



AFHTO Webinar 2

How to Engage Everyone in an Integrated FHT

December 7, 2017



Who We Are

ESTABLISHED IN

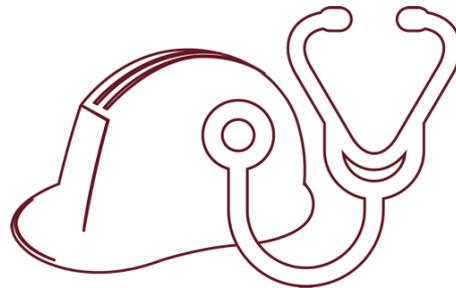
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**NON-PROFIT
ASSOCIATION**



**FUNDED
PARTNER**
OF THE
**Ministry
of Labour**

WE PROVIDE
OCCUPATIONAL
HEALTH



& SAFETY
Training
Resources
Consulting

WE WORK WITH

1.67+
MILLION WORKERS

10,000+
ORGANIZATIONS

ONTARIO'S PUBLIC &
BROADER PUBLIC SECTORS:

- Education
- Healthcare
- Emergency Services
- Government
- First Nations

Agenda

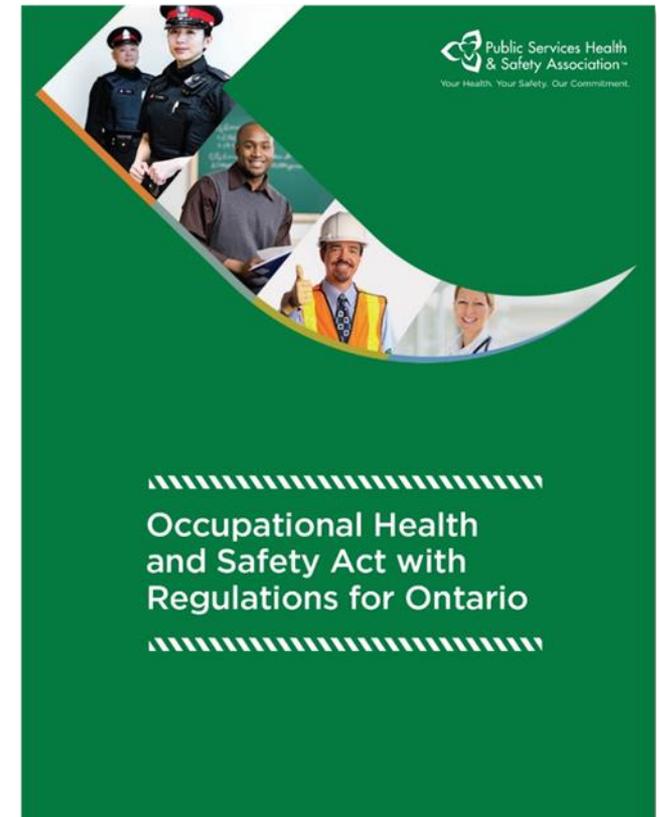
1. Background and Introduction
2. Employer Requirements in the workplace
 - Posting
 - Training
 - JHSC
 - Workplace Violence & Harassment
3. Internal Responsibility System
4. Engagement and Culture

Introduction & Background

- Beginning **September 1, 2017** to **March 31, 2018**, the Ministry of Labour will implement their Healthcare Sector Enforcement Initiative.
- Primary Care (Family Health Teams and Community Health Centres) focus will be: Internal Responsibility System, Workplace Violence & Harassment, and Needle Safety.

Introduction & Background

- Sets a **minimum standard**.
- The Act contains duties for employers, supervisors and workers, and reinforces the three rights of workers.



Important Definitions

- **Employer**
- **Supervisor**
- **Worker**
- **Workplace**

Duties of Employers

Section 25 and 26

- Implement and enforce applicable rules, regulations and safe work procedures.
- Instruct, inform and supervise workers to protect their health and safety.
- Acquaint a worker or a person in authority over a worker with any hazard in the work.
- Take **every precaution reasonable** in the circumstances to ensure protection of workers.

