



SAFETY FUNDAMENTALS FOR SMALL & MEDIUM BUSINESS

MITCHELL JAY & JEREMY
MACEACHERN

PEI WCB Resources

The screenshot shows the homepage of the PEI Workers Compensation Board. At the top left is the logo "Safety Matters @Work" with "Workers Compensation Board of PEI" underneath. To the right is a search bar and "Search" button, and further right are links for "Contact Us" and "Help". The main content area has a yellow background and features several sections: "PROMOTING SAFE WORKPLACES" and "PROTECTING ISLAND WORKERS AND EMPLOYERS" on the left; a "COVID-19" section with a blue virus icon; a "NEWS & ANNOUNCEMENTS" section with a white background and a "LEARN MORE >" link; and a "Effective July 1st - New Workplace Harassment Regulations" section with a photo of a person. Below these are five service tiles: "Health and Safety", "Workers", "Employers", "Health Care Providers", and "WCB Information", each with a small image and a brief description. At the bottom, there is a copyright notice "© 2011 Workers Compensation Board of Prince Edward Island", links for "Access & Privacy" and "Website Terms of Use", the website URL "wcb.pe.ca", and social media icons for Twitter and YouTube.



Introduction

Mitch Jay- Enforcement
BIO



Jeremy MacEachern- Prevention
BIO



OHS Team

OHS Officers

- Inspect workplaces
- Investigate accidents
- Respond to complaints or work refusals
- Ensure that workplaces are in compliance with the OHS Act and regulations
- Create orders where employers are not meeting the OHS requirements
- Follow up to ensure order action items are completed

OHS Team

Education Consultants

- Provide workshops and sessions on OHS topics
- Assist new employers with Health and Safety programs
- Develop OHS resources for employers
- Educate workforce on the importance of OHS
- Consult with other stakeholders, work on joint projects



Small/Medium Business- Fundamentals

- 1- 4 employees
- 5-19 employees
- 20 or more employees



Agenda/ Learning Outcomes

- Legislative requirements & Duties & Responsibilities
- Posting Requirements
- Due Diligence basics
- Workplace Harassment- parts of a Policy
- Hazard Assessment & Control
- Committee
- Young Workers- training, supervision, orientation

Discussion Question- group (Show of Hands)

Who here works for an employer with more than 5 employees? More than 5 but less than 20

Who here works for a company with 20 or more staff? Who here serves on a work safety committee?

How many work in private sector?

How many work in public sector?

