



**SAFE  
WORK**

**S** SPOT THE HAZARD  
**A** ASSESS THE RISK  
**F** FIND A SAFER WAY  
**E** EVERYDAY

**EVERYONE'S  
RESPONSIBILITY**



Elements of a  
**Workplace Safety  
and Health Program**

**JUNE 2003**

# Elements of a Workplace Safety and Health Program

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## Introduction

A workplace safety and health program is a definite plan of action, designed for each specific workplace, to prevent incidents and occupational disease.

A workplace safety and health program is an important safety and health tool. Effective workplace safety and health programs have been proven to reduce injuries and illnesses in the workplace. Employers must establish a written workplace safety and health program for each workplace where 20 or more workers of the employer are regularly employed, as required by *The Workplace Safety and Health Act*.

The purpose of a workplace safety and health program is to prevent injuries and occupational disease in a specific workplace. To do so effectively, the workplace safety and health program may need to go beyond the legislated requirements set out in the Act. The Act and regulations simply set out the minimum requirements on a wide variety of safety and health issues, without reference to their implementation within each workplace.

In contrast, a workplace safety and health program sets out the requirements and procedures needed in each workplace to prevent injuries and occupational illness.

The Workplace Safety and Health Division has two publications about workplace safety and health programs. This publication, *Elements of A Workplace Safety and Health Program*, is the first (Part I). It will help employers set up a program as required by Section 7.4 of *The Workplace Safety and Health Act*.

The second (Part II) is called *Setting up a Workplace Safety and Health Program: A Guide*. It outlines how to put a program in place.

**A note about terms**

When we use the term ‘Act,’ we mean *The Workplace Safety and Health Act*.

Whenever we use the term ‘regulations,’ we mean *The Workplace Safety and Health Regulations*.

Whenever we use the term ‘committee,’ we mean a *workplace safety and health committee* required by the Act and regulations.

Whenever we use the term ‘Division,’ we mean the *Workplace Safety and Health Division of Manitoba Labour and Immigration*.

## What workplaces must have a program?

Every employer would benefit from implementing an effective workplace safety and health program. The Act states that employers must establish a written workplace safety and health program for each workplace where 20 or more workers are employed.

## What criteria must the program meet?

- 1) The Act and regulations set out minimum requirements reflecting accepted industry practices. However, every workplace is different and the best way to prevent injuries and occupational illnesses may differ from one workplace to another. That is why the safety and health program needs to be workplace specific. A program developed for one workplace may not meet the needs of another.
- 2) To be effective, a workplace safety and health program needs the active support and commitment of senior management to ensure the program is carried out with no exceptions. Doing the job safely must be as important as doing it efficiently and effectively.
- 3) The workplace safety and health program needs worker involvement. It must be developed in consultation with your workplace safety and health committee.<sup>1</sup> But, more than that, all employees need to be involved in safety and health activities if your workplace safety and health program is going to be effective.
- 4) Everyone must be held accountable for carrying out his or her responsibilities for making the safety and health program succeed. Senior management must be accountable for developing and implementing the program. Individual supervisors and employees should be assigned responsibility for carrying out specific elements of the program. The safety and health program should then be assessed in the same way as any other important program in the organization.

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<sup>1</sup> The Division interprets “consult” to mean that, while not obliged to obtain the approval or permission of the safety and health committee, an employer is obliged to consider, in good faith, the views and opinions of the committee in the process of making a decision. To fulfil the obligation to consult in good faith, an employer must give the committee a real opportunity:

- **To be informed** of information essential to making a reasonable and informed assessment
- **To review and assess** the information and possible alternatives or options
- **To comment** and/or make recommendations on the possible options and alternatives
- **To be considered.** This means the employer will consider the recommendations of the committee and where applicable, give the committee credible reasons for not accepting or implementing the committee’s recommendations

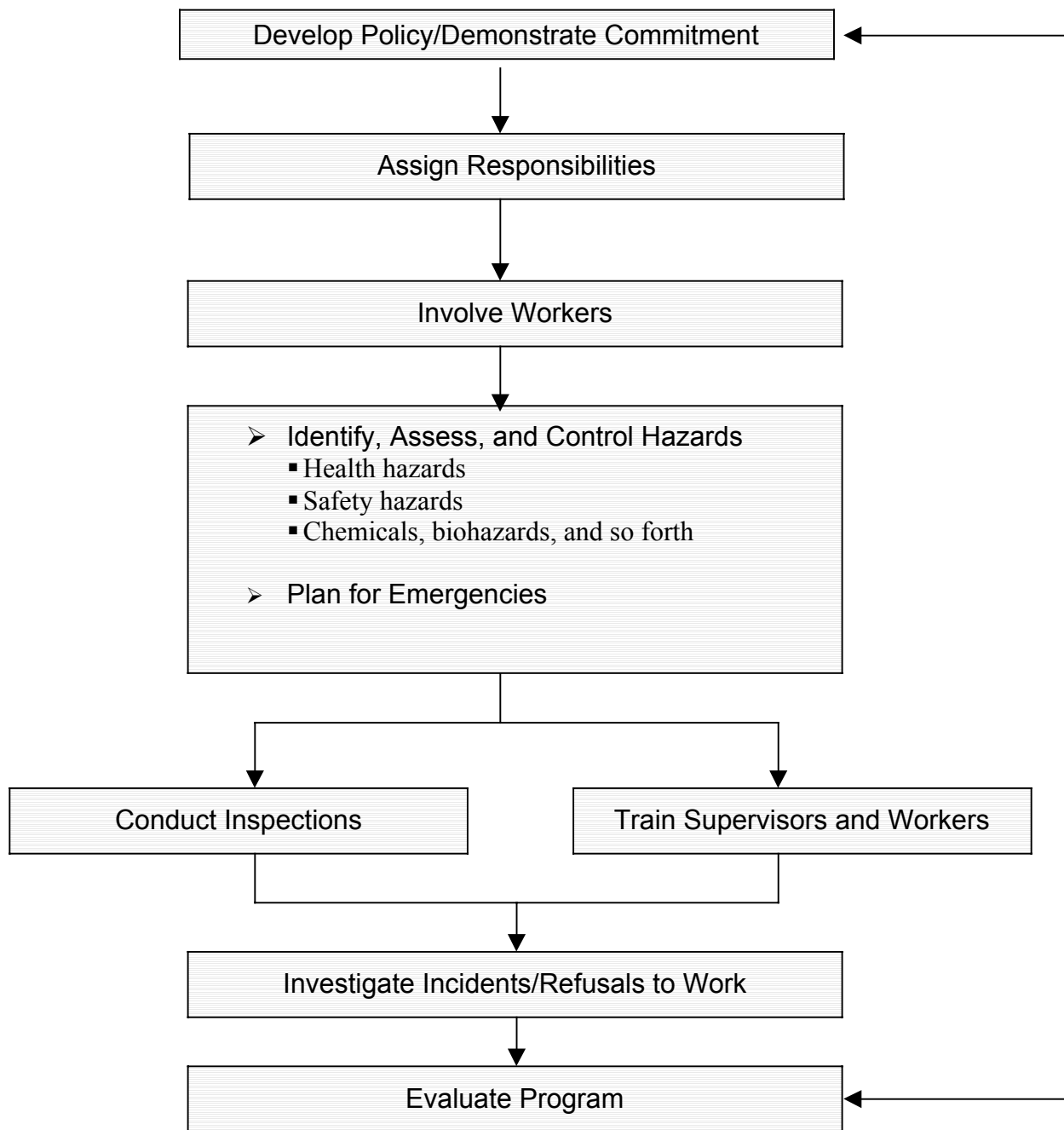
- 5) Each of the program's elements must be in writing. Elements must be supported with all documents and information addressing matters listed in the regulations. If elements of the safety and health program have been implemented in separate procedures and policies, then those procedures and policies must be referred to in the main safety and health program document.
- 6) The program must also address the safety and health of contracted employer(s) and their workers, or self-employed person(s). In situations where you have contracted two or more outside organizations or self-employed people to do work, you, or the prime contractor, are responsible for co-ordinating the safety and health programs of all employers at that place of employment.<sup>2</sup>
- 7) The program must be effectively communicated to all employees. It must be available to your workplace safety and health committee, workers, or to a workplace safety and health officer (on request).
- 8) Setting up a program is not simply about producing documents. A safety and health program is a 'living thing' that should be constantly adapted, evaluated, and enhanced to make the workplace safe and healthy. Effective implementation and monitoring is crucial to its success.
- 9) In short, to be effective, your program must:
  - be workplace specific
  - have commitment from the employer and senior management
  - have input from the workers
  - assign clear responsibilities and accountabilities
  - have an evaluation mechanism
  - be available and effectively communicated

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<sup>2</sup> A “**contractor**” means a person who, pursuant to one or more contracts, directs the activities of one or more employers or self-employed persons involved in work at a workplace.

A “**prime contractor**” means the prime contractor for a construction project.

### How is a program developed?



**What steps should be taken to implement your program?**

- 1) Write a policy that demonstrates your commitment.
- 2) Have adequate systems to identify and control hazards.
- 3) Identify what people, resources, and procedures are needed to deal with emergencies.
- 4) Prepare a statement of responsibilities for safety and health (who is responsible for what).
- 5) Schedule regular and 'surprise' planned inspections.
- 6) Develop plans to control chemical and biological hazards.
- 7) Develop procedures to safeguard safety and health when contracted employers or self-employed persons are brought in to do certain work.
- 8) Develop training plans for workers and supervisors.
- 9) Develop a procedure to investigate injuries and occupational diseases, dangerous occurrences, and refusals to work.
- 10) Develop ways to involve workers in the program.
- 11) Regularly evaluate and revise your program.



## Write a policy that demonstrates commitment

### Musts

Is your policy statement:

- ✓ Written, communicated, and posted?
- ✓ Understood by workers and others who may be affected?
- ✓ Clear about who is responsible and accountable?
- ✓ Followed in all work activities and areas?

Section 7.4(5)(a) of *The Workplace Safety and Health Act* requires...*a statement of the employer's policy with respect to protecting the safety and health of workers at the workplace.*

A workplace safety and health policy is a statement of principles and general guidelines that govern your safety and health actions. It tells workers, suppliers, contracted employers, self-employed people, and clients about the organization's commitment to safety and health.

It should include:

- the safety and health philosophy of the organization
- management's commitment to prevent injuries and occupational illnesses
- the objectives of the safety and health program
- who is responsible and accountable for elements of the program
- the responsibility of employees and others for safety and health
- a statement that substandard safety and health performance will not be accepted

The policy statement must be made known to all employees and, where appropriate, to suppliers, contracted employer(s), self-employed person(s), and clients. New workers must be made aware of the policy statement during orientation. The policy must not take a back seat to any other policy in your organization. It must be kept up-to-date, and it must be followed in all work activities. The most senior manager in the organization should also sign it.

## Identify and control hazards and emergencies

### Musts

- ✓ Is your risk management system proactive? Does it anticipate risks?
- ✓ Does your system specify how to do jobs and tasks safely? For example, have you used a job hazard analysis process?
- ✓ Have safe work procedures been developed?
- ✓ Does your system include a mechanism to inform workers about hazards, their risks, and hazard controls?
- ✓ Does your system assign responsibilities for each element in the program to specific people?
- ✓ Does your system include plans, policies, procedures, and programs required by the regulations?
- ✓ Does your system include plans for identifying and dealing with emergencies?

