

OCCUPATIONAL AND ENVIRONMENTAL SAFETY & HEALTH OPERATIONAL PROCEDURE

Subject: Report and Resolution of Safety and Health Concerns

Effective Date: February 2016 (version 2) **Supersedes:** February 2012

Review Date: 3 years or legislation or job changes

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1.0 GUIDING PRINCIPLES

- 1.1 In keeping with the Winnipeg Regional Health Authority (WRHA) commitment to providing a safe and healthy workplace as noted in the WRHA 'Workplace Safety and Health' policy (20.10.030), the following Operational Procedure has been developed to ensure that Safety and health concerns of all staff are reported and resolved.
 - 1.2 This operational procedure is also designed to ensure that when followed the minimum requirements of Manitoba Workplace Safety and Health legislation is complied with and where possible exceeded.
 - 1.3 As with all matters relating to the Safety and Health of workers the Workplace Safety and Health Committee should be consulted for their input.
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2.0 DEFINITIONS

- 2.1 **The Act:** The Workplace Safety and Health Act W210 of Manitoba.
- 2.2 **Committee:** Means a workplace (occupational) safety and health committee established under section 40 of the Workplace Safety and Health Act.
- 2.3 **Employer:**
 - 2.3.1 Every person who, by himself or his agent or representative employs or engages one or more workers, and
 - 2.3.2 The Crown and every agency of the government.
- 2.4 **Supervisor:** Means a person who has charge of a workplace or authority over a worker.
- 2.5 **Worker:**
 - 2.5.1 Any person who is employed by an employer to perform a service whether for gain or reward, or hope of gain or reward or not.
 - 2.5.2 Any person engaged by another person to perform services, whether under a contract of employment or not
 - 2.5.3 Any person undergoing training or serving an apprenticeship at an education institution or at any other place.

- 2.6 **Director:** means the person administratively responsible for the department or unit. Director includes heads of departments.
- 2.7 **OESH:** means the Occupational and Environmental Safety and Health Unit
- 2.8 **Hazard:** A hazard is any source of potential damage, harm or adverse health effects on something or someone under certain conditions at work.
- 2.9 **Hazard Elimination and Control:**
- 2.9.1 Where there is a risk to the safety or health of a worker, the employer must, if reasonably practicable, eliminate it through
- 2.9.1.1 the design of the workplace;
 - 2.9.1.2 the design of the work process; or
 - 2.9.1.3 the use of engineering controls.
- 2.9.2 If the measures under subsection 2.9.1 fail to eliminate the risk, the employer must control any risk that remains
- 2.9.2.1 through one or a combination of the following, and to the extent practicable:
 - 2.9.2.1.1 the design of the workplace,
 - 2.9.2.1.2 the design of the work process,
 - 2.9.2.1.3 the use of engineering controls; and
 - 2.9.2.2 to the extent risk remains after taking the measures under 2.9.1, by implementing safe work procedures that reduce the remaining risk as much as reasonably practicable.
- 2.9.3 After taking the measures required under subsection 2.9.2, the employer must ensure that workers who may be exposed to any remaining uncontrolled risk use personal protective equipment that meets the requirements of the Workplace Safety and Health Regulation Part 6.

3.0 OPERATIONAL PROCEDURE

- 3.1 The supervisor shall make every effort to resolve safety and health concerns immediately/in a timely manner using the Hazard Elimination and Control Hierarchy as outlined in 2.9.
- 3.2 All safety and health concerns must be reported to the supervisor immediately.
- 3.3 Safety and health concerns that are not resolved to the satisfaction of an employee by the supervisor will be reported to a safety and health committee member within the program / department / area. The committee/representative will attempt to resolve the concern. Where necessary the Committee/Representative will submit a written recommendation to the employer.
- 3.4 If programs/ departments / areas are unable to find acceptable solutions to safety and health issues, they may consult with OESH at anytime.
- 3.5 If the concern is not resolved or the reporting employee feels on reasonable grounds that it still presents safety and health risks that are not normal for the job and will cause immediate and serious, or long term effects on their safety and health or the safety and health of others, the employee may initiate the Right to Refuse Process as outlined in the WRHA Operational Procedure – Right to Refuse Dangerous Work.
- 3.6 The WRHA Poster – Reporting and Resolution of Safety and Health Hazards shall be available to all staff and posted on the Workplace Safety and Health Committee Bulletin Board.