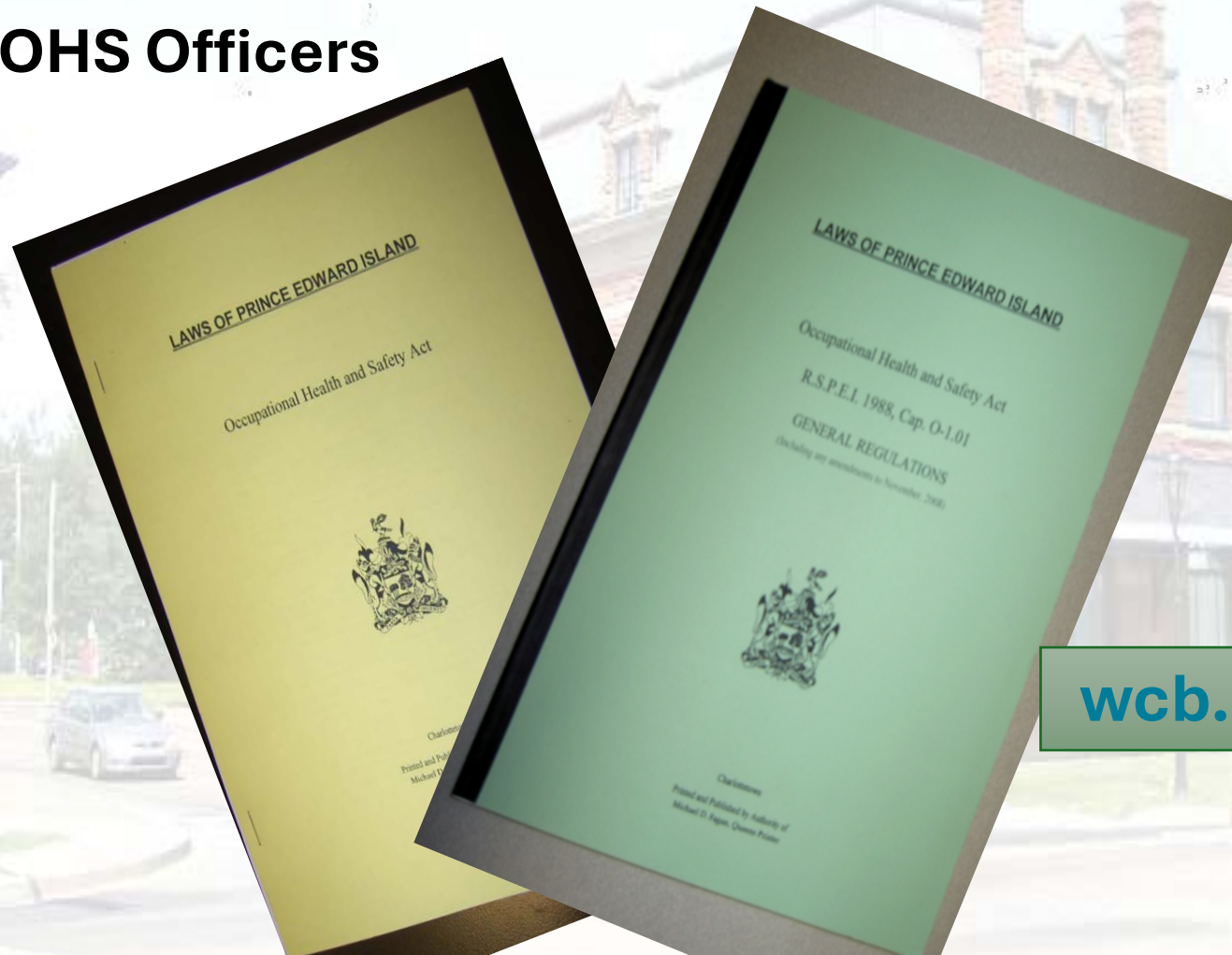


Legislation



OHS Team & Workplace Safety Laws

- Legislation
- Education Consultants
- OHS Officers



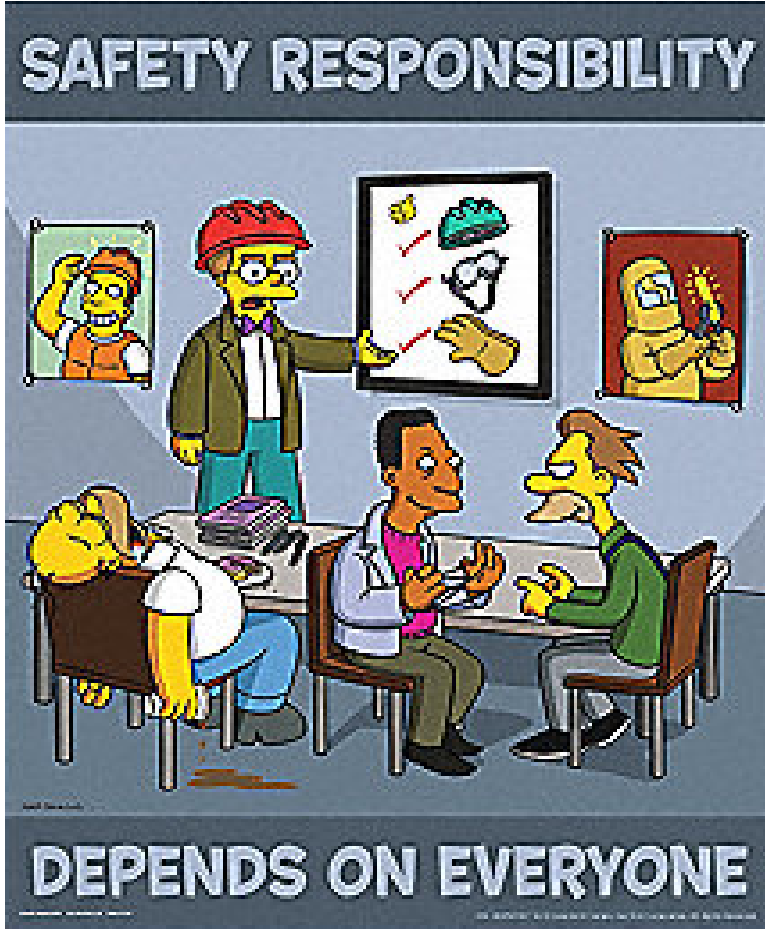
wcb.pe.ca

Internal Responsibility System

The Internal Responsibility System (IRS) is the foundation of OHS legislation on PEI. This system places **responsibility for controlling hazards on everyone in the workplace**, but also recognizes that those closest to the work can provide valuable input in maintaining a safe workplace.



We don't want this.....



