

Municipal Safety Council Newfoundland Labrador

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What MSCNL can do for You !

Many towns, especially smaller towns, value explanation guides, resources and templates that enable them to implement and maintain key components of their safety programs and systems. MSCNL continues to develope learning resources that will provide guidance to towns and cities on implementing and managing key programs such as:

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What MSCNL can do for You !

- Managing contractors and contracts
- Risk management processes, which highlight the importance of workplace safety as a consideration in all municipal planning and activities.
- Answer your questions, find solutions, and help implement the necessary changes to make every municipality a safe working environment

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What MSCNL can do for You !

- Deliver programs aimed at improving municipal workplace safety and reduce accident and incidents
- Assist municipalities identify and meet critically important responsibilities pertaining to the OHS Act & Regulations
- Give advice to interested towns on how to meet WorkplaceNL PRIME requirements and access rebates

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OH&S Legislation

What is OHS Legislation?

PPE

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OHS Legislation

- **Protects**
  - OH&S is concerned with **protecting** human resources in the workplace
- **Prevents**
  - It emphasizes the **prevention** of workplace accidents and incidents through education and promotion
- **Enforces**
  - It involves the **enforcement** of legislation

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Why Do WE Need OH&S?

- Sets out rights and duties of all workplace parties
- Protects workers against health and safety hazards on the job
- Provides enforcement to those employers who are not compliant
- Outlines minimum standards for employers to abide by

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Small Employer

“Municipality”

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Small Employer “Municipality”

An employer employing less than 10 employees



OHS – IT's the Law!
Applicable Legislation

Provincial

- OH&S Act and Regulations

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Municipalities as Employers

- Per the provisions of the *Municipalities Act* a municipal council is viewed as an employer if the municipality has one or more “employees”

- A person acting in the capacity of “town manager” and others who oversee, direct or assign work would be considered to be supervisors from an OHS perspective

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OHS Act
Section 4

Employer's General Duty

- An employer shall ensure, where it is reasonably practicable, the health safety and welfare of his or her workers

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OH&S Regulations Section 5 (in part)

General Duties of Employers

- An employer shall ensure that necessary protective clothing and devices are used for the health and safety of his or her workers

- The employer shall ensure that safety procedures are followed at all workplaces

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Specific Duties of Employers

- Shall where it is reasonably practicable, provide and maintain a workplace and the necessary equipment, systems and tools that are safe and without risk to the health of his / her workers

- Shall provide the information, instruction, training and supervision and facilities necessary to ensure the health, safety and welfare of his/her workers

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Specific Duties of Employers

- Ensure his/her workers, particularly his/her supervisors are familiar with health or safety hazards in the workplace
- Ensure his/her workers are given operating instruction in the use of devices and equipment provided for their protection

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Safety Manual Requirements "PRIME"

Requirements for employers with less than 10 workers per workplace:

- OH&S policy statement & RTW policy statement
  - Separate or one combine statement
- Certification Training – WH&S representative/designate
- Injury reporting system outlining steps to be taken following an injury

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Safety Manual
"Legislative Requirements"

Requirements for employers with less than 10 workers per workplace:

- OH&S policy statement
- WH&S representative/designate
- Certification training for the WH&S representative/designate
- Provide safe and healthy workplace for employees Managing health and safety

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OHS Policy Statement

- Statement of commitment to OH&S in the workplace
- State health and safety goals and supports to achieve them
- Roles and responsibilities needed to ensure goals are achieved
- Must be written in consultation with the representative /designate

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OHS Policy Statement

- Must be posted at the workplace (physically and/or electronically)
- Must be signed by the highest level of management
- Must be reviewed every year and updated as required
- MSCNL has samples of these policies

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WH&S Representative / Designate

WH&S representative is required where:

- 6 – 9 workers (excluding owners/operators/partners)

WH&S designate is required where:

- Combination of 2- 5 persons (including owners/operators/partners and workers)

Both the representative and designate must receive OH&S certification training approved by WorkplaceNL

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WH&S Representative

41 (1) Where less than 10 workers are employed at a workplace, the employer shall ensure that a worker not connected with the management of the workplace is designated as the worker health and safety representative to monitor the health, safety and welfare of workers employed at the workplace

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WH&S Designate

42.1(2) The workplace health and safety designate may be either

(a) a worker connected with the management of the workplace; or

(b) the employer, if the designation of a worker connected with the management of the workplace is not practicable

(3) The workplace health and safety designate shall be appointed by the employer

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Injury Reporting System

PRIME Requirements:

- Ensure current WorkplaceNL forms are on site: forms 6, 7 and ESRTW
- Injury reporting system should include a written process that outlines the steps to be taken in the event of a work injury

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Occupational Health and Safety Program

Where to Start?

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Responsibility for Developing and Implementing an OHS Program

- The Employer?
- The OH&S Committee?
- The Employee?



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OHS: Policy vs Program

- Policy: statement regarding the organization's principles and general rules that will serve as a guide.
- Program: plan of action to prevent accidents or incidents in the workplace.

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Provincial Legislation

Occupational Health and Safety Regulations

- Section 12.2

  An employer that is required to establish and maintain an occupational health and safety program under section 36.1 of the Act shall

  (a) Implement the occupational health and safety program; and

  (b) Review and, where necessary, revise the occupational health and safety program



What Should an OHS Program Include?

- Process for identification, evaluation and controlling of hazards
- How to respond to emergencies
- Outlines workplace parties responsibilities
- References/resources (legislation/forms/safe work practices procedures)
- 10 elements

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OHS Management System
Key Elements of an OHS Program

1. Leadership and administration
2. Hazard identification, assessment and controls
3. Safe job practices and procedures
4. Education and training
5. Workplace inspections
6. Occupational health and safety committee
7. Accident/incident investigations
8. Communications
9. Emergency preparedness
10. Disability management

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OHS Program Requirements

- Statement of the employer's commitment to cooperate with the OH&S committee and workers,
- Statement of responsibilities for occupational health and safety,
- Procedures to identify the need for, and preparation of safe work practices and procedures,
- A plan for orienting and training workers and supervisors in safe work practices,
- Provision for establishing and operating an OH&S committee,

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OHS Program Requirements

- A system for recognizing, evaluating and controlling hazards,
- A plan for controlling biological and chemical hazards,
- A system to ensure contractors comply with the program,
- An emergency response plan,
- Up-to-date OH&S records and statistics; and
- A provision for monitoring the program's implementation and effectiveness

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MSCNL Symposium

Coming your way in the near future
Save the Date for the first MSCNL Symposium!

The place to be for safety training!

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Questions & Answers



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We look forward to working with you!

Thank you !