

## **Just for Teachers: An Introduction to Workplace Health and Safety**

This introduction is intended to give you an overview of the eight key aspects of workplace health and safety in Nova Scotia workplaces, including:

- The Internal Responsibility System,
- Worker and employer rights & responsibilities,
- Workplace health and safety policy and programs,
- Health & safety committees and representatives,
- Hazard identification and control,
- Investigating incidents, and
- Safety training.

The information here may not answer all your questions. More information is available by calling the WCBNS at 1-800-870-3331, by contacting the Occupational Health and Safety Division of the Nova Scotia Department of Labour and Workforce Development at 1-800-952-2687, or by visiting the web sites [www.wcb.ns.ca](http://www.wcb.ns.ca) and [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety).

### **The Internal Responsibility System**

Occupational health and safety in Nova Scotia workplaces is operationalized through the practice of the internal responsibility system, which underpins most federal and provincial safety law. The following is an excerpt from the brochure *“Your Rights and Responsibilities, and the Occupational Health and Safety Act”* a publication of the OHS Division of the NS Department of Labour and Workforce Development.

#### ***What is the Internal Responsibility System?***

*The Internal Responsibility System (IRS) is the foundation of the Occupational Health and Safety Act. Under the IRS, since all “workplace parties” influence what a workplace is like, they must all share responsibility for making the workplace safer and healthier. The Act sets out the responsibilities and duties of all parties. “Workplace parties” means anyone connected with a particular workplace. This can include employers, contractors, constructors, employees and the self-employed, as well as owners and suppliers.*

#### ***Do all workplace parties share responsibility equally?***

*The Act states that all workplace parties share responsibility for safety to the extent of their authority and ability to do so. An employer, for example, would ordinarily have more responsibility for workplace health and safety than would a supplier of goods.*

***As an employee, if I share in the responsibility for health and safety at my workplace, I’d like to have more “say” in how things are done. Under the Act, all workers have three basic rights.***

- *The right to know about hazards and issues that affect your health and safety.*

- *The right to refuse work that you feel is unsafe or unhealthy for you or someone else*
- *The right to participate in your own safety, eg. on health and safety committees or as a Health and Safety Representative. You also have the right to report unsafe conditions, and voice your concerns or opinions on any issue that affects your health and safety, or the health and safety of anyone at the workplace.*

For more information about the Internal Responsibility System, see the brochure and Sections 2 & 23 of the NS OHS Act and Reference Guide, in the Legislation Section at [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety).

### **Worker and Employer Rights and Responsibilities**

The Internal Responsibility System shows us that employers and employees personally share in the responsibility for healthy and safe workplaces. The IRS is a safety system wrapped up in the people in an organization. In Nova Scotia the IRS makes clear that the sharing of responsibility for safety is based on the level of authority and ability that the persons in these two workplace groups have. Employers and employees share responsibility for workplace safety, but it looks different for the two groups! These are some of the key safety responsibilities that employers and employees in Nova Scotia have to themselves, and to each other.

#### **Employers' Responsibilities:**

- Ensure equipment, materials and the work environment is safe;
- Establish safe work policies and procedures for hazardous work, and ensure they are followed;
- Provide an orientation to the company's safety policy and provide safety training on hazard information, equipment use and operational procedures;
- Consult with employees on workplace health and safety issues;
- Establish a health and safety committee (if you have 20 or more employees, it is required by law) or a safety representative (if you have five or more employees, it is required by law); and
- Make everyone accountable for their own safety performance.

An employer can expect his or her managers to also be accountable for a certain level of these responsibilities, but he or she cannot 'give away' certain responsibilities to anyone else.

#### **Workers' Responsibilities:**

- Follow the company's safety rules, policies, and safe-work procedures;
- Take every precaution to protect personal safety and that of others;
- Wear personal protective equipment as required by the employer or by the law;
- Use machinery, equipment, and materials only as authorized by the employer; and
- Report all hazardous incidents and situations, and near misses.

Most importantly for workers, they must know and be prepared to exercise their three key safety rights. All employees, whether on the shop-floor or in the office, have these three rights.

**The Right To Know** – Employees are entitled to know about workplace issues and hazards that can or may affect their health and safety, or that of someone else.

**The Right To Refuse** – Employees have the right to refuse work they feel is unsafe or unhealthy to them or someone else.

**The Right To Participate** – Employees have the right to participate in their own health and safety. This may be by taking part in safety committees or as a safety representative, by reporting unsafe conditions and hazards, and/or by voicing their concerns and opinions about the health and safety of their workplace.

### **Workplace Health and Safety Policy and Programs**

Workplace policies are the written rules that the employer has put in place. When it comes to workplace safety, a written policy shows the employer's commitment to a safe workplace. It lets workers know that safety is a priority throughout the organization and that unsafe practices are not acceptable. All workplaces in Nova Scotia have a legislated responsibility to ensure a healthy and safe work environment for their workers, and this includes having a safety policy in place.

A safety policy needs to be clear and concise, and it needs to make sense for the business and the workers. The employer has to make sure that workers, supervisors and managers are trained on the safety policy, that they understand it, and that it is reflected in the way they work. The employer must make sure that workplace health and safety policy is reviewed every year and updated whenever necessary. For more information about safety policy, see Section 27 of the NS OHS Act and Reference Guide at [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety).

### **Workplace Safety Programs**

In Nova Scotia, employers who have more than 20 people regularly working for them need to have a safety program in place. Think of the safety policy as the rule the company has said it will follow, and the safety program as the map that tells workers how that rule will be followed. Workplaces can include any number of safety practices developing in their program, but the law does require employers to do and have certain things in their safety program, including ways to identify, report, assess and control hazards and procedures to investigate incidents and injuries.

Depending on how a business is set up, the work that it does, and the types of hazards that go along with that work, safety programs will look different and include different practices. For instance, hospitals and restaurants will both have infection control safety practices in place, but it will look different in each workplace.

For more information about having a safety program, see Sections 27 & 28 of the NS OHS Act and Reference Guide, in the Legislation Section of [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety).

### **Health and Safety Committees and Representatives**

Changing how we view safety at workplace happens when employers and employees talk and work together on improvements. Coming together in a Joint Occupational Health and Safety Committee (JOHSC - often pronounced as 'josh',) is one way to do this.

Nova Scotia businesses with 20 or more workers are generally required to have a JOHSC. Many businesses have found - whether or not they're required to - that having a JOHSC can promote and support positive employer-worker communication. Good communication on a JOHSC is a great way to meet workplace health and safety needs, to celebrate successes, and to encourage and support employer-worker cooperation.

A joint committee means that people with different jobs and responsibilities come together for a more balanced approach to working out health and safety issues. Committee members are workers with practical knowledge of specific roles and tasks, and employer and management members responsible for company policy and procedures. The JOHSC's role includes providing a forum for discussion, advising the employer on OHS needs and suggested interventions, and to take part in the workplace's health and safety program. A key point to remember is that **it's the employer's responsibility to ensure that a JOHS** Committee is in place and functioning properly. In Nova Scotia, there's no limit on how big a JOHSC can be, but the membership has to have at least 50% workers.

Exercising your Right to Participate can mean taking part in a JOHSC, committee activities commonly include:

- Helping develop and implement health and safety programs;
- Helping establish and promote safety awareness;
- Reviewing employee complaints or suggestions concerning safety or health;
- Participating in hazard inspection, assessment and control;
- Making recommendations to management to improve safety;
- Participating in injury and incident investigations;
- Monitoring whether safety programs are effective;
- Keeping minutes of all meetings, highlighting recommendations.

For businesses with **fewer than 20 regular employees**, a JOHSC may not be possible or required. In these settings, the employer has the workers **select a Safety Representative**. He or she would perform a similar role as a JOHSC. For businesses with less than five regular employees, the employer can ensure a safety representative (who is a front line worker) is in place. A key point for employers is to prepare safety committee members and representatives for their roles, and to make sure that other workers know they are in place. For more information about JOHSC, see Sections 29-35 of the NS OHS Act and Reference Guide, in the Legislation Section [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety).

## **Hazard Identification and Control**

There are hazards in every type of job and every type of workplace. But getting hurt, or being in harm's way, because a workplace hazard wasn't addressed should never be considered a normal part of any job, or "the cost of doing business." It's not. As part of a safety program, a workplace's process for hazard identification and control must be continuously reviewed. For more information see the 'Hazard Identification and Control' section; and Section 28 of the NS OHS Act and Reference Guide, in the Legislation Section [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety).

### **Hazard Classes**

Hazards come in different shapes and sizes, but usually fall under these five headings:

- Biological (ie. material that is human, animal, plants or fungi),
- Chemical (ie. natural or manufactured: solids, liquids, etc.),
- Ergonomic (ie. how an area is designed for safe work),
- Physical (ie. how the body is impacted by what it's in contact with), and
- Psycho-Social (ie. how people interact with each other).