Duties of Worker
Duties of Employers
Worker Rights

DUTIES AND RIGHTS

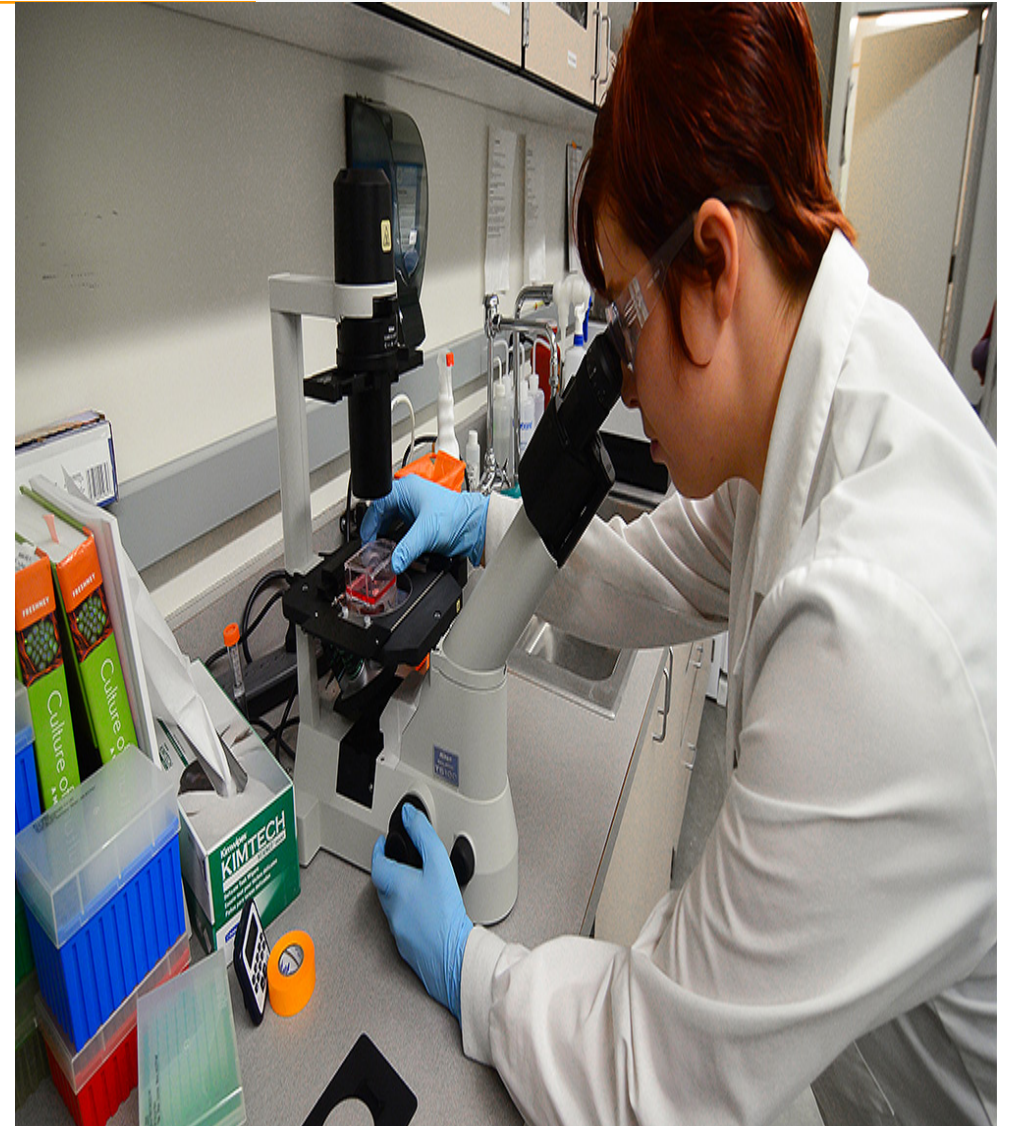


Employer Responsibilities (12)

- Provide a safe and healthy workplace
- Ensure workers are adequately informed, instructed, trained, and supervised
- Ensure equipment and materials are properly used and maintained
- Address potentially hazardous situations
- Establish and maintain OHS program and policy
- Support safety committee or rep
- Report serious incidents to WCB

Worker Responsibilities (16)

- Know and follow the health and safety policy and requirements of their work site.
- Correct any unsafe condition or immediately report to the supervisor.
- Cooperate with their employer, committee, and/or safety representative as required.



A close-up photograph of a middle-aged man with a friendly expression, wearing a white t-shirt and a safety harness. He is holding a yellow power tool, possibly a drill or sander, in his gloved hand. The background is a blurred outdoor setting.

Worker OHS Rights(28)

Basic Rights of the Worker

- Right to Know
- Right to Participate
- Right to Refuse



Due Diligence



Due Diligence

Ensuring that anyone responsible for health and safety takes every reasonable precaution to avoid a work-related injury or illness.

Everyone in the workplace is required to be due diligent.



Discussion Question



What are examples of Due Diligence? What can employers do to demonstrate Due Diligence?

Due Diligence Question

- Know/understand the OHS Act and Regs requirements
- Establish health and safety policies and procedures.
- Identify hazards through frequent inspections, checks and audits.
- Ensure safety information is accessible to all workers.
- Implement controls for the hazards identified.
- Correct unsafe work habits.



Due Diligence

Non compliance could result in companies as well as supervisors, and workers being subject to stop work orders or fine

Exercising due diligence is your ticket to staying compliant and avoiding offences.