Duties of Employers

Section 25 and 26

- Prepare a workplace health and safety policy and program to implement policy.
 - Policy must be posted and reviewed annually.
- Post in the workplace a copy of the Act, as well as explanatory material prepared by the Ministry of Labour.
- Provide **competent** supervision.
- Develop and make available written copies of health and safety policies, programs and procedures.

Competent Person

A competent person is defined in the act as someone who:

- Is qualified because of **knowledge, training and experience** to organize the work and its performance
- Is **familiar** with this **Act and the Regulations** that apply to the work
- Has **knowledge of any potential or actual danger to health or safety** in the workplace



Duties of Supervisors

Section 27

- Ensure workers work in a safe manner following policies, procedures and the law.
- Monitor each worker to ensure they are using or wearing any equipment and protective devices required by the employer.
- Inform workers about hazards and respond to concerns.
- Provide workers with written instructions about the measures and procedures to be followed to work safely (i.e. a rescue plan).
- Take **every precaution reasonable** in the circumstances to ensure protection of workers.

Duties of Workers

Section 28

- Work according to the Act and applicable regulations.
- Use and/or wear the equipment or protective devices that the employer requires to be used or worn.
- Report any missing or defective equipment or protective devices to their supervisor.
- Report any potential or actual hazards to their supervisor.



Duty to Report

You must tell your employer about hazards you see in the workplace, or defective equipment that could hurt you or someone you work with.



Posting Requirements

Posting Requirements

1. Employment Standards in Ontario
2. Health & Safety at Work: Prevention Starts Here
3. Occupational Health and Safety Act
4. Your company Health and Safety Policy
5. Workplace Violence and Workplace Harassment Policies
6. Joint Health and Safety Committee Members
7. In Case of Injury Poster (Form 82)*

* If covered through WSIB



Training Requirements

Training Requirements

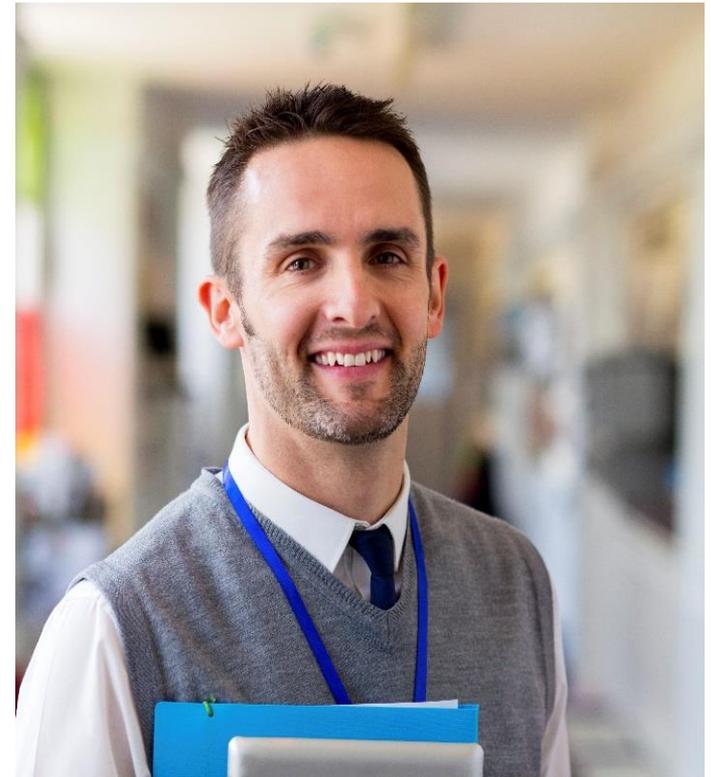
- Under s. 25(2)(a) of the Act and employer shall provide information, instruction and supervision to a worker to protect the health or safety of the worker.
- Under s. 42 (1) of the Act an employer shall ensure that a worker exposed or likely to be exposed to a hazardous material or to a hazardous physical agent receives, and that the worker participates in, such instruction and training as may be prescribed.

