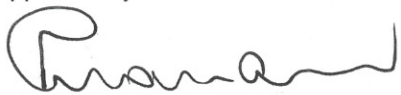
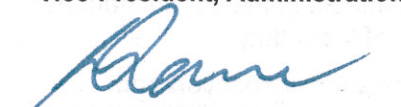


Complete Program Title: <b>Occupational Health and Safety Act (OHSA) R.S.O. 1990 Program</b>	Risk Management Manual (RMM) Number: <b>102</b>
Approved by:  <b>Vice-President, Administration</b>  <b>President and Vice-Chancellor</b>	Date of Most Recent Approval: <b>October 2015</b>
Date of Original Approval: <b>July 2008</b>	Supersedes/Amends Program dated: <b>June 2011</b>
Responsible Executive: <b>Vice-President, Administration</b>	Enquiries: <b>Environmental and Occupational Health Support Services (EOHSS) <a href="mailto:eohtss@mcmaster.ca">eohtss@mcmaster.ca</a></b>
<b>DISCLAIMER:</b> <i>If there is a discrepancy between this electronic program and the written copy held by the program owner, the written copy prevails.</i>	

**1 PURPOSE**

- 1.1 To promote awareness and ensure compliance with the Occupational Health and Safety Act (OHSA). R.S.O. 1990.
- 1.2 To define individual responsibilities and liabilities under the OHSA.
- 1.3 To define the external and internal systems of responsibility for auditing, inspecting and enforcing health and safety regulations.

**2 SCOPE**

- 2.1 All faculty, staff, students, volunteers and contractors involved in activities at any location approved by McMaster University.

**3 Related Documents**

- 3.1 Occupational Health and Safety Act (OHSA) R.S.O. 1990.
- 3.2 Regulations under the Occupational Health and Safety Act. (See Appendix A).
- 3.3 Provisions of the following Acts and Codes incorporated under the OHSA:
  - The Building Code Act. S.O. 1992, c23.
  - The Workplace Safety and Insurance Act, S.O. 1997, c16.
  - Ontario Fire Code, S.O. 1997, c4.

3.4 McMaster University Workplace and Environmental Health and Safety Policy, RMM# 100.

3.5 McMaster University Risk Management System, RMM# 101.

3.6 McMaster University Risk Management Manual.

## 4 DEFINITIONS

4.1 **Due diligence** - a general duty to take every precaution reasonable in the circumstances to protect health and safety; a defence if charged with a breach of legal duty.

4.2 **External Responsibility System** - the system of government audit, inspection and enforcement of health and safety and the functioning of the internal responsibility system.

4.3 **Internal Responsibility System** - the system of identification, analysis and resolution of occupational health and safety issues that is shared by all parties in the workplace.

4.4 **Supervisor** - person who has charge of a workplace or authority over a worker.

4.5 **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:

1. A person who performs work or supplies services for monetary compensation.
2. 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.
3. 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 or other post-secondary institution.
4. A person who receives training from an employer, but who, under the *Employment Standards Act, 2000*, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met.
5. Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation; (“travailleur”)

4.6 **Visitor** – a person who is on McMaster controlled property who is not a student or worker.

4.7 **Non-routine work** – work that is conducted on occasional basis. i.e. three times a year or less.

4.8 **Workplace** - any land, premises, location or thing at, upon, in or near which a worker works.

4.9 **Acronyms:**

- CJHSC –Central Joint Health and Safety Committee
- ERS –External Responsibility System
- EOHSS –Environmental Occupational Health Support Services
- FHS safety office – Faculty of Health Sciences safety office
- IRS – Internal Responsibility System

- OHSA – Occupational Health and Safety Act
- RMM – Risk Management Manual
- RMSG – Risk Management Support Group
- SOP – Standard Operating Procedure

## **5 RESPONSIBILITIES**

### **5.1 Role of Board Members and Officers:**

Board Members and Officers shall take all reasonable care to ensure that:

- the OHSA and the regulations are complied with;
- orders and requirements of inspectors and Directors are complied with; and
- orders of the Minister are complied with.

### **5.2 Role of Senior Managers (Deans, Chairs, Directors):**

Senior Managers shall:

- demonstrate due diligence by ensuring that the OHSA and the regulations made under this Act are made available to all applicable individuals within their area of responsibility; and
- provide the support and resources necessary to implement and maintain the IRS as defined in the Risk Management System (RMM #101) and Joint Health and Safety Committees (RMM #105) and other McMaster University Policies and Programs directed at ensuring health and safety and compliance with the OHSA and the regulations made under the Act.

