
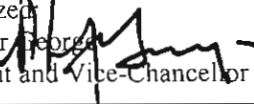
 McMaster University Risk Management Manual	RMM # 102 Title: Occupational Health and Safety Act (OHSA) R.S.O. 1990	Date: Sept 2008 Page: 1 of 8
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1 PURPOSE

- 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 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
- 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 defense 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** - person who performs work or supplies services for monetary compensation.
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- 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 an 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
 - IRS - Internal Responsibility System
 - RMM - Risk Management Manual
 - RMSG - Risk Management Support Group (EOHSS, Faculty of Health Sciences Safety Office, Employee Health Services, Senior Health Physicist, Workplace Health and Benefits, Parking and Security Services and Director of Workplace Health and Benefits)
 - FHSc – Faculty of Health Science Safety Office

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 (**See Appendix A**) are made available to all 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 #102) and (RMM #105) (JHSCS) 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:

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- be knowledgeable of their responsibilities and liabilities under the OHSA.
- implement and enforce the regulations made under the Act that apply in their workplace (**See Appendix A**);
- ensure that a copy of 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;
- 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; and
- ensure visitors to their department:
 - sign in and out of the visitor log filling out all information (see Appendix B)
 - are escorted
 - use appropriate personal protective equipment
 - remain in designated areas
 - report injury/illness suffered during the visit
 - are informed of potential hazards

5.4 **Role of Workers:**


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

- be knowledgeable of their responsibilities as prescribed under the OHSA;
- observe relevant sections of the regulations (**See Appendix A**) that apply in their workplace;
- follow McMaster University health and safety policy, programs and procedures that are relevant to their work environment; and
- practice proactive due diligence to eliminate and/or manage risks to their health and safety.

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.
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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 this Act;
- fulfill its role in the IRS as prescribed by the OHSA and McMaster University Programs RMM#102 and 104;
- review and make comment on the 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; and monitor the internal workplace inspection process prescribed by the OHSA.

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 FHSc:**


EOHSS and FHSc shall:

- provide the technical and professional support required to facilitate compliance with the OHSA and regulations made under the Act;
- through the EOHSS Office and FHSc 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, 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 the Environmental Health and Safety Office and FHSc.
- 6.1.2 Copies of the Act and Regulations are provided to senior managers, supervisors, and JHSC members with additional copies being made available in the workplace in a manner that makes them accessible to all employees.
- 6.1.3 Province of Ontario Legislation can be viewed at www.attorneygeneral.gov.on.ca

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


- 6.2.1 The Internal Responsibility System outlined in the RMM Policy # 101 Risk Management System defines the assigned responsibilities, structures, and 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 Copies of the Risk Management Manual are provided to senior managers, JHSC members and are accessible to supervisors and workers in all workplaces and may be viewed on the EOHSS Safety web site at www.workingatmcmaster.ca.
- 6.2.4 The Central 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.
- 6.3.3 Regular safety, occupational health and due diligence training sessions are provide by the EOHSS and FHSc see RMM Policy # 300 and EOHSS Office's web site at www.workingatmcmaster.ca and FHSc's website at www.fhs.mcmaster.ca
- 6.3.4 Task specific safety training is provided by the supervisors see RMM Policy # 300.

7. RECORDS

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

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Appendix A

Occupational Health and Safety Act, as amended

Definitions

- Part I Application
- Part II Administration
- Part III Duties of Employers and Other Persons
- Part IV Toxic Substances
- Part V Right to Refuse or to Stop Work where Health or Safety in Danger
- Part VI Reprisals by Employer Prohibited
- Part VII Notices
- Part VIII Enforcement
- Part IX Offences and Penalties
- Part X Regulations-

Regulations under the Occupational Health and Safety Act that Apply to Work Conducted at McMaster University

Regulation 851, Industrial Establishments

- Part I Retention of Reports & Records. Pre-start Health & Safety Review. Fees & Forms.
- Part 1.1 Confined Spaces
- Part II Buildings
- Part III Industrial Hygiene

Regulation 833, Control of Exposure to Biological and Chemical Agents (This regulation sets Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices.

Regulation 834, Critical Injury – Defined

Regulation 835, Designated Substance – Acrylonitrile

Regulation 836, Designated Substance – Arsenic

Regulation 837, Designated Substance - Asbestos


Regulation 278/05, Designated Substance – Asbestos on Construction Projects

Regulation 839, Designated Substance - Benzene

Regulation 840, Designated Substance – Coke Oven Emissions

Regulation 841, Designated Substance – Ethylene Oxide

Regulation 842, Designated Substance - Isocyanates

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Regulation 843, Designated Substance - Lead

Regulation 844, Designated Substance - Mercury

Regulation 845, Designated Substance – Silica

Regulation 846, Designated Substance – Vinyl Chloride

Regulation, 714//94 Fire Fighters – Protective Equipment

Regulation 856, Roll – Over Protective Structures

Regulation 857, - Teachers

Regulation 858, -University Academics and Teaching Assistants

Regulation 859, - Window Cleaning

Regulation 860, -Workplace Hazardous Materials Information System

Regulation 861, - X - Ray Safety

Regulation 1101, - First Aid Requirement, Workplace Safety and Insurance Act

Regulation 67/ 93 - Health Care and Residential Facilities

Regulation 623/ 94, 629/94 – Diving Operations

Regulation 780/ 94 - Training Programs

Regulation 572 / 99 Training Requirements for Certain Skill Sets and Trades

Regulation 213/ 91 – Construction Projects

Appendix B (Sample)

Visitor Log

Area/Location visitor permitted to be in: _____

Date	Time In	Time out	Name of Visitor	To be accompanied by	Approved by	PPE Required	Incidents Y or N