Due Diligence



Due Diligence & Supervisors

- Supervisors have additional responsibilities under the OHS ACT as they act on behalf of the employer (i.e. provide instruction, training, supervision etc.) and have people under their care



What is a Supervisor?

- A person who provides direction to workers on their work-related tasks.

Can include any worker, manager, or employer regardless of **whether or not** they have the actual title of “Supervisor”.

- Supervisor responsibilities **must** be outlined in the company’s health and safety policy. (*OHS Act - Section 24(4)(b)*)



Workplace Safety



Supervisors are responsible for a great deal of what goes on day to day in the workplace; it's not just a position that solely assigns tasks

- Conduct Orientation and Training of Employees
- Enforce Safe Work Practices
- Correct Unsafe Conditions
- Prevent Lingering Unsafe or Unhealthy Workplace Conditions or Hazards
- Investigate Workplace Accidents
- Promote Quick Return to Work



Posting Requirements



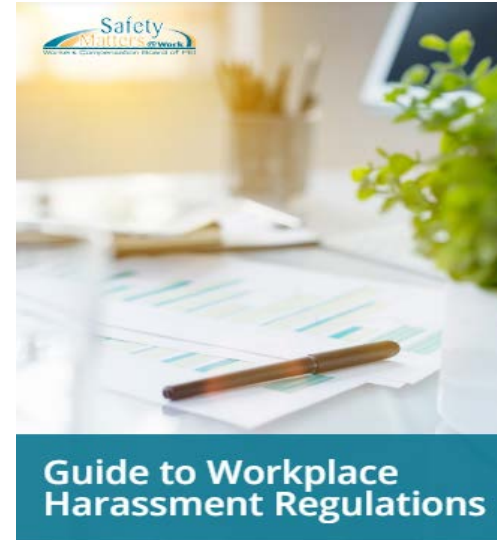
Posting Requirements- All Businesses

ALL WORKPLACES ARE REQUIRED TO POST THE FOLLOWING:

Checklist	Item to be posted	Legislative Reference
Occupational Health and Safety Documentation		
<input type="checkbox"/>	<i>Occupational Health and Safety Act</i>	OHS Act - Section 45(a)
<input type="checkbox"/>	Occupational Health and Safety regulations applicable to your workplace	OHS Act – Section 27(8)(b)(i)
<input type="checkbox"/>	Up-to-date phone number for reporting occupational health or safety concerns to WCB	OHS Act - Section 27(8)(b)(ii)
<input type="checkbox"/>	Compliance Orders by an OHS Officer	OHS Act - Section 8(7)(a)
<input type="checkbox"/>	Names and contact info of first aid providers	OHS General Regulations – Section 9.5(2)
<input type="checkbox"/>	Signs indicating where first aid kits are located	OHS General Regulations – Section 9.13(1)
<input type="checkbox"/>	**Smoke Free Places Act documentation	
<input type="checkbox"/>	Compliance Orders by an OHS Officer	<i>Smoke Free Places Act</i> – Section 16(4)(a)
<input type="checkbox"/>	Signs indicating where smoking is and is not permitted	<i>Smoke Free Places Act</i> – Section 12
<p>**While the <i>Smoke-Free Places Act</i> applies to all public places, the WCB’s Occupational Health and Safety Officers have jurisdiction to enforce this Act at PEI workplaces.</p>		

If your Workplace has 1-4 employees

- Have a written Workplace Harassment Policy
- Have a minimum of 1 worker per shift with valid first aid training. Make sure the names of your workplace first aiders are posted
- Post signs indicating where the first aid kits are located
- Post WCB's OHS division 24 hour emergency number- 902-628-7513. Call this number to report ohs concerns and serious work related injuries or explosions



Report all *serious* workplace injuries, as defined under section 36.1 of the Occupational Health and Safety (OHS) Act, immediately to the 24hr OHS Emergency Line at 902-628-7513.

If Your workplace has 5 to 19 employed workers

- Post the name and contact information of the workplace's Safety Representative
- Have a written Occupational Health and Safety Policy
- Have a written Workplace Harassment Policy
- Have a minimum of 1 worker per shift with valid first aid training. Make sure the names of your workplace first aiders are posted
- Post signs indicating where the first aid kits are located
- Post the WCB's OHS division 24 hour emergency phone number 902-628-7513.

Appendix A: Sample Occupational Health and Safety Policy

This policy will apply to _____ (Name of Business) _____ at all locations.

POLICY

____ (Name of Business) _____ is committed to providing a healthy and safe work environment for its workers and preventing occupational illness and injury. To express that commitment, we issue the following policy on occupational health and safety.

As the employer, _____ (Name of Business) _____ is responsible for the health and safety of its workers.

____ (Name of Business) _____ will make every effort to provide a healthy and safe work environment. We are dedicated to the objective of eliminating the possibility of injury and illness.

As _____ (CEO/Owner/etc.) _____ I give you my personal promise to take all reasonable precautions to prevent harm to workers.