### **5.3 Role of Supervisors (Academic and Administrative):**

Supervisors shall:

- be knowledgeable of their responsibilities and liabilities under the OHSA;
- act upon reports of hazards and take every precaution reasonable to protect workers;
- implement and enforce the regulations made under the Act that apply in their workplace;
- ensure that a copy or the current OHSA and the regulations is made readily available to all workers under their control;
- ensure that the McMaster University Policies, Programs and Procedures directed at providing for health and safety for individuals in the workplace and compliance with the OHSA and the regulations made under this Act are implemented and followed;
- facilitate implementation of the McMaster University IRS as defined in the Risk Management System (RMM #101);

- provide the Contracting Work Safety/Due Diligence program (RMM# 111) to contractors and ensure all components of the document are met; and
- conduct pre-work meeting for non-routine work to review the activities for hazards. If hazards are identified, implement controls and develop standard operating procedures prior to the worker starting the non-routine work.

#### 5.4 **Role of Workers:**

Workers shall: once trained and educated by their Supervisors/Employer,

- work in compliance with OHSA;
- observe relevant sections of the regulations (See Appendix A) that apply in their workplace;
- follow McMaster University health and safety policies, programs and procedures that are relevant to their work environment;
- practice proactive due diligence to eliminate and/or manage risks to their health and safety; and
- report hazards to their supervisor.

#### 5.5 **Role of the Ontario Ministry of Labour:**

The MOL:

- directs and administers the External Responsibility System (ERS) that audits the Internal Responsibility System (IRS) and enforces the OHSA and regulations through routine inspections, investigation of critical injuries, fatalities and other prescribed investigations.

#### 5.6 **Role of Central Joint Health and Safety Committee:**

The CJHSC shall:

- review changes to the OHSA and new or revised regulations made under the Act;
- fulfill its role in the IRS as prescribed by the OHSA and McMaster University Programs RMM#102 and RMM#104;
- review and make comment on all McMaster University Policy, Programs, and Procedures that are directed at protecting the health and safety of individuals ensuring compliance with the OHSA and the regulations made under this Act;
- monitor the internal workplace inspection process prescribed by the OHSA; and
- make recommendations to the Vice President, Administration for the improvement of health and safety.

#### 5.7 **Role of Joint Health and Safety Committees:**

The JHSC's shall:

- ensure that the committees meet their obligations under the OHSA and McMaster University Program (RMM # 105) for workplace inspections, safety audits, incident / injury review, training etc; and
- designate certified members for investigations and bilateral work stoppages.

## 5.8 **Role of EOHSS and FHS safety office:**

EOHSS and FHS safety office shall:

- provide the technical and professional support required to facilitate compliance with the OHSA and applicable regulations made under the Act;
- through EOHSS and FHS safety office disseminate information and direction for compliance regarding changes to the OHSA and new or revised regulations;
- provide the support required to maintain an effective IRS as defined by the OHSA and McMaster University Risk Management System ( RMM # 101);
- facilitate occupational health and safety training;
- arrange for environmental testing of suspected contaminants as prescribed under the OHSA; and
- participate in the investigation of unsafe conditions, work refusals, critical injuries, and the resolution of bilateral work stoppages.

## **6 INTERNAL RESPONSIBILITY SYSTEM (IRS) INITIATIVES**

### **6.1 Access to the OHSA and Regulations made under the Act.**

6.1.1 Copies of the Act and regulations are available through EOHSS.

6.1.2 Copies of the Act are provided on health and safety boards upon request and are available and accessible to all employees.

6.1.3 Province of Ontario Legislation can be viewed at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

### **6.2 Compliance with the OHSA and the Regulations Made under the Act.**

6.2.1 The Internal Responsibility System outlined in the Risk Management System, RMM # 101 Risk Management System defines the assigned responsibilities, structures, programs and best practices designed to facilitate compliance with environmental and occupational health and safety legislation.

6.2.2 The McMaster University Risk Management Manual outlines the Policy, Programs and Procedures designed to facilitate compliance with the OHSA and Regulations made under the Act.

- 6.2.3 The Risk Management Manual may be viewed on the EOHSS website at [www.workingatmcmaster.ca/rmm](http://www.workingatmcmaster.ca/rmm). Copies may be provided by EOHSS upon request.
- 6.2.4 The Central JHSC and the Joint Health and Safety Committees are integral to the effectiveness of the Internal Responsibility System that is the basis of the compliance model defined under the OHSA.
- 6.3 **Training related to Compliance with the OHSA and the Regulations made under the Act.**
  - 6.3.1 General information regarding the OHSA and the regulations are provided at orientation sessions for new employees.
  - 6.3.2 General information regarding the McMaster University Risk Management System and the Risk Management Manual is also provided at the new employee orientation sessions.

## **7 RECORDS**

- 7.1 Copies of all records related to OHSA compliance and enforcement issues will be maintained by the respective safety office. Such records will include but not be limited to; MOL orders and prosecutions, Incident / Injury reports.
- 7.2 Supervisors will retain copies of all task specific SOP's and training records (RMM# 300).