Training Considerations

- What training do I need to provide as an employer?
 - OSHA and regulations
 - Roles and responsibilities
 - Hazard awareness
 - Workplace hazard-specific training
 - Workplace inspections
 - Hazard/incident/injury reporting
 - Investigations
 - Orientation training

Joint Health & Safety Committee

- Under s. 9(12) of the Act an employer shall ensure that at least one member of the committee representing the employer and at least one member representing workers are certified members.



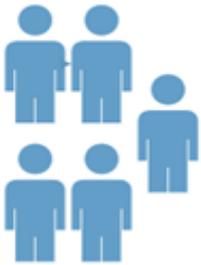
Workplace Violence & Harassment

- An employer shall provide a worker with, information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace violence and harassment.
 - s. 32.0.5 (2)
 - s. 32.0.8



Health & Safety Representative (H&S Rep) / Joint Health & Safety Committee (JHSC)

Legislative Requirements



1-5 Workers:

No requirement for a JHSC or a health and safety representative; however if your workplace uses a designated substance a JHSC is required. [s. 9\(2\)\(c\)](#)

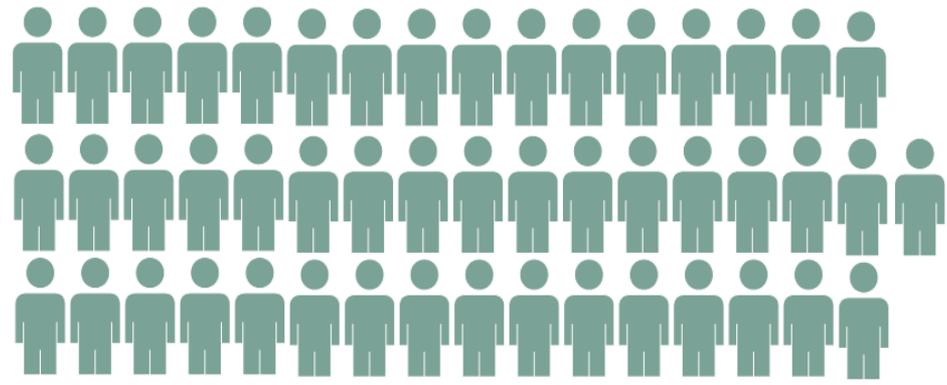


6-19 Workers:

The workplace needs at least 1 health and safety representative (worker), selected by other workers. [s. 8\(1\)](#). If your workplace uses a designated substance a JHSC is required. [s. 9\(2\)\(c\)](#)

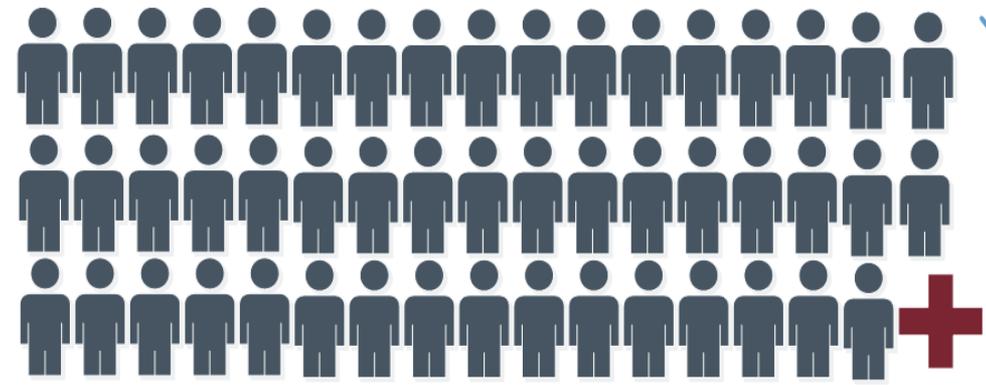


Legislative Requirements



20-49 Workers:

The workplace needs to have a JHSC with at least 2 members. [s. 9\(6\)\(a\)](#). At least half of the members need to be worker representatives selected by workers. [s. 9\(7\)](#)



50+ Workers:

The workplace needs to have a JHSC with at least 4 members. [s. 9\(6\)\(b\)](#). At least half of the members need to be worker representatives selected by workers. [s. 9\(7\)](#)

The Composition of a JHSC

- At least half of the JHSC members shall be workers who do not exercise managerial functions.
- Worker members selected by workers/union; management members selected by the employer.
- Management co-chair selected by management.
- Worker co-chair selected by worker members.
- At least one management and one worker member to be certified.

Powers, Duties, Functions of H&S Rep and JHSC

- The H&S Rep and JHSC have various powers, including:
 - Identifying actual and potential hazards in the workplace.
 - Obtaining information from the employer relating to health and safety in the workplace.
 - Inspecting the workplace on a **monthly** basis.
 - Being consulted about and be present at the beginning of any health and safety-related testing in the workplace.
 - Recommending health and safety improvements in the workplace.
 - Participating in work refusal investigations.



Workplace Violence and Workplace Harassment

Workplace Violence & Harassment

- All employers, who are subject to the Act, must prepare policies with respect to workplace violence and workplace harassment and review them at least once a year.
- Employers must set up programs to implement the policies.



WORKPLACE VIOLENCE: COMPLYING WITH THE OCCUPATIONAL HEALTH & SAFETY ACT

The Ontario Occupational Health and Safety Act (OHSA) sets out employer responsibilities for addressing violence and harassment in the workplace.

As of September 8, 2016, the OHSA has new provisions to explicitly include protection against sexual harassment. For employers, important changes include; modifying the current definition of “workplace harassment” and imposing additional obligations on employers concerning their workplace harassment policies, programs and investigations. This PSHSA Fast Fact provides an overview of existing statutory requirements for workplace violence and harassment under OHSA and the extended obligations arising from legislative changes. The information aims to guide corporate compliance and help employers effectively manage risk in the workplace.

Definitions (from the Act)

Workplace Violence

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Workplace Harassment

- Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome;
- Workplace sexual harassment

Sexual Harassment

- Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome;
- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that solicitation or advance is unwelcome.

The OHSA amendments specify that a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace Violence & Harassment

- A workplace violence program must include the following:
 - Measures and procedures to control risks identified in an assessment of risks
 - Measures and procedures for workers to report incidents of workplace violence
 - Measures and procedures for summoning immediate assistance
 - Set out how the employer will investigate and deal with incidents or complaints of workplace violence