Supervisors will be trained and held responsible for ensuring that the workers, under their supervision, follow this policy. They are accountable for ensuring that workers use safe work practices and receive training to protect their health and safety.

Supervisors also have a general responsibility for ensuring the safety of equipment and facility.

____ (Name of Business) _____ through all levels of management, will cooperate with the Joint Occupational Safety and Health (JOSH) Committee or the Health & Safety Representative and workers to create a healthy and safe work environment. Cooperation should also be extended to others such as contractors, owners, officers, and so on.

The workers of _____ (Name of Business) _____ will be required to support this organization's health and safety initiative and to cooperate with the JOSH Committee or Health & Safety Representative and with others exercising authority under the applicable laws.

It is the duty of each worker to report to the supervisor or manager, as soon as possible, any hazardous conditions, injury, accident, or illness related to the workplace. Also, workers must protect their health and safety by complying with applicable Acts and Regulations and following policies, procedures, rules and, instructions as prescribed by _____ (Name of Business) _____.

____ (Name of Business) _____ will, where possible, eliminate hazards and, thus, the need for personal protective equipment. If that is not possible, and where there is a requirement, workers will be required to use safety equipment, clothing, devices, and materials for personal protection.

____ (Name of Business) _____ recognizes the worker's duty to identify hazards, and supports and encourages workers to play an active role in identifying hazards and to offer suggestions or ideas to improve the health and safety program.

Signed:

Title:

This policy has been developed in cooperation with the JOSH Committee, Health & Safety Representative, or workers.

The sign features the IHSA.ca logo at the top left, which includes the text 'IHSA.ca' and 'Work Safe For Life'. The main heading reads 'Know Your Health and Safety Representative'. Below this heading are three horizontal white boxes for information entry. The first box is labeled 'HEALTH & SAFETY REPRESENTATIVE', the second is labeled 'TITLE', and the third is labeled 'PHONE'. At the bottom of the sign, there is a small copyright notice: '© Occupational Health & Safety Association - 1995/2010/2011'.

OHS Policy... What it should include?

Health and safety policy SAMPLE

This is one example of a health and safety policy. If you choose to use this sample, make sure you customize it to your work and work site.

Company name: _____

Company health and safety policy

This company is committed to a health and safety program that protects and maintains the health and safety of workers at our work sites. This company is also committed to the protection and maintenance of the health and safety of other persons in our workplace, including contractors that we engage and the general public.

The employer, supervisors and workers at our company are responsible and accountable for the company's health and safety performance. Active participation by everyone, every day, in every job is necessary for the health and safety excellence that we expect. Health and safety excellence includes promoting and maintaining the highest degree of physical, psychological and social well-being.

Our goal is a healthy, injury-free workplace for all. By working together we can achieve this goal.

The employer will ensure:

- The health, safety and welfare of workers at the work site.
- The health and safety of other persons at or near the work site, who may be affected by hazards from our work site.
- Workers are aware of their occupational health and safety rights and duties.
- Workers are not subject to, and don't participate in, workplace harassment or violence.
- Supervisors are competent, and familiar with the occupational health and safety legislation.
- Workers have the training they need to work in a healthy and safe manner.
- Dangerous work is only carried out by a competent worker, or a worker who is working under the direct supervision of a competent worker.
- That the health and safety committee or representative complies with their legislated requirements.
- Health and safety concerns are resolved in a timely manner.
- Information related to work site hazards, controls, work practices and procedures is readily available to workers, the health and safety committee or representative, and the prime contractor.
- Current occupational health and safety legislation is readily available to workers and health and safety committee or representative.

Supervisors will:

- Take all precautions necessary to protect the health and safety of every worker under their supervision and ensure:
 - The workers they supervise follow procedures and measures required by the occupational health and safety legislation.
 - The workers they supervise are not subject to and don't participate in workplace harassment or violence.
- Advise every worker they supervise about all known or reasonably foreseeable hazards to health and safety in their work area.
- Report health and safety concerns to the employer.

Workers will:

- Protect their own health and safety, as well as that of other people at or near the work site.
- Cooperate with their supervisors and employer to protect their own and others' health and safety.
- Use all devices and wear all personal protective equipment required by the employer or the *Occupational Health and Safety Act* or Code.
- Refrain from causing or participating in workplace harassment or violence.
- Report health and safety concerns to the employer or supervisor.
- Participate in any training provided by the employer.
- Not perform work that may endanger themselves or other, unless they are directly supervised by a worker who is competent to perform the work.

In addition, the employer, supervisors and workers will

- Cooperate with any person exercising a duty imposed by the *Occupational Health and Safety Act* or Code.
- Comply with the *Occupational Health and Safety Act* and Code and any work site policies, procedures and codes of practice.

The company will ensure, to the best of its ability, that other parties at the work site (e.g. contractors, suppliers, or service providers) comply with the *Occupational Health and Safety Act* and Code, and work site policies.

Workers at every level must be familiar with the rights, duties and requirements of the Alberta occupational health and safety legislation as it relates to their work.

Company signature _____ Date _____

This form is for example purposes only. Completing this form alone will not necessarily put you in compliance with the legislation. It is important and necessary that you customize this document to meet the unique circumstances of your work site. Further, it is essential that this document is not only completed, but is used, communicated and implemented in accordance with the legislation. Neither the Crown, nor its agents, employees, or contractors, will be liable to you for any damages, direct or indirect, arising out of your use of this form.

Safety Rep

- A worker who helps to address safety related concerns in the workplace
- If you are an employer **with 5 to 19 workers** you are required to have a safety rep in your workplace
- Cooperate to identify hazards in the workplace and effective systems to controls them
- Participate in inspections, investigations regarding OHS (except harassment)
- Advise employer around policy

Your workplace has 20 or more regularly employed workers:

- Post the names and contact information of members of your workplace's Joint Occupational Health and Safety Committee (last meeting minutes)
- A written Occupational Health and Safety Policy
- A written OHS program that meets the requirements as outlined in section 23 of the act
- Have a written Workplace Harassment Policy
- Have a minimum of 1 worker per shift with valid first aid training.
- Post sign indicating where the first aid kits are located
- Post the WCB's OHS division 24 hour emergency phone number 902-628-7513.

Required Components of an OHS Program

Program component	Function
OHS policy	To state the employer's health and safety goals
JOSH Committee or Health & Safety Representative	To work closely with the employer to promote a positive health and safety culture
Regular workplace inspections	To identify and correct any unsafe acts or conditions that have the potential to cause injury or disease
Incident or injury investigation	To identify the cause of an injury or disease to help prevent similar unsafe reoccurrences
Hazard identification system	To recognize, evaluate, and control hazards in the workplace
Written work procedures	To describe how to carry out work tasks safely
Training and orientation	To make sure workers understand and take their OHS responsibilities seriously
Supervision	To enforce safe work practices
Record keeping system	To establish due diligence and demonstrate that all components of the OHS Program are in place and used
Evaluation process	To know if the program is working and to keep it current



Best Practices_



Workplace Harassment Policy



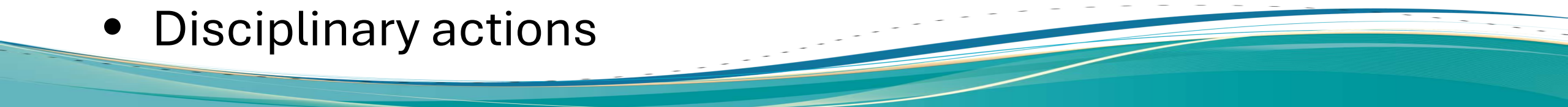
Examples of Harassment

- Vandalizing personal property
- Sexual remarks or advances
- Inappropriate jokes or images
- Verbal aggression or insults
- Spreading gossip or rumors
- Unwanted gestures or remarks

Remember: rudeness can spread and behaviour tends to escalate in groups.



Reasonable Action- What is not hara

- Changing work assignments and job duties
 - Scheduling and workloads
 - Inspecting the workplace
 - Implementing health and safety measures
 - Delivering work instructions
 - Assessing and evaluating work performance
 - Disciplinary actions
- 

WH Policy Components

Workplace Harassment Policy must include:

- ***A definition*** of harassment
- ***Statements***
- ***Commitments***
- **Establish a process for reporting workplace harassment**

PART 2

Responsibilities
of Workers &
Employers

Workplace Harassment Policy

Appendix A - Sample Workplace Harassment Policy

Purpose
The purpose of this policy is to prevent and investigate harassment in the workplace. The policy applies to the employer and all employees of [Name of Organization].

Definition of Harassment
Harassment is any single or repeated occurrence of inappropriate conduct, comment, display, action or gesture or incidents of bullying that the person knows or ought reasonably to know could have a harmful effect on the employee's psychological or physical health and safety.

Harassment includes conduct that is based on any personal characteristic such as, but not limited to, race, creed, religion, colour, sex, sexual orientation, gender identity, pregnancy, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin.

Harassment also includes any inappropriate sexual conduct that is known or ought reasonably to be known to the person responsible for the conduct to be unwelcome, such as, but not limited to sexual solicitation or advances, sexually suggestive remarks, jokes or gestures, circulating or sharing inappropriate images or unwanted physical contact.

Reasonable action taken by an employer or supervisor related to the management and direction of employees, such as performance reviews, work evaluation, and disciplinary measures taken for any valid reason, is not harassment.

Rights and Responsibilities
[Name of Organization] recognizes that everyone has the right to work free of harassment.

No employee will be subjected to reprimand, reprisal or discrimination for reporting a harassment complaint in good faith.

This policy is not intended to discourage, prevent, or preclude a complainant from exercising their legal rights under any other law or filing a complaint under the PEI Human Rights Act.