Section 7.4(5)(b) of *The Workplace Safety and Health Act* requires ...*the identification of existing and potential dangers to workers at the workplace and the measures that will be taken to reduce, eliminate or control those dangers, including procedures to follow in an emergency.*

One of the most important elements of a workplace safety and health program is an effective system to identify and control hazards. Hazards may cause incidents, injuries, and illnesses. The employer may not be able to anticipate and prevent every incident, injury, or illness. However, the employer should take all precautions that a reasonable and prudent person would take in the circumstances. Remember that many workplace incidents can be attributed to hazards and risks that people in the workplace have come to consider routine or unimportant.

Section 7.4(5)(b) of *The Workplace Safety and Health Act* requires a system to:

- 1) Identify known and potential dangers to workers. The system must enable and encourage workers to bring forward concerns about hazards.
- 2) Assess the associated risks.
- 3) Implement measures to eliminate or control the hazards.

Risks include:

- Safety hazards
- Health hazards such as:
  - chemical, biological, and physical agents
  - work design (ergonomic hazards)
  - harassment, violence, working alone, etc.

The risk management system need not be separate from operational procedures. To ensure accountability, responsibility must be assigned to specific employees. Knowledgeable supervisors, in consultation with experienced workers, are good candidates for leading hazard identification, assessment, and control efforts.

Workers are a valuable source of information about hazards and risks in the workplace. The workplace safety and health committee also provides input and advice, and audits the system's effectiveness.

### **What process must be used to review hazards?**

- 1) Consider these factors and items when reviewing workplace hazards:
  - information from workers, past incidents, and near misses
  - incidents in similar workplaces
  - Workers' Compensation Board claims
  - workers' safety and health concerns
  - workplace safety and health committee minutes
  - new or modified jobs
  - new equipment or work processes
  - the possibility of exposure to hazardous substances and agents
  - product literature and information from suppliers
  - new scientific information about risk of illness from working with substances at work
- 2) Consider the hazards associated with tasks, equipment, and material. Conduct a job hazard analysis (or a similar assessment) for all hazardous jobs.
- 3) Require and encourage workers to promptly report safety and health concerns. This is a proactive way of preventing incidents. You should have a system in place that:
  - requires and encourages workers to report concerns to supervisors
  - protects workers from reprisals if they do raise concerns
  - requires supervisors to ensure workers do report concerns
  - requires supervisors to promptly correct concerns and document what was doneLeading organizations evaluate employee safety and health performance in the same way they evaluate performance in other areas.
- 4) Conduct informal interviews with workers to get information on incidents or near misses that affect them, or that they witnessed or heard about.

### **What process must be used to assess the risk?**

The next step is to determine the nature of the risk associated with each hazard. Find out:

- 1) Is there a risk of permanent disability?
- 2) Is there a risk of temporary disabling injury?
- 3) Is there a risk of minor disabling injury?
- 4) Then estimate the level of risk:
  - How often and for how long are workers exposed to each hazard?
  - How common are workplace injuries and occupational illnesses associated with each hazard?

Hazards with a risk of serious injury and hazards to which workers are exposed frequently or for long periods of time are your top priority for control.

### **How must hazards be controlled?**

How you control a hazard will depend on the circumstances. You must consider the seriousness of the risk and what controls are reasonable and practical in the circumstances (in the Act, this is called *reasonably practicable*).<sup>3</sup> The regulations may provide guidance in the minimum standards to be met. You should also consider best practices recommended by your industry.

Hazard control must follow three steps:

- 1) Eliminate hazards posed by equipment, materials or work processes at the source. You may redesign the work process, substitute a safer chemical for a hazardous chemical, or buy new equipment. These methods are often the best ways of controlling hazards.
- 2) If it is not reasonable and practical to eliminate hazards, use engineering or other controls. Machine guards and noise enclosures are examples.
- 3) If it is still not reasonable and practical to reduce the risks through these methods, protect the workers through personal protective equipment, training, supervision, etc.

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<sup>3</sup> “**Reasonably practicable**” is determined by asking what a reasonable person in the same position and circumstance would have done to prevent the incident. When making the determination, three main factors need to be taken into account: (1) foreseeability; (2) preventability; and (3) control.

The person(s) responsible for risk assessment and control should be prepared to explain to workers, management, and a safety and health officer, the extent of the risk associated with a hazard and the effectiveness of the chosen control(s).

### **How must information be communicated to workers?**

If any of this is going to prevent injuries and occupational illnesses, workers have to understand the risks of the job, and how those risks are to be controlled. Methods of communicating information about hazards include:

- 1) Making sure anyone at risk or anyone responsible for ensuring the safety of others understands the risks and how they can be controlled.
- 2) Implementing safe work procedures and making compliance a condition of employment.
- 3) Making supervisors responsible and accountable for ensuring that workers understand and use safe work procedures.
- 4) Educating workers on the risks, the use of hazard controls, and safe work procedures. Start safety and health education right away by orientating new workers and workers transferred to new jobs. Make sure workers receive additional training when new equipment or procedures are implemented and when there is inadequate safety performance.
- 5) Requiring contracted employer(s) or self-employed person(s) to implement safe work procedures and educate their workers.

It is more effective to totally integrate safety and health into normal work procedures than it is to have one procedure for safety and another for production or customer/client service.

### **What emergencies must procedures address?**

You must have procedures to address predictable emergencies, such as fires, pipeline breaks, safety device failures, leaks, and releases of hazardous agents. Start by making a list of possible emergencies:

- 1) Consider the possible major consequences of each potential emergency.
- 2) Determine the best response to each emergency (rescue, evacuation, decontamination, fire fighting, etc.).
- 3) Make a list of resources required to respond to each emergency, such as first aid and medical supplies, rescue equipment, emergency response training, etc
- 4) Then implement the necessary emergency response plans.

## Identify people and resources required to deal with emergencies

### Musts

- ✓ Has your program identified situations that could produce emergencies?
- ✓ Has your program identified human and other resources required to deal with emergencies?
- ✓ Has your program developed a written fire safety plan and a plan to deal with chemical spills (where needed)?
- ✓ Has your program identified emergency training requirements?

Section 7.4(5)(c) of *The Workplace Safety and Health Act* requires ...*a plan for the identification of internal and external resources, including personnel and equipment that may be required to respond to an emergency at the workplace.*

- 1) The program must address response plans for fires, explosions, major releases of hazardous agents, and other possible emergencies that may occur at the place of employment.
- 2) The program must identify situations that will trigger emergency response actions – such as declaring an emergency, evacuating workers, calling in internal and external resources, initiating rescues, and tending to casualties.
- 3) The program must identify who is designated to carry out the emergency plans, state their duties and responsibilities, and identify the training they need to be competent.
- 4) The program must identify resources. These resources include the personnel and equipment needed to deal with each emergency situation. Consider the location of the place of employment, existing resources, and the nature of each emergency.
- 5) The program must include a fire safety plan.
- 6) The program must include emergency procedures to deal with an accumulation, spill, or leak of hazardous chemical or biological substances.

## Prepare a statement of responsibilities

### Musts

- ✓ Are assignments as specific as possible and in writing?
- ✓ Are assignments accompanied by a monitoring system (checks)?
- ✓ Does it state what consequences follow when safety and health duties are not carried out?

Section 7.4(5)(d) of *The Workplace Safety and Health Act* requires...*a statement of the responsibilities of the employer, supervisors, and workers at the workplace.*

Employers, supervisors, and workers are all legally responsible for safety and health in the workplace. Everyone must be individually accountable for carrying out his or her responsibilities. The greater the authority, the greater the responsibility.

Your safety and health program needs to spell out individual responsibility for safety and health. See Sections 4 and 5 of the Act for minimum responsibilities required of employers, supervisors, and workers.

Senior management is responsible for developing and implementing the program. A senior manager, committed to the success of the safety and health program, should be made responsible for developing and overseeing implementation of the program. Responsibility (and accountability) for carrying out each program element must also be assigned to specific supervisors or other employees.

State who is responsible for what actions as clearly and as specifically as possible. For example, the program should identify who is authorized to order safety equipment, require machine maintenance, or mobilize resources to ensure that the task is done safely.

Remember, in order to carry out their responsibilities, people must:

- know what their responsibilities are
- have the necessary authority to carry them out
- have the necessary skill, training, and experience to carry them out

**What are the responsibilities of employers and senior managers?**

Employers and senior managers have responsibilities under the legislation that include:

- providing a safe and healthy workplace
- ensuring that legal safety and health requirements are met
- establishing and maintaining an effective safety and health program and obtaining input from the committee
- allocating enough resources (money, time, equipment, and people, including competent managers and supervisors) to implement the program
- making sure that managers and supervisors are trained, supported, and held accountable for fulfilling their workplace safety and health requirements
- managing the safety and health performance of their managers and supervisors
- making sure workers have the information, training, certification, supervision, and experience to do their jobs safely
- making sure medical/first aid facilities are provided as needed
- setting up effective workplace safety and health committees and ensuring that workers have the means to allow them to participate effectively in safety and health discussions
- co-operating with other parties in dealing with safety and health issues

**What are the responsibilities of front-line managers and supervisors?**

Front-line managers and supervisors have responsibilities under the legislation that include:

- understanding and ensuring compliance with workplace safety and health requirements
- co-operating with the workplace safety and health committee, helping it to do its job properly, and ensuring all employees support committee members in their safety and health activities
- making sure hazards are identified and proper steps are taken to control the risks
- inspecting work areas and correcting unsafe acts and conditions
- instructing and coaching workers to follow safe work procedures
- ensuring only authorized, competent workers operate equipment
- ensuring equipment is properly maintained
- ensuring the necessary personal protective equipment is provided to workers and used properly
- knowing how to safely handle, store, produce, and dispose of chemical and biological substances at the workplace



- understanding and implementing emergency procedures
- reporting and investigating incidents and near misses
- promoting safety and health awareness
- co-operating with other parties in dealing with safety and health issues

### **What are the responsibilities of workers?**

The responsibilities of workers include:

- understanding and following legislation and workplace safety and health requirements
- following safe work procedures
- using safety equipment, machine guards, safety devices, and personal protective equipment
- reporting unsafe acts and workplace hazards
- reporting incidents, near misses, injuries, or illnesses immediately
- working and acting safely and helping others to work and act safely
- co-operating with the workplace safety and health committee and others on safety and health issues

### **What is the role of the workplace safety and health committee?**

The role of the committee must not be confused with the responsibilities of supervisors or employers. The committee brings together workers' in-depth practical knowledge of specific jobs and managers' knowledge of the organization's 'big picture' to provide input and advice on safety and health matters. The committee should also monitor the workplace safety system (for example, as determined by the safety and health program) to ensure that it is working properly. The committee provides input and advice. The employer remains ultimately accountable for the final decision. Use the committee to monitor and assess the effectiveness of the workplace safety and health program.

## Schedule inspections

### Musts

- ✓ Does your schedule identify what will be inspected, (work areas, equipment, tools, procedures, practices, and so forth), by whom, and how frequently?
- ✓ Does it include inspections of work procedures and production processes?
- ✓ Does it state what inspection records must be produced to ensure accountability?
- ✓ Does it provide for correcting defects found during each inspection?
- ✓ Does it state what training is required for those who carry out inspections?

Section 7.4(5)(e) of *The Workplace Safety and Health Act* requires...*a schedule for the regular inspection of the workplace and of work processes and procedures at the workplace.*

Inspections are one of the most common and effective tools for identifying and correcting problems before they cause injuries and occupational illnesses. Inspections should also be used to draw attention to and encourage good safety and health practices.

Generally speaking there are two types of inspections – informal inspections and formal, planned inspections.

**Informal inspections** – These really boil down to conscious awareness of safety and health hazards and controls as people do their jobs. Informal inspections are an important part of an effective system of hazard identification and control that should be done by workers, supervisors, and managers. Since workers are often the first to see things happen, they should be required and encouraged to report hazards. Two important steps for encouraging this are taking concerns seriously and keeping workers informed about the status of remedial action (when and how the correction will be made, or why the corrective action has been delayed or denied).

**Formal, planned inspections** – A formal inspection is a planned walk through or examination of a workplace, selected work area or particular hazards, machinery, tools, equipment and work practices. In any workplace, day to day activities create safety and health hazards. People, equipment, materials, and the environment constantly change. Some environmental changes remove hazards, others create new ones. Inspections help focus attention on change and help solve problems before they cause injuries and occupational illnesses. Formal inspections must include an inspection of work processes and procedures to ensure the adequacy of safe work procedures.

This section deals with planned inspections.

Committees can support the safety and health activities of supervisors and workers by finding defects they have become ‘used to’. In some cases, committee inspections may also focus on special problems in the workplace. When a workplace safety and health committee brings a problem or concern to the attention of an employer, the employer will either implement the recommendation(s) or provide a written response within 30 days that sets out the timeline for implementation, or the reason for not accepting the recommendation.

The Division recommends that your committee inspect the workplace before each regularly scheduled meeting.

**Who is responsible for what within the inspection schedule?**

Workers, operators, supervisors, maintenance personnel, safety professionals, and others can carry out inspections. Some inspections are best carried out by someone with specialized training; some are best done by mechanics and maintenance personnel, and some are best done by supervisors and workers. As a general rule, the responsibility for each type of inspection should fall on those who are most knowledgeable and for whom it is most practical to do the inspection.

Your workplace safety and health program should assign responsibility for carrying out different types of inspections and set out the frequency and scope of those inspections. Your program must identify what is to be inspected and who will do each inspection.

Make sure anyone given inspection responsibility gets the training they need to fulfil their responsibilities.

**When should inspections be carried out?**

Schedule inspections of buildings, work areas (including storage rooms and travel ways), machinery, tools, equipment, production process, and work procedures. Inspections need to be done often enough to find problems before they cause injuries and illnesses.

Some kinds of inspections need to be more frequent than other inspections. Pre-use equipment checks, for example, will be much more frequent than planned general inspections. Depending on the type of inspection, the frequency might be before use, when issued, when serviced, daily, weekly, monthly, quarterly, or annually.

## Develop plans to control chemical and biological hazards

### Musts

- ✓ Have you prepared an inventory of chemicals and biological hazards?
- ✓ Do you have an MSDS control system?
- ✓ Are MSDS readily available to employees?
- ✓ Are records of worker training kept?
- ✓ Are records of environmental monitoring kept, if needed?
- ✓ Are records of ventilation system maintenance kept, if needed?
- ✓ Is a plan for control of infectious substances kept, where required?

Section 7.4(5)(f) of *The Workplace Safety and Health Act* requires...*a plan for the control of any biological or chemical substance used, produced, stored, or disposed of at the workplace.*

If you have chemical or hazardous substances in the workplace, you need to make sure they are properly controlled. Hazard information about biological and chemical substances must be obtained and used to set up adequate controls. Controls should include worker instruction and workplace monitoring. The plan must meet the requirements of Manitoba Regulation 52/88 (Workplace Hazardous Materials Information System) and Manitoba Regulation 53/88 (Workplace Health Hazard Regulation).

Manitoba Regulation 52/88 and 53/88 require the employer to:

- 1) Maintain an inventory of chemical and biological substances that may harm workers when handled, used, stored, produced or disposed of at the place of employment.
- 2) Obtain hazard information on these substances.
- 3) Reduce workplace contamination and prevent exposure to any harmful extent as far as reasonably practicable.
- 4) Use the information to develop and implement safe work procedures and processes.
- 5) Use the information to train workers about hazards and how to use required work procedures and processes.

The plan must assign responsibilities to those who order, purchase, and receive chemical and biological substances. Those responsible must obtain appropriate information about the hazards and ensure that workers are adequately trained and protected. A centralized or structured hazardous product ordering system may help do this.

The plan must address:

- 1) How to prevent the release of hazardous chemical and biological materials in the work environment, or how to minimize the concentrations of hazardous chemical and biological substances in the work environment.

- 2) How to ensure containment and ventilation systems are properly serviced and maintained.
- 3) How to ensure the workplace is properly cleaned and that decontamination procedures for workers are adequate.
- 4) How to ensure personal protective equipment (PPE) is used, cleaned, stored, and maintained properly.
- 5) How to ensure storage is adequate.
- 6) How to ensure emergency response plans are adequate.
- 7) How to provide any necessary monitoring of the work environment.

Manitoba Regulation 53/88 deals with hazards associated with *exposure* to a health hazard from an infectious material or organism.<sup>4</sup> The regulation requires a plan to control infection hazards.

This plan must include:

- a mechanism for identifying workers who may be exposed
- a way of identifying how workers could be exposed
- disinfection and other control measures
- worker training

If you have infectious substances/organisms in your workplace, you must include in the plan, actions to protect workers.

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<sup>4</sup> “**Exposure**” is defined as harmful contact through inhalation, ingestion, injection, skin or mucosal contact, absorption or other route of entry to the human body.

### **When is monitoring required?**

Monitoring (air sampling, personal assessment of exposure) measures contaminants in the workplace. Monitoring can help assess the risks faced and the adequacy of hazard controls.

The program must have a monitoring plan where:

- 1) The work environment may not be safe because of:
  - (a) lack of information about how badly the workplace is contaminated;
  - (b) fluctuations in concentrations of contaminants;
  - (c) variations in how often workers are exposed to contaminants; or
- 2) Workers have complained about their health, or may have become ill, because of exposures to workplace contaminants; and existing monitoring test results are suspect or unsatisfactory.

## Develop a plan to safeguard contracted employer(s) or self-employed person(s) at your workplace.

### Musts

- ✓ Do you have criteria for selecting and evaluating contracted employer(s) or self-employed person(s)?
- ✓ Do you have procedures for monitoring contracted employer(s) or self-employed person(s)?

Section 7.4(5)(g) of *The Workplace Safety and Health Act* requires...*a statement of procedures to be followed to safeguard safety and health in the workplace when another employer or self-employed person is involved in work at the workplace that includes:*

- (i) *criteria for evaluating and selecting employers and self-employed persons to be involved in work at the workplace, and*
- (ii) *procedures for regularly monitoring employers and self-employed persons involved in work at the workplace.*

Your safety and health program is your action plan to prevent injuries and occupational disease in your workplace. An important element of the program is the system of responsibility and accountability for controlling safety and health risks in your workplace.

Your prevention efforts can quickly be undone if you do not have a well thought out system for evaluating, selecting, and monitoring outside companies or self-employed persons with whom you contract to do certain jobs in your workplace.

### What is a Contractor Safety and Health Plan?

If you contract with an outside company or self-employed person to do certain work and direct their activities, then you become a ‘contractor’ under Manitoba’s *Workplace Safety and Health Act*.

Your workplace safety and health program must have a system to deal with the safety and health risks associated with the work of contracted employers or self-employed persons. That system should include:

- Criteria for evaluating and selecting contracted employers or self-employed persons. Criteria should include evidence of good safety and health management.
- Establishing a system of information exchange in which you provide contracted employers and self-employed persons with information that they need to do the job safely, and they provide similar information to you.
- Clarify who is responsible for what.

- Ensure that relevant safety and health requirements of your organization, or their equivalent are applied to contracted employers or self-employed persons.
- Monitoring contracted employers or self-employed persons to ensure they meet the safety and health requirements of the contract.

### **What about 'construction projects?'**

If you are undertaking a construction project which involves more than one employer or self-employed person, there must be a 'prime contractor' for the project. The prime contractor is responsible for:

- Setting up an effective system to ensure everyone involved in work on the project meets their legal safety and health obligations.
- Co-ordinating, organizing and monitoring work on the project to ensure reasonable and practical precautions are in place to effectively control safety and health hazards.
- Co-ordinating the safety and health programs of contracted employers.
- If you do not designate a prime contractor, you as project owner assume the responsibility of prime contractor.



## Develop a training plan for supervisors and workers

### Musts

- ✓ Do you keep records of orientation?
- ✓ Do you keep records of training required by the regulations (such as training required for forklift operators, and so forth)?
- ✓ Do you keep records of crew talks?
- ✓ Are responsibilities for training clearly assigned?
- ✓ Are records kept of training provided to the workplace safety and health committee co-chairpersons?

Section 7.4(5)(h) of *The Workplace Safety and Health Act* requires ...*a plan for training workers and supervisors in safe work practices and procedures.*

Safety and health education and training is critical to making your workplace safety and health program work. While everyone benefits from safety and health training, your training plan must cover the safety and health training needs of workers and supervisors.

The plan must determine how safety and health training will be developed and delivered, and by whom. It must be designed to ensure safety and health education and training begins with worker orientation when a new worker starts with the organization or a worker is transferred to a different job. An orientation must cover any topic relevant to the safety and health of the worker including; emergency procedures, first aid facilities, any restricted areas, precautions required to protect workers from hazards, and any other safety and health procedures, plans, policies, and programs applying to the worker.

Training is also needed when new equipment, processes, or procedures are introduced into the workplace, or when there are instances of unacceptable safety and health performance.

The objective of your training plan is to help build safety and health precautions into every job and to increase the level of safety and health knowledge and ability to an accepted level. Safety and health training should be built into training on workers' duties and responsibilities, as well as training on how to do specific work tasks.

### What is the role of the committee in training?

One of the duties of the workplace safety and health committee is to develop, promote, and recommend the means of delivery for safety and health training for the education and information of workers. As you consult the committee in developing your safety and health program, this will be an area of particular interest to the committee.

**What must worker training include?**

*Train* means...to give information and explanation to a worker with respect to a particular subject matter and require a practical demonstration that the worker has acquired knowledge or skill related to the subject matter.

Training must cover:

- 1) Relevant content of the safety and health program. This includes training on safe work practices and procedures in the program.
- 2) Training on specific matters in the regulations applying to the worker's work, such as lifting, WHMIS, use of respiratory protective devices, scaffolds, etc.
- 3) Orientation must cover the content of plans, policies, and programs required by the regulations. Examples include plans for handling infectious material and working alone situations.
- 4) Legislative safety and health requirements that apply to the worker's job, including the worker's rights and responsibilities.

**What training must supervisors receive?**

Supervisors have an important role to play in preventing workplace injuries and illnesses. They must be trained to fulfil that role. They need all of the instruction given to workers, plus the following training:

- 1) Applicable sections of the Act and regulations.
- 2) Relevant elements of the workplace safety and health program, including roles, duties, and responsibilities.
- 3) Safe handling, use, storage, production, and disposal of chemical and biological substances.
- 4) The need for personal protective equipment, how to use it safely, and its limitations.
- 5) Emergency procedures.
- 6) Coaching and motivation.
- 7) Any other matters necessary to ensure the safety and health of workers under their direction.

Supervisors are often responsible for training their workers. If this is the case, supervisors should have the necessary training and skill to:

- instruct workers
- prepare a proper plan of instruction
- explain why each step in a safe work procedure must be followed

## Develop a procedure to investigate incidents, dangerous occurrences, and refusals to work

Section 7.4(5)(I) of *The Workplace Safety and Health Act* requires...*a procedure for investigating accidents, dangerous occurrences and refusals to work under Section 43 of the Act.*

### Musts

- ✓ Have you assigned responsibilities in writing for conducting investigations?
- ✓ Do you keep records of training?
- ✓ Do you have written procedures for conducting investigations?
- ✓ Do you keep accident investigation reports?
- ✓ Do you keep records of corrective action and follow-up measures that have been taken to ensure the action is effective?

Investigations of incidents and dangerous occurrences provide valuable information needed to prevent similar incidents in the future.

A proper investigation of each work refusal is crucial to resolving the refusal and correcting the circumstances that caused the refusal in the first place.

### What about investigations of incidents and near misses?

There are many good reasons why supervisors and managers should investigate incidents and near misses. Chief among these reasons is that supervisors and managers are responsible for making sure any problems are corrected.

In addition, Section 40(10)(i) of the Act requires the workplace safety and health committee to participate in investigations of incidents and dangerous occurrences.

Investigation procedures for incidents and dangerous occurrences must fit your needs. Ideally, they should state:

- the objective of your investigations (find and correct root causes)
- who investigates what incidents (if supervisors or safety and health co-ordinators investigate, the workplace safety and health committee must be kept informed)
- what training investigators and incident responders will receive
- who receives the written investigation reports
- who must fix defects found during an investigation
- who follows-up on corrective action and ensures effective measures have been taken
- what investigation reports and follow-up records will be kept
- who keeps what documents and records
- what summary and statistics reports are to be developed and how often these reports will be prepared

### **What about investigations of workers' concerns?**

An effective hazard identification system should address workers' concerns as soon as they are identified. This will prevent concerns from becoming refusals to work.

### **What about investigations of refusals to work under Section 43 of the Act?**

The program must include a procedure for investigating refusals under Section 43 of the Act. Section 43 allows the internal workplace system to investigate refusals. It enables the employer to take sufficient steps to deal with the worker's concerns. Failing this, the workplace safety and health committee co-chair must participate in the investigation of the refusal and advise the worker.

A workplace safety and health officer should be contacted if the committee co-chair cannot agree on the refusal, or if the matter has not been resolved to the satisfaction of the refusing worker. The worker may continue the refusal until the officer provides a written decision.

Your procedure for investigating refusals to work should address:

- 1) Who should be notified about a refusal.
- 2) How the refusing worker will be informed about his or her rights and duties.
- 3) How the committee will investigate a refusal.
- 4) How the worker(s) who take over the duties of the refusing worker will be informed of their rights and duties.
- 5) Who will take corrective action as a result of the investigation and monitor the effectiveness of the action taken.

## Develop a strategy to involve workers

### Musts

- ✓ Have you established an effective workplace safety and health committee?
- ✓ Do you maintain workplace safety and health committee minutes?
- ✓ Do you follow-up on concerns brought forward by the committee and ensure corrective action is effective?
- ✓ Do you keep records of committee inspections?
- ✓ Do you keep records of audits conducted by the committee?
- ✓ Do you keep records of worker participation in the development and implementation of policies, plans, and procedures required by the regulations?

Section 7.4(5)(j) of *The Workplace Safety and Health Act* requires ...*a procedure for worker participation in workplace safety and health activities, including inspections and the investigation of accidents, dangerous occurrences and refusals to work under Section 43.*

An effective safety and health program needs worker commitment and participation. It must be developed in consultation with your workplace safety and health committee. But more than that, all employees need to be involved in your efforts to prevent injuries and occupational illness. This is especially important in small organizations, where there may not be the same access to professional safety and health expertise as there is in many large organizations.

Workers must be familiar with the program, know their rights and responsibilities, and understand how to handle concerns. Your program should encourage workers to suggest ways to make the workplace safer and healthier.

If workers are going to actively participate in reporting hazards and suggesting improvements, they must know they will not be subjected to reprisals, and that their concerns and suggestions will be taken seriously. The actions of managers and supervisors speak louder than words.

Your program must also address how the workplace safety and health committee will be kept effective. Methods include:

- training committee members
- enhancing communication between the committee, workers, and senior management
- responding promptly to problems or concerns raised by the committee
- considering the committee's recommendations during the development of plans, policies, programs, and procedures required by the legislation

The employer is required to resolve any problem or address any concern raised by the workplace safety and health committee. If that cannot be done, the employer must give the committee a written reason, within 30 days, for not accepting the recommendation.

The committee should be the internal auditor of the workplace safety and health program and should advise the employer on the participation strategy.

## Regularly evaluate and revise your program

### Musts

- ✓ Have you identified and clearly defined a process to evaluate and revise your program within the time intervals specified in the regulations?

Section 7.4(5)(k) of *The Workplace Safety and Health Act* requires ...*a procedure for reviewing and revising the workplace safety and health program at intervals not less than every three years or sooner if circumstances at a workplace change in a way that pose a risk to the safety and health of workers at the workplace.*

The procedure should address how your program will be reviewed and revised; when it will be done, and who will do it.

The program must be completely reviewed every three years. Full or partial reviews and revision are required when there are changes in the workplace that may affect the health or safety of workers, or when defects are discovered. *Changes* include the introduction of new technologies, production methods, or the development of services associated with new hazards. The program should also be reviewed when new risks associated with existing conditions are discovered. *Defects* may be identified through inspections, systematic audits, or investigations of incidents and dangerous occurrences. The entire program does not have to be evaluated at once. You may wish to evaluate your program one element at a time. The objective of the review procedure is to ensure that your program works properly and controls new hazards.

See the Appendix for a workplace safety and health program evaluation checklist.

