



# Safety & Health Guide for Small Businesses

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# ABOUT THIS PUBLICATION

This guide has been developed in cooperation by the following partners: Manitoba Family Services and Labour, Workplace Safety and Health; Canadian Federation of Independent Business (CFIB); Winnipeg Chamber of Commerce; MFL Occupational Health Centre; and the Workers Compensation Board of Manitoba.

This Small Business Safety and Health Guide has been created specifically for Manitoba employers in workplaces with less than twenty employees. The intent is that you use this publication as a tool to:

- Put a safety and health system in place in order to Protect your employees and yourself from injuries and illnesses at work,
- Understand that safety and health is a vital part of the day to day operations of your business, and
- Learn your basic duties and responsibilities under Manitoba's Workplace Safety and Health Act and Regulation.

This guide does not replace the Workplace Safety and Health Act, Regulation or Codes of Practice. You can access this information at: [www.safemanitoba.com/compliance](http://www.safemanitoba.com/compliance).





# INTRODUCTION

The majority of Manitobans work in workplaces that employ less than twenty people. Many of these workplaces are owned and operated by families. This sector is the engine of our economy.

As an employer, you know that your employees are your number one resource. You care about what happens to them.

Every year in our province, approximately one-fifth of all workplace injuries and illnesses occur in small businesses.

Workplace injuries and illnesses have far-reaching effects. Not only can an injury or illness on the job be financially and emotionally devastating for your worker and his/her family, it can have a huge impact on your business.

Consider the financial harm of having to replace or repair damaged property or equipment, hire and train temporary employees, and make up lost production. Your business may also be assessed to pay a higher premium for workers compensation.

Fortunately, work-related injuries and illnesses can be prevented. One of the best methods of prevention is to establish a safety and health system

that fits your particular business operation.

Maintaining a safe and healthy workplace is important. It helps to protect you and your workers so that you can concentrate on developing and growing your business.

This publication will outline the main steps to take in order for you to develop and implement a system to provide your employees, and yourself, with a safe and healthy workplace and to create a culture of safety and health in Manitoba including:

- Demonstrate commitment;
- Safety and Health Representative;
- Identify and Control Hazards;
- Prepare for Emergencies;
- Assign Responsibilities;
- Inspect your Workplace;
- Communicate and Train;
- Contracted Employers and Self-Employed Persons;
- Investigate Incidents;
- Involve your employees; and
- Review and improve your safety and health system.

*Remember to adapt these steps to suit the specific safety and health needs of your workplace.*

**Every year in Manitoba, employees in small workplaces are injured by:**

- Lifting
- Cuts
- Burns
- Falling objects
- Falling from a ladder
- Slipping on a slippery surface
- Tripping on a rough surface or over an object
- Falling on stairs, etc.
- Repeated motions



# SECTION 1: Responsibilities Under Workplace Safety and Health Legislation

## WHO DOES THE LEGISLATION APPLY TO?

As a business owner or manager, you are responsible for all aspects of your business. You are also legally responsible to ensure that your workplace is a safe and healthy environment for your workers.

## GENERAL DUTIES OF EMPLOYERS AND WORKERS

### EMPLOYERS

Employers have the greatest authority at the workplace and therefore bear the greatest responsibility for ensuring the safety and health of all workers at the work site. Specific duties are outlined throughout the WSH Act, Regulation and Codes, depending on the work to be done, including:

- Keeping equipment in safe working order
- Identify, assess, and eliminate or control hazards on the job site
- Properly labeling and storing hazardous substances
- Informing workers of any hazards on the job site
- Ensuring workers receive competent supervision
- Ensuring workers have the training and experience needed to perform their jobs safely before they begin
- Ensuring workers use/wear all personal protective devices, equipment and clothing required
- Ensuring workers follow safe work procedures

### WORKERS

In general terms, workers are responsible for working in a safe and healthy manner in order to protect their own safety and health as well as the safety and health of other persons who may be affected by their actions at work. Workers also have a duty to cooperate with other persons on matters concerning workplace safety and health.

## SPECIFIC REQUIREMENTS

Although specific duties required by law may vary by industry (e.g. what may apply to employers in the construction sector may not apply to those in the service sector), a specific requirement applying to all industries is the duty to report any serious workplace incident, injury or death to Workplace Safety and Health (Refer to Workplace Safety and Health's SAFE Work Bulletin No. 119, "Reporting Serious Incidents" at: [www.safemanitoba.com](http://www.safemanitoba.com)).

**Note: There are separate requirements for reporting injuries to the Workers Compensation Board of Manitoba (see Appendix E for contact information).**

# INTERNAL RESPONSIBILITY SYSTEM (IRS) FOR SAFETY AND HEALTH

The duty for creating and maintaining a safe and healthy workplace falls on every person in the workplace. Because employers have the greatest degree of control over the workplace, they also have the greatest degree of legal responsibility for safety and health. However, this does not relieve supervisors and workers from their duty to co-operate in controlling workplace hazards and to take the necessary precautions to protect themselves and others from hazards.

