



Occupational Health and Safety Policy

The Occupational Health and Safety Act (OHSA) came into force on October 1, 1979. Its purpose is to protect workers against health and safety hazards on the job. The main features of the Act are described below and are recognized by Camp Oconto. This policy is based on the Occupational Health and Safety Act (OHSA) and more information can be found on the Ontario Ministry of Labour website: <https://www.ontario.ca/page/ministry-labour>

The Workplace Partnership

Workers and employers must share the responsibility for occupational health and safety. This concept of an *internal responsibility system* is based on the principle that the workplace parties themselves are in the best position to identify health and safety problems and to develop solutions. The internal responsibility system involves everyone, from the camp director to the worker. How well the system works depends upon whether there is a complete, unbroken chain of responsibility and accountability for health and safety.

Rights of the Workers

To balance the employer's general right to direct the work force and control the production process in the workplace, the act gives *three basic rights to workers*:

- 1) **The right to know** about hazards in their work and get information, supervision and instruction to protect their health and safety on the job.
- 2) **The right to participate** in identifying and solving health and safety problems or through a health and safety representative or worker member of a joint health and safety committee.
- 3) **The right to refuse** work that they believe is dangerous to their health and safety of that of any other worker in the workplace.

The Right to Know

Workers have the right to know about any potential hazards to which they may be exposed. This means the right to be trained and to have information on machinery, equipment, working conditions, processes and hazardous substances.

The Right to Participate

Workers have the right to be part of the process of identifying and resolving workplace health and safety concerns. This right is expressed through worker membership on joint health safety committees or through worker health and safety representatives.

Right to Refuse

Workers have the right to refuse work that they believe is dangerous to either their own health and safety or that of another worker in the workplace. Section 43 of the OHSA describes the exact process for refusing work and the responsibilities of the employer/supervisor in responding to such a refusal. In certain circumstances members of a joint health and safety committee who are "certified" have the right to stop work that is dangerous to any worker. The duties of workers are generally to work safely, in accordance with the OHSA and regulations.

Camp Oconto's Health and Safety Representative

A health and safety representative is required at a workplace or construction project where the number of workers in the workplace regularly exceeds five, and where there is no joint health and safety committee

required [subsection 8(1)]. The health and safety representative must be chosen by the workers who do not exercise managerial functions and who will be represented by the representative [subsection 8(5)]. At Camp Oconto, our Health and Safety representative is **Wally Wistead** (in his absence, it will be Mike Lowery), as he is not a direct supervisor and is extremely approachable. His responsibilities are as follows:

Identify Workplace Hazards

The health and safety representative must identify workplace hazards and make recommendations or report his or her findings to the employer and workers. This power is exercised by conducting workplace inspections. The representative must inspect the physical condition of the workplace at least once a month [subsection 8(6)]. The employer and workers are required to give the representative any information and assistance needed to carry out these inspections [subsection 8(9)].

Obtain Information from the Employer

The health and safety representative must obtain information from the employer concerning tests, if any, on equipment, machine, agents, etc. in the workplace. This power is reinforced by the employer's duty to assist and cooperate with the health and safety representative in the carrying out of his/her functions, to advise the health and safety representative of the results of an assessment of risks of workplace violence, provide a copy of the assessment if it is in writing [section 32.0.3], and provide the health and safety representative with the results of a report on occupational health and safety [clause 25(2)(1)].

Be Consulted About Workplace Testing

If the employer intends to do specific testing in or about the workplace that is related to occupational health and safety, the representative has the right to be consulted before the testing takes place. He or she may also be present at the beginning of such testing if the representative believes that his or her presence is necessary to ensure that valid testing procedures are used or to ensure that test results are valid [clause 8(11)(b)].

Make Recommendations to the Employer

The health and safety representative has the power to make recommendations to the employer on ways to improve workplace health and safety.

Investigate Work Refusals

The health and safety representative must be present at the employer's investigation of a work refusal unless another worker, who has been selected by the workers in the workplace to represent them in work refusal investigations, is present.

Investigate Serious Injuries

If there is a death or a critical injury on the job, the representative has the power to inspect the scene where the injury occurred and any machine, device etc. subject to subsection 51(2) of the OHS Act. His or her findings must be reported in writing to a Director of the Ministry of Labour [subsection 8(14)] as soon as possible.

Duties of the Employers and Other Persons

There is a general duty on employers to take all reasonable precautions to protect the health and safety of workers. In addition, the OHS Act and regulations set out many specific responsibilities of the employer. For example, there are duties that specifically relate to toxic substances, hazardous machinery, worker education and personal protective equipment.

Occupational Health and Safety Enforcement and Regulations

Inspectors have broad powers to, among other things, inspect any workplace, investigate any potentially hazardous situations and work refusal, order compliance with the OHS Act and regulations and initiate prosecutions. Employers, supervisors and workers are expected to assist and co-operate with inspectors.

Overview of Controlled Products

A controlled product is any product that can be included in any of the following six classes:

- 1) Class A: Compressed Gas
- 2) Class B: Flammable and Combustible Material
- 3) Class C: Oxidizing Material
- 4) Class D: Poisonous and Infectious Material
- 5) Class E: Corrosive Material
- 6) Class F: Dangerously Reactive Material

Two of the classes, Class B and Class D, are subdivided as follows:

- Class B: Flammable and Combustible Material
 - Division 1: Flammable Gases
 - Division 2: Flammable Liquids
 - Division 3: Combustible Liquids
 - Division 4: Flammable Solids
 - Division 5: Flammable Aerosols
 - Division 6: Reactive Flammable Materials

- Class D: Poisonous and Infectious Material
 - Division 1: Material Causing Immediate and Serious Toxic Effects
 - Subdivision A: Very Toxic Material
 - Subdivision B: Toxic Material
 - Division 2: Materials Causing Other Toxic Effects
 - Subdivision A: Very Toxic Material
 - Subdivision B: Toxic Material
 - Division 3: Biohazardous Infectious Materials

No Reprisal

This policy prohibits reprisals against employees who have provided information to Camp Oconto in good faith regarding a complaint or incident in the workplace.

A Reprisal includes the following:

- An act of retaliation or negative consequence that occurs because a person has complained or provided information about a possible incident in good faith;
- Intentionally pressuring a person to ignore or not report a possible incident in the workplace; and/or
- Intentionally pressuring a person to misrepresent the truth or provide less than full cooperation with an investigation of a complaint or possible incident in the workplace.

No employer or person acting on behalf of an employer shall:

- Dismiss or threaten to dismiss a worker;
- Discipline or suspend or threaten to discipline or suspend a worker;
- Impose any penalty upon a worker; or
- Intimidate or coerce a worker

Employers or employees who engage in reprisals or threats of reprisals will be considered in violation of this policy.