## Summary

- The Division's publication about how to set up a workplace safety and health publication is in two parts. This publication, *Elements of a Workplace Safety and Health Program*, is the first part. It deals with legislative requirements.
- The second part is called *Setting up a Workplace Safety and Health Program: A Guide*. It outlines how to put a program in place.
- The ultimate goal of a workplace safety and health program is to protect workers by integrating safety and health into the culture and activities of the organization.
- Your program must meet regulatory requirements, be in writing, have senior management leadership, input from the committee, accountability, and an evaluation/revision mechanism.
- Your program must address the safety and health concerns of contracted employer(s) and self-employed person(s).
- It must be understood by your workers and, if applicable, explained to your contracted employer(s) and self-employed person(s).
- The workplace safety and health committee provides input and advice. It audits your workplace safety and health program.
- To carry out your workplace safety and health program:
  - 1) Write a policy that demonstrates your commitment
  - 2) Establish a system to identify and control hazards and emergencies
  - 3) Identify people and resources required to deal with emergencies
  - 4) Prepare a statement of responsibilities
  - 5) Schedule inspections
  - 6) Develop plans to control chemical and biological hazards
  - 7) Develop a plan to safeguard contracted employer(s) or self-employed person(s) at your work site
  - 8) Develop a training plan for supervisors and workers



- 9) Develop a procedure to investigate incidents, dangerous occurrences, and refusals to work
- 10) Develop a strategy to involve workers
- 11) Regularly evaluate and revise your program

## Appendix

### Workplace safety and health program evaluation checklist

Use this to help evaluate your workplace safety and health program.

#### What criteria must the program meet?

- Is your program workplace specific?
- Does it have commitment at the highest level of management?
- Does it have workers' input and involvement?
- Has it been developed in consultation with the workplace safety and health committee?
- Does it have a mechanism to assign specific responsibilities and a system for accountability?
- Does it include an evaluation mechanism?
- Is each of your program elements in writing?
- Is it readily available to workers and the committee?
- Does it include a statement of the safety and health responsibilities of contracted employer(s) and self-employed person(s)?

#### Write a policy that demonstrates commitment

- Is the policy written, communicated, and posted?
- Do all employees understand it?
- Does it specify who is responsible and accountable?
- Are resources allocated?

**Identify and control hazards and emergencies**

- Have the hazards of work processes, equipment, and materials been proactively examined and the risks assessed?
- Has a job hazard analysis been done for each hazardous job?
- Has a mechanism been set up to address the concerns of workers?
- Has safety and health been incorporated into all work procedures?
- Have specific responsibilities been assigned for dealing with the concerns of workers and following-up on the effectiveness of corrective action?
- Is a mechanism in place to communicate to workers information about hazards and their risks?
- Have hazard controls been put in place (elimination, engineering, etc.)?
- Are equipment logbooks maintained?
- Are maintenance records kept?
- Are applicable plans, policies, and procedures required by the regulations in place?
- Are statistics kept and appropriate reports regularly compiled?
- Are responsibilities for each task assigned to specific people?

**Identify people and resources required to deal with emergencies**

- Did you identify and address potential emergencies?
- Do you have a written fire safety/evacuation plan?
- If applicable, do you have written procedures for controlling emergencies involving chemicals and biological hazards?
- Do you keep records of emergency training?

**Prepare a statement of responsibilities**

- Do you have written duties and responsibilities regarding workplace safety and health?
- Do you have a means of ensuring accountability?
- Do you keep records of managers', supervisors', and workers' safety and health performance?

**Schedule inspections**

- Do you have written procedures and schedules in place for inspections?
- Do you have clearly defined responsibilities for carrying out inspections?
- Have you provided training to those responsible for carrying out inspections?
- Do you keep written inspection reports?

**Develop plans to control chemicals and biological hazards**

- Have you prepared an inventory of chemicals and biological hazards?
- Do you have an MSDS control system?
- Are MSDS readily available to employees?
- Are records of worker training kept?
- Are records of environmental monitoring kept, if needed?
- Are records of ventilation system maintenance kept, if needed?
- Is a plan for control of infectious substances kept, where required?

**Develop a plan to safeguard contracted employer(s) or self-employed person(s)**

- Is there evidence that the contracted employer or self-employed person is in compliance with *The Workplace Safety and Health Act* and regulations?
- Does the contracted employer(s) have a written workplace safety and health program in place, if required?
- Do workers of contracted employer(s) receive adequate orientation, instruction, training and competent supervision?
- Does the contracted employer(s) or self-employed person(s) provide safe systems of work and working environments?
- Is there effective ongoing communication with the contracted employer(s) or self-employed person(s) regarding hazards at the workplace and the measures to prevent and control them?
- Is there effective communication with the contracted employer(s) or self-employed person(s) regarding hazards the contracted employer(s) or self-employed person(s) may bring to the work site?
- Do you have a system in place for the selection and evaluation of contracted employer(s) or self-employed person(s)?
- Are your organization's safety and health policies and procedures being followed by the contracted employer(s) and their workers or self-employed person(s)?

**Develop a training plan for supervisors and workers**

- Do you keep records of orientation?
- Do you keep records of training required by the regulations (such as training required for forklift operators, etc.)?
- Do you keep records of crew talks?
- Are responsibilities for training clearly assigned?
- Are records kept of training provided to workplace safety and health committee members?

**Develop a procedure to investigate incidents, dangerous occurrences, and refusals to work**

- Have you assigned responsibilities in writing for conducting investigations?
- Do you keep records of training?
- Do you have written procedures for conducting investigations?
- Do you keep incident investigation reports?
- Do you keep records of corrective action and follow-up measures that have been taken to ensure the action is effective?

**Develop a strategy to involve workers**

- Have you established an effective workplace safety and health committee?
- Do you maintain workplace safety and health committee minutes?
- Do you follow-up on concerns brought forward by the committee and ensure corrective action is effective?
- Do you keep records of committee inspections?
- Do you keep records of audits conducted by the committee?
- Do you keep records of worker participation in the development and implementation of policies, plans, and procedures required by the regulations?

**Regularly evaluate and revise your program**

- Have you identified and clearly defined a process to evaluate and revise your program within the time intervals specified in the regulations?