In order to effectively fulfill their responsibilities under the IRS, the Workplace Safety and Health Act grants three important rights to workers:

- The right to know
- The right to participate
- The right to refuse

## WORKER RIGHTS

Workers in Manitoba have basic occupational safety and health rights that enable them to exercise their responsibility to work in a safe and healthy manner.

These rights are:

- **The right to know** - about what hazards there are in the workplace and what precautions must be taken to prevent injuries and illnesses.
- **The right to participate** - in safety and health activities in the workplace without fear of any form of discriminatory action such as discipline.
- **The right to refuse** - work that they reasonably believe can be dangerous to themselves and others.
- **The right to protection** - from disciplinary action or discrimination for exercising their rights or responsibility to work in a safe and healthy manner.

## Responsibilities Under Workers Compensation Board

No matter the size of your company, you are responsible for providing a safe climate and support system for your employees. And the Workers Compensation Board of Manitoba can help. Employers have a number of legal obligations under *The Workers Compensation Act*:

- If a worker is injured and work and misses time, that worker is paid their full salary for the day of the injury.
- Report workplace injuries and illnesses within five (5) business days of becoming aware of them.
- Allow workers to file injury claims with the WCB and not take any

action to discourage them from doing so.

- Submit accurate payroll information in a timely manner in order for the WCB to determine premiums.
- Pay premiums in a timely manner and not pass on the cost of coverage to workers.
- Make sure the contractors or subcontractors your business works with comply with WCB requirements.
- Re-employ workers you have employed for at least 12 continuous months before the date of their injury or illness (only applies to businesses with more than 25 full-time or regular part-time workers).
- Advise the WCB when injured workers return to work following an absence due to a workplace injury.

The WCB is pleased to offer small businesses assistance with program implementation, safety and health data and injury prevention training.

If you are covered by the WCB, our team is here to assist you when injuries happen. We meet with injured workers and their employers to discuss coverage, rehabilitation and to develop a return-to-work plan. And if you disagree with an assessment or claim decision made by the WCB, you have the right to appeal it.

These services can also help businesses save money. The fewer injuries in your workplace, the lower your rates and premiums for wage loss payments, medical benefits and rehabilitation will be.

Workplace safety is an essential investment in your business and the well-being of the people who keep it going. The WCB helps Manitoba's small businesses make that investment.

## SECTION 2: Setting Up Your Safety and Health System

### PART 1. DEMONSTRATE COMMITMENT

#### DEVELOP YOUR COMPANY SAFETY AND HEALTH POLICY

A simple, concrete way of telling your employees about your commitment to their safety and health is by developing a workplace safety and health policy.

Your policy doesn't have to be complicated or fancy. Develop your policy with input from your employees or worker safety and health representative (see Part 2), and ensure you post it where employees will see it.

Your workplace safety and health policy should include:

- Your safety and health philosophy
- Your commitment to prevent occupational injuries and illnesses
- Who is responsible and accountable for each part of the policy
- How you will make your workplace safety and health system work

Talk with your employees about the policy. Provide new employees with a copy of your policy during orientation. If appropriate, inform your suppliers, contracted employers or self-employed persons, and clients. Keep your policy up to date and make sure everyone gives it the same attention as production, sales, and customer service. Sign it yourself and have your senior supervisor/manager sign it as well.

Of course signing the policy alone is not enough; you must be prepared to back it up. Commitment to workplace safety and health needs to be seen at the top of the company ladder in order for it to be active all the way to the shop floor. The best example an employer and senior supervisors/managers can set for their workers is to "walk the talk." This cooperation is essential in building a culture of safety and health.

See **Appendix A** for a sample policy statement



## CHECKLIST

Is your policy:

- Written, communicated and posted?
- Understood by employees and others who may be affected?
- Clear about who is responsible and accountable for each part of the policy?
- Followed in all work activities and areas?







## DUE DILIGENCE

The legislation can't cover everything that can happen on the job. Sometimes you must take measures to protect your employees and service providers that go beyond the legislation.

Due diligence means everyone with responsibility for safety and health must "...take every precaution reasonable in the circumstances to avoid a work related injury or illness." This concept of "reasonable care" holds individuals accountable for their acts (what they do) and omissions (what they fail to do). It goes far beyond simple "regulatory compliance."

Due diligence describes a very high standard to take reasonable care, and is reflected in the following principles:

- **General duties -**

The Act imposes a duty on everyone in the workplace to take reasonable care of their safety and health and that of others, to the degree that they have the knowledge, authority, