



Understanding Legal Requirements

Employees and Managers- Working as a Team

What do I need to know?

Meeting legislative requirements are an important part of running a business. There are different acts of legislation that apply to your company. Some of these include labour relations, fire codes, employment standards, WHMIS legislation and technical safety standards.

When it comes to health and safety in Ontario, employers have a duty to carry out the requirements of the Occupational Health and Safety Act and Regulations (OHS Act), as well as the Workplace and Insurance Act (WSI Act). These Acts provide the framework for making workplaces healthy and safe.

You and your employees are in the best position to identify and solve health and safety issues. You need to work as a team with equal responsibilities. The OHS Act calls this the Internal Responsibility System (IRS). The IRS is a system of cooperation in which the duties of owners, management and supervisors along with the rights and responsibilities of workers are joined to ensure shared responsibility for a healthy and safe workplace.

This quick reference tool is designed to help you understand some of the general duties that you and your employees have, in order to meet minimum legislative requirements.

How can these general duties help me establish an effective health and safety system?

Employers and Managers are responsible for the health and safety of employees. As an employer you need to demonstrate that you have taken every precaution reasonable to anticipate and prevent injury.

Employees are also responsible for working in a healthy and safe way. The below list of duties is a good place to start when establishing a health and safety system, a system that encourages participation from everyone.

By implementing general duties and responsibilities as outlined in the OHS Act, you should be able to establish an effective health and safety system. The integration of health and safety into your normal business practices is the most practical way to prevent injuries and illnesses in the workplace.

What are the general duties of management?

- > Take every reasonable precaution to make sure the workplace is safe and healthy.
- > Make sure that everyone in the workplace is aware of and follows the OH&S Act.
- > Develop a written health and safety policy that is reviewed annually.

- > Provide competent supervision.
- > Assist the Joint Health and Safety Committee (if you have 20 or more regular employees) or Health and Safety Representative (if you have 6– 19 employees) to carry out duties.
- > Inform employees about real or possible hazards in the workplace.
- > Provide training in workplace health and safety.
- > Provide necessary personal protective equipment (PPE) in good repair.
- > Give assistance needed in a medical emergency.
- > Post a copy of the OH&S Act and a health and safety policy.
- > Report injuries to the Workplace Safety and Insurance Board (WSIB). If the injury is critical it also needs to be reported to the Ministry of Labour (MOL).

What are the general duties of employees?

- > Do their work in a safe and healthy way (using equipment guards, no horseplay, reporting hazards, etc.).
- > Use personal protective equipment (PPE) correctly and report missing or broken PPE.
- > Report hazards or risks in the workplace.

An easy checklist...

Below is an easy to use preliminary checklist. By selecting "yes," "no," or "not sure" you will be able to see at a glance legislative issues you may need to address. If you have any "no's" or "not sure's" contact your OSSA consultant for assistance.

| ITEM | YES | NO | NOT SURE |
|---|-----|----|----------|
| Are you familiar with health and safety legislation that applies to your workplace? | | | |
| Do you have a copy of the Occupational Health and Safety Act and Regulations posted in the workplace? | | | |
| Do you have a health and safety policy that is signed, dated and posted in the workplace? | | | |
| Do you have the WSIB poster "In Case of Injury at Work" posted in the workplace? | | | |
| Do you have at least one first-aider with valid certification on the job at all times? | | | |
| Do you have a first aid kit that is adequately stocked, inspected and accessible to workers? | | | |
| If you have 6-19 employees do you have a Health and Safety Representative? | | | |
| If you have 20 or more employees, do you have a Joint Health and Safety Committee? | | | |
| Are monthly workplace inspections being done by your Health and Safety Rep or Joint Health and Safety Committee (JHSC)? | | | |
| Do you have procedures for investigating and reporting accidents and illness to the WSIB and the MOL? | | | |
| If you have a JHSC, do you have at least 2 members of your JHSC who have received Certification training? | | | |
| Do you have a WHMIS program? | | | |
| Have your employees received relevant WHMIS training? | | | |
| Are current Material Safety Data Sheets available for all the hazardous products in your workplace? | | | |
| Do you know your legal obligations under the Occupational Health and Safety Act? | | | |
| Do your employees know your legal obligations under the Occupational Health and Safety Act? | | | |
| Do you have an Emergency Response Plan to deal with fire, chemical spills and any other emergency? | | | |
| Have you evaluated all the risks and hazards in your workplace in order to provide adequate training and supervision? | | | |
| Is appropriate personal protective equipment provided and maintained? | | | |
| Are your employees aware of the Three Basic Rights under the Occupational Health and Safety Act? | | | |
| Do you have a program for controlling hazards in your workplace? | | | |
| Do your employees have the proper personal protective equipment for the jobs they do? | | | |
| Are your employees trained on the proper use and care of the personal protective equipment? | | | |

OSSA Products

Learning about health and safety might seem challenging. To help you develop an understanding of health and safety, the OSSA develops low-cost self-paced products that help you:

- > Meet your legislative Needs;
- > Master the unique health and safety challenges of your workplace;
- > Provide a valuable, user friendly learning experience for your entire team.

As we said at the beginning of this quick reference sheet - understanding the different acts of legislation that apply to your company is an important part of running a business. OSSA products are another excellent resource for addressing your health and safety needs. Products that may prove the most useful to understanding your legal requirements include:

Occupational Health and Safety Starter Kit

Product Code: **100-001-000-K-GE**

This kit contains all the essential information you need to get your company's health and safety program up and running.

Occupational Health and Safety in Ontario: A Managers Guide to Safe Work Practices

Product Code: **120-001-001-P-GE**

This guide is written in plain language and covers 39 topics on the most common health and safety management issues found in Ontario's service industry.

You can order these products and many others from our website at www.ossa.com or by calling our client services line at **1-888-478-6772**.