### **Hazard Contributing Factors**

There are generally five ways (or "contributing factors") in which hazards affect people in the workplace:

- People (ie. the things they do, or don't do),
- Equipment (ie. unsafe or improper for a task),
- Materials (ie. improper handling or type of material),
- Environment (ie. condition of work areas), and
- Process (ie. whether how something is done, is hazardous).

### **Hazard Reporting, Identification and Control**

Workplaces committed to safety do everything possible to identify and control hazards, and to minimize or eliminate the risk of injury or property damage. A part of employer health and safety responsibility is to ensure that there is a hazard-reporting system in place, that reports are acted upon, that appropriate controls are put on the hazard, and that workers are trained how to safely work with or around that hazard.

### **Hazard Reporting**

Employers must have a process for workers to report hazards. Whether face to face, by phone or by email, workers must have a way to tell supervisors about workplace hazards. Employers must then ensure that their supervisors and managers have a process and the resources to follow up on reports and/or make repairs or changes. Where hazards haven't been appropriately dealt with, or where the risk for injury or illness is immediate, all workers and workplace parties have the right to directly contact the province's OHS Division to report a hazard.

### **Job Hazard Analysis**

Hazards are generally identified through worker reports and workplace inspections and investigations. Deciding how to control a hazard requires doing an analysis of the hazard. An analysis can look at a thing, a process, or a whole job description. The basic steps for doing a hazard analysis of a job include:

- Select the task to be analyzed;
- Break the tasks down into a sequence of steps;
- Observe an experienced worker perform the job;
- Identify potential hazards;
- Eliminate the hazard, contain the hazard, revise the work process and/or reduce the exposure;
- Write the steps in a procedure to do the work safely and communicate it to the employees affected.

### **Workplace Inspections**

Workplace inspections must be done regularly. They are an important method to identify hazards or maintenance issues that may be missed in the day-to-day hustle of work. The Nova Scotia OHS Division and the Workers' Compensation Board have examples of inspection forms on their websites, and many businesses are willing to share the forms they use. Inspections are typically done by a manager or supervisor and a front line worker.

### **Workplace Investigations**

If someone gets hurt, a workplace investigation will help us to learn why. By analyzing the information gathered measures can be put in place to decrease or eliminate the risk of similar events happening again. Under certain circumstances, the OHS Act requires an investigation be done. Many employers do some sort of investigation after injuries, incidents and 'near-misses'. Investigation teams usually include employer and worker representatives, and should have some training to do this task properly.

Effective incident investigation is not based on assumptions, it needs facts. Finding facts is done by interviewing people, by analyzing the site where the incident occurred, and by reviewing the employer's safety policy and program. Some basic steps of an investigation are finding out:

- People involved in, or connected to, the incident;
- Timing of events that occurred before, during, and after the incident;
- Location and direction of actions and events;
- Possible causes of actions and events, and how they came together to create the incident;
- Witness and worker suggestions for preventing similar incidents; and
- Investigator's recommendations for the employer's follow up.

Some root causes may be easily addressed and others will be more complex. They all need to be considered by the employer while he/she is following up and preparing interventions based

on the investigation report. For more information about when other agencies (OHS Division, WCB, police, etc.) may get involved in workplace investigations, see Sections 28, 31 & 63-65 of the OHS Act, in the Legislation Section [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety)

### **Safety Training and Leadership**

Educators in schools, the community and workplaces can play a critical role in the prevention of workplace injury. Changing attitudes about workplace safety starts in all of these learning settings. Where should educators begin?

Getting students to explore what types of training could be offered to meet the different needs and hazards of different workplaces, is a great way to start thinking about injury prevention. Another way to generate conversation is to discuss what students are currently receiving in the way of workplace training, in comparison to what they should be receiving – according to safety law and best practice.

In the workplace where there are legislated responsibilities for worker safety education, it is the employer who must ensure a training program is properly and consistently carried out. Training needs are unique to each workplace and reflect the level of commitment and leadership the employer is showing toward safety and injury prevention. Safety training gives workers (which includes supervisors and managers) the knowledge and tools they need to make smart and safe decisions on the job. Everyone needs general safety training, along with training that is specific to the hazards of their own jobs and tasks. Training is integral to respecting and exercising the three key workplace safety rights: the right to know, to participate, and to refuse work felt to be unsafe.

For more information about workplace health and safety learning and teaching, go to [www.gov.ns.ca/lwd/healthandsafety](http://www.gov.ns.ca/lwd/healthandsafety) or [www.worksafeforlife.ca](http://www.worksafeforlife.ca).