20 or more workers are regularly employed)
9. Only employing a worker over the prescribed age.
10. Not knowingly permitting anyone under the prescribed age in or about the workplace.
11. Taking every precaution reasonable in the circumstances for the protection of an employee.
12. Providing to the JHSC or to a health and safety representative, the results of a report respecting occupational health and safety that is in the employer's possession and, if that report is in writing, a copy of the portions of the report that concern occupational health and safety. (In a workplace where 20 or more workers are regularly employed)

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13. Advise employees of the results of a report and, if the report is in writing, make available to them on request copies of the portions of the report that concern occupational health and safety.
14. Posting a copy of the Occupational Health and Safety Act and pertinent regulations in an accessible workplace location.
15. Posting, reviewing and re-posting annually, a copy of the health and safety policy in an accessible workplace location. (In a workplace where 6 or more workers are regularly employed.
16. Developing and maintaining a health and safety program to implement the health and safety policy.
17. Recognize and follow requirements set out under section 26 of the OH&S Act when necessary.
18. The employer is also required to:
19. Cause a worker health and safety representative to be elected, in workplace where 6-19 workers are regularly employed. Section 8.
20. Establish a Joint Health and Safety Committee in a workplace where 20 or more workers are regularly employed; or an order under Section 33 is in effect; or where a regulation concerning a designated substance applies. Section 9.
21. Respond writing, within 21 days, to any health and safety recommendations submitted by the JHSC or health and safety representative. Section 9.
22. Develop and implement a workplace violence and workplace harassment policy and program. Section 32.0.1.

DUTIES AND RESPONSIBILITIES: SUPERVISORS

Supervisor

Supervisors have the responsibility to make sure that the requirements set out by the employer are being carried out properly by the workers. In order to do this they are legally required to be “competent”. The definition of competent is clearly set out in the Act:

Competent person means a person who:

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

Under section 27 of the Act, supervisors have a duty to ensure that:

1. Employees work in the manner and with the protective devices, measures and procedures required by the OH&S Act and regulations (e.g. fall-arrest systems, confining hair, jewelry or loose clothing around moving machine parts, etc.).
2. Employees use or wear the equipment, protective devices or clothing that is required to be used or worn.
3. Employees are advised of the existence of any potential or actual danger to the health or safety of which the supervisor is aware.
4. Employees are provided with written instructions as to the measures and procedures to be taken for their protection.
5. Every precaution reasonable in the circumstances is taken for the protection of an employee.

DUTIES AND RESPONSIBILITIES: WORKERS

Workers

Under Section 28 of the Act, worker duties include:

1. Working in compliance with the provisions of the Act, regulations, and internal policies and procedures.
2. Using or wearing the equipment, protective devices or clothing that is required to be used or worn.
3. Reporting to his/her supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger him/herself or another worker.
4. Reporting to his/her supervisor any contravention of the OH&S Act, regulations, policies and procedures.
5. Reporting to his/her supervisor the existence of any hazard of which he/she is aware.
6. Not removing or making ineffective any protective device without providing an adequate temporary protective device. Replacing immediately the original protective device when the work is completed.
7. Not using or operating any equipment, machine, device or thing or working in any manner that may endanger him/herself or another worker.
8. Not engaging in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

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The Act instills three basic rights for every worker:

RIGHT TO KNOW	RIGHT TO PARTICIPATE	RIGHT TO REFUSE UNSAFE WORK
How?	How?	How?
<ul style="list-style-type: none"> Ask questions about potential hazards if you are unsure 	<ul style="list-style-type: none"> Consider participating on the Joint Health and Safety Committee (JHSC) 	<ul style="list-style-type: none"> Report the issue to your supervisor and a member of the JHSC stating that this is a "work refusal" or a "refusal to work" situation

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