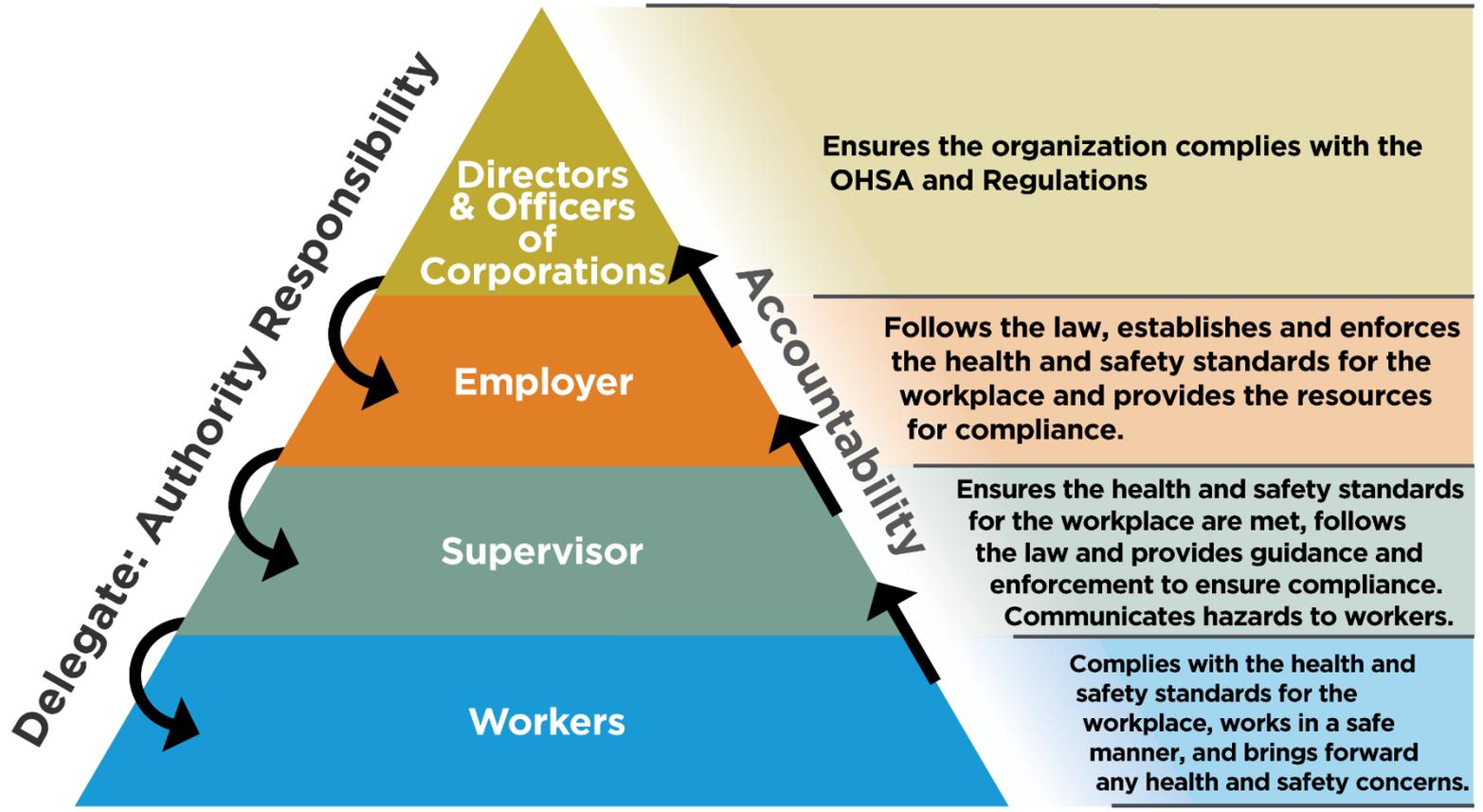
Workplace Violence & Harassment

- A workplace harassment program must include measures and procedures for workers to report incidents of workplace harassment, and set out how the employer will investigate and deal with incidents or complaints.



The Internal Responsibility System (IRS) & Defining Roles and Responsibilities of Workplace Parties

Internal Responsibility System (IRS)



What does the IRS look like?

- Senior management commitment for the health and safety program
- Necessary policy/program development
- Supervisory staff are competent
- Worker representation and functioning JHSC
- Basic worker awareness training and training in general
- Workplace inspections
- Hazard and injury reporting, and
- Accident investigation to name a number of key areas with your health and safety program

Define who is responsible

- Clearly define how each party is responsible in your health and safety policies and programs
- Ensure communication
- Engagement and review by the JHSC



Engagement and Culture

What is an engaged employee?

A workplace approach resulting in the right conditions for all members of an organization to give of their best each day, committed to their organization's goals and values, motivated to contribute to organizational success, with an enhanced sense of their own well-being.