4.0 RESPONSIBILITIES

4.1 Employer

- 4.1.1 Act in accordance with the objects and purposes of the Act by ensuring, so far as is reasonably practicable, the safety, health and welfare at work of all his workers, and complying with the Act and regulations.
- 4.1.2 Ensure that all his workers, and particularly his supervisors, foremen, charge-hands or similar persons, are acquainted with any safety or health hazards which may be encountered by the workers in the course of their service, and that workers are familiar with the use of all devices or equipment provided for their protection.

4.2 Facility/Program Executive Team

- 4.2.1 Assign responsibilities to staff within the facility/program to ensure the implementation of this operational procedure.
- 4.2.2 Ensure resources (information, training, tool, equipment and time) are available to provide / maintain 4.2.1
- 4.2.3 Support the Operational Procedure throughout the facility/program.

4.3 Directors/Managers/Supervisors

- 4.3.1 Ensure compliance with all aspects of the regulations. *The department director is responsible for ensuring that their area of responsibility complies with all aspects of the regulations and this operational procedure.*
- 4.3.2 Encourage and require staff to report safety and health concerns and hazards as soon as possible.
- 4.3.3 Receive safety and health concerns from staff.
- 4.3.4 Upon notification of an safety and health concerns, take immediate steps to protect the safety and health of any employee who may be at unreasonable risk.
- 4.3.5 Promptly recommend and implement solutions to eliminate or control the hazards raised through the reporting process following the hierarchy of controls where reasonable and practicable. Consult with OESH where additional assistance is required.
- 4.3.6 Document any corrective action(s) or non-action(s). Forward a copy to the program / departmental /facility workplace safety and health committee if requested.
- 4.3.7 Upon receipt of a safety and health concern in an area outside their portfolio, forward concern to the appropriate employer representative of that area.

4.4 Worker

- 4.4.1 Report all safety and health concerns or hazards to your supervisor immediately.
- 4.4.2 When observing an employee performing a hazardous act or violating safety and health policy, operational procedures or safe work procedures, assist them in correcting the action by considerately pointing out the error.
- 4.4.3 If an employee performing an unsafe act does not correct the unsafe action after intervention as described in 4.4.2. the observing employee shall report to the supervisor immediately.

- 4.5 **Department/Facility/Program Workplace Safety and Health Committees**
 - 4.5.1 Consult with the facility/site/program on the development and implementation of this operational procedure.
 - 4.5.2 Review and monitor the effectiveness of this operational procedure.
 - 4.5.3 Address safety and health concerns as required in 3.3

 - 4.6 **Occupational and Environmental Safety & Health**
 - 4.6.1 Consult with the facility/site/program on all aspects of this operational procedure.
 - 4.6.2 Assist all areas in maintaining the reporting structure and process as outlined in this Operational Procedure.
 - 4.6.3 Provide assistance to workers, supervisors, committees in the elimination and control of safety and health hazards.
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REFERENCES:

Government of Manitoba. (2002). *The Workplace Safety and Health Act – W210*. Winnipeg: Queen’s Printer. www.safemanitoba.com

Government of Manitoba. (2006). *The Workplace Safety and Health Regulation – 217/2006*. Winnipeg: Queen’s Printer. www.safemanitoba.com

Government of Manitoba (2015). Bulletin 184 Resolving Safety and health Concerns www.safemanitoba.com

APPENDIX:

WRHA Poster – Reporting and Resolution of Safety and Health Hazards