- Everyone at [Name of Organization] - including the employer, supervisors and employees - are responsible to:
- Maintain a respectful and harassment-free workplace.
 - Report all incidents of workplace harassment and keep a record of the details of the incident to assist with the investigation.
 - Cooperate in the investigation of a workplace harassment complaint as required.
 - Understand and follow with the workplace harassment prevention policy.

In addition to the rights and responsibilities of all employees, employers and supervisors have additional responsibilities.

Appendix B - Sample Complaint Form

Complainant Information		
Complainant Name	Job Title	Date Form Submitted
Complainant Phone #	Supervisor Name	Supervisor Phone #

Information about the alleged harassment		
Date of Incident	Name of Alleged Harasser	Job Title of Alleged Harasser
Is the harassment a repeat occurrence? If yes, please provide date of incidents.		
Has the complainant advised the alleged harasser that they do not like the behaviour and wants it to stop? If no, please explain why. If yes, what was the response?		
Were there any witness(es) to the alleged harassment? If yes, please complete the table below.		

Scenario 1

Is this harassment?

Bob is a supervisor. Dan, one of his staff consistently does not finish his tasks and leaves them for the person on the next shift. Bob has spoken to him twice in a courteous manner and has left him two notes. As Dan's performance does not improve, Bob meets him again to discuss work objectives, standards and deadlines.

Scenario 2

Is this harassment?

Bob speaks to Dan in a belittling and demeaning manner and calls him a slow, lazy and incompetent person. He has threatened to fire him on more than one occasion if he doesn't shape up and has warned him that there are lots of people waiting in line to take his place. In a fit of rage, Bob throws Dan's report in the garbage and laughs sarcastically at Dan.

Dan feels that Bob had been rude to him by making degrading and offensive comments and fears Bob's behavior towards him. He feels his livelihood is also being threatened.

As an employer, supervisor or manager, what would you have done before the situation went too far?





Hazard Identification



Identifying Hazards

A “hazard” means a situation, condition or thing that may be dangerous to health and safety. Keeping workers healthy and safe involves identifying both **physical** and **psychological hazards**.





Step 1: Hazard Identification

How are hazards identified in your workplace?



How & When are Hazards Identified?

How

- Inspections
- Team work
- Collect and Review Info
- Consult with workers

When

- During design & implementation
- Before task are done
- While tasks are being done
- During Inspections
- After accidents

Hazard Identification



Hazard Identification Worksheet


What is the type of job?	List several hazards associated with that job (Eg. Using sharp knives, meat slicer)	List some solutions to the hazards
Plumber		
Electrician		
Shipping & Receiving		
Office Worker		

Step 2: Risk Assessment




Step 2: Risk Assessment

- Process used to determine the probability and severity of workers being exposed to injury or occupational disease
- Determining the level of risk is important

 **High Risk:**
Could result in a serious injury or death

 **Medium Risk:**
Could result in temporary disability or lost time injury

 **Low Risk:**
Could result in medical aid for first aid injury

Probability (How likely an event is to occur)	Severity (The level of damage possible when an event occurs)		
	Minor	Moderate	Major
Likely	MEDIUM	HIGH	HIGH
Possible	LOW	MEDIUM	HIGH
Unlikely	LOW	LOW	MEDIUM

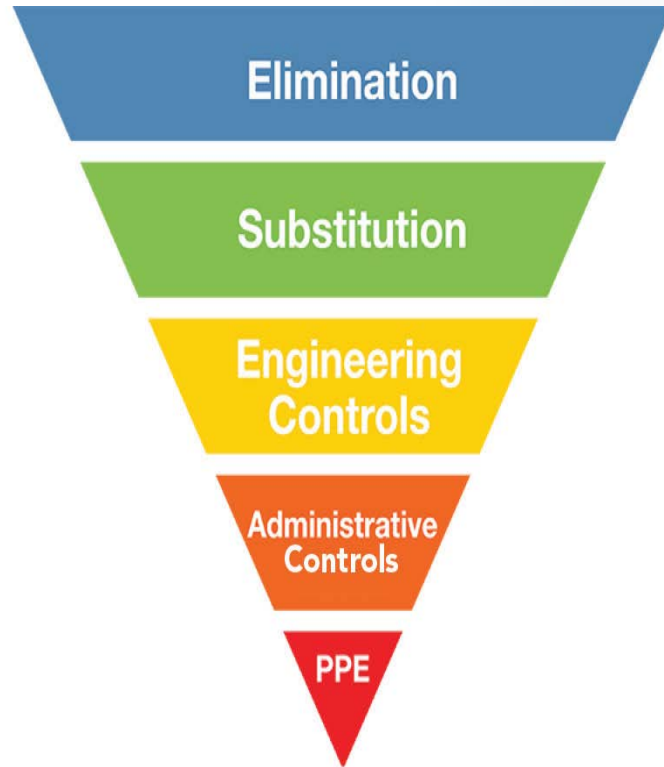
RISK = PROBABILITY x SEVERITY

Activity: Prioritize the Hazard

Hazard Found	Classification (A Major/High Risk, B Serious/Medium Risk & C Minor/Low Risk)
1. Maintenance person servicing a pump in an unventilated deep pit with a gas motor running.	A B C Explain your choice:
2. A worker rushing while cutting a sandwich with a sharp and no guard.	A B C Explain your choice:
3. Worker handling rough lumber without gloves.	A B C Explain your choice:
4. Worker is removing and replacing asphalt shingles on a new three story apartment building (35 feet). The worker does not have anchor points and the required PPE.	A B C Explain your choice:

Step 3: Hazard Control





Hierarchy of Controls

Elimination – Physically remove the hazard (Declutter a space- to prevent trips)

Substitution – Replace the hazard (natural products vs hazardous one)

Engineering Controls – Isolate people from the hazard (barriers (wet floors) or guards on equipment)

Administrative Controls – Change the way people work (Policies and procedures (communicable disease))

PPE – Protect the worker (gloves, helmet, etc.)



COMMITTEE



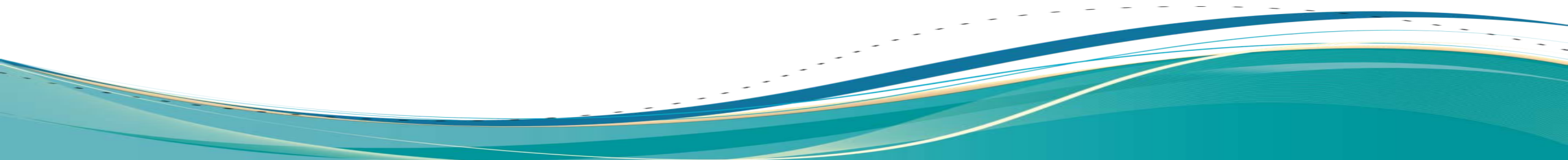
Safety Committee

A group of worker and employer representatives who work together to address health and safety issues in their workplace.

If your workplace employs **twenty or more** workers, the law on Prince Edward Island says that a Committee **must** be established.



Legislation

- **Section 25 (1)** of the P.E.I. OHS Act states that a workplace that employs **20 or more** workers on PEI requires a joint occupational health and safety committee
 - JOSH committee- **1/2 of the committee members must be workers** and who do not have managerial responsibilities (**1/2 rep of employers**)
- 

OHS Committee Legislation

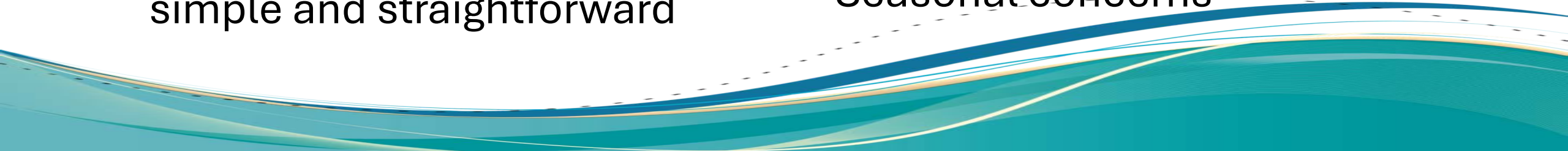
- A. Cooperate to identify hazards
- B. Receive, investigation and promptly deal with hazards
- C. Participate in inspections, inquiries, and investigations
- D. Advise the employer on protective equipment, devices and safety features
- E. Advise the employer regarding policy and program
- F. Make recommendations
- G. Maintain records and statistics

Committee Suggestions

Getting Started:

- Assign Committee roles and responsibilities- Chair, Secretary etc.
- Have an Agenda
- Terms of Reference
- Track records
- Keep recommendations- simple and straightforward

Safety Items to discuss

- Slips, trips, and falls (themes)
 - Safety recommendations
 - Emergency procedures
 - PPE USE
 - First Aid & Additional training
 - Investigation & Inspections
 - Seasonal concerns
- 



Young and Vulnerable Workers

Vulnerable Workers

Workers who have greater exposure than most to injury and illness due to:

- Inexperience
- Reluctance to ask questions
- Communication barriers
- Type of work

Example groups:

*Young, new, aging,
migrant/immigrant workers*



Injury Prevention

Injury prevention starts with:

Orientation

Training

Supervision



Final Points

- Legislation awareness
- Demonstrate due diligence-
- Posting requirements- know your responsibilities
- Best practices- hazard assessment and control process
- Safety committees- basics
- Young Worker- orientation, training, supervision

Questions?

For any additional information, please feel

free to contact us at

mjay@wcb.pe.ca

[**jmaceachern@wcb.pe.ca**](mailto:jmaceachern@wcb.pe.ca)

Mitch Jay

Jeremy MacEachern

Occupational Health & Safety Division