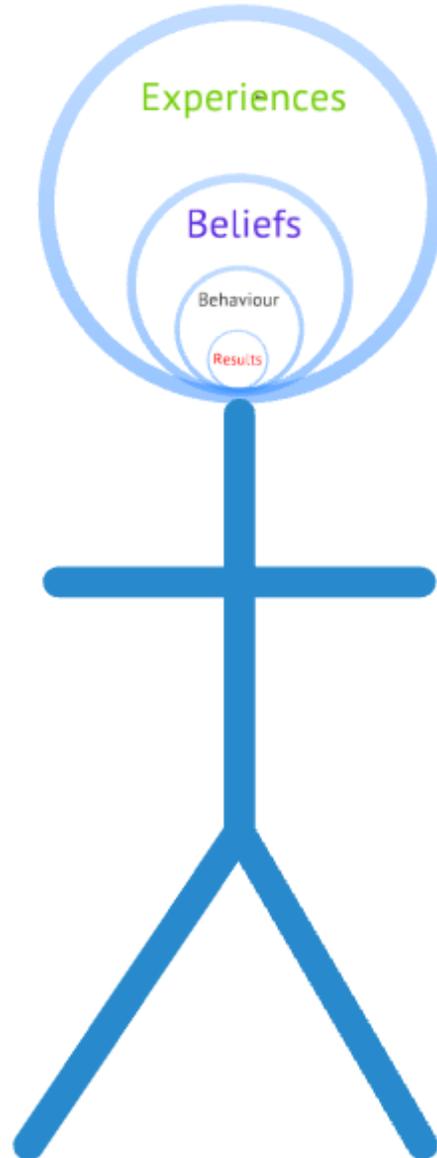
What does a disengaged employee look like?

- No reporting of minor injuries or hazards
- Low participation in safety committee and other safety related events
- Lack of respect for the safety program
- Regularly break rules if think they won't get caught

What is Culture?

- Health and Safety Culture is the product of individual and group values, attitudes and beliefs, competencies and patterns of behavior that determine the commitment to, and the style and proficiency of, an organization's health and safety

Culture Development



How to change culture

1. Match strategy and culture
2. Focus on a few critical shifts in behavior
3. Celebrate Successes
4. Formal and Informal metrics
5. Measure and Evaluate Evolution

Indicators of a Negative Safety Culture

- Increase in behavior-related occupational injuries and illnesses
- Decrease in safety reporting due to a blame culture
- Leadership not engaging in proactive safety behaviors
- Failure to comply with health and safety programs and systems
- Management decisions which prioritize cost or production over safety

Indicators of a Positive Safety Culture

- Visible commitment to safety on behalf of all levels of management.
- Visible proof of health and safety investments.
- Being proactive about opportunities for improvement.
- Strong understanding of health and safety by all employees.
- Policies and procedures setting clear directions for the organization.
- Good communication.
- Planned assessments and reviews to measure performance.

Increasing H&S Engagement and Culture

1. Define safety responsibilities
2. Share your safety vision
3. Enforce accountability
4. Provide multiple options
5. Reporting
6. Rebuild the investigation system
7. Build trust and work together
8. Celebrate success

Promoting a Healthy & Safe Culture

"...a positive culture can only come about by optimizing and aligning all systems in an organization to achieve the goal of people's well-being, not just specific health or safety systems."

(Cooper 1998, p. 39-40)

Resources

- AFHTO Affiliate Page:
 - <http://www.afhto.ca/highlights/news/resources-from-pshsa/>
- PSHSA Small Business Resources Manual
 - <http://www.pshsa.ca/sbrm/>
- PSHSA Workplace Violence Webpage
 - www.workplace-violence.ca
- Ministry of Labour Health & Safety Checklist
 - <http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=1960&NO=1960E>
- Physicians' Occupational Health & Safety Roles and Responsibilities
 - <http://www.pshsa.ca/wp-content/uploads/2017/06/Physicians-OHS-Roles-Responsibilities.pdf>



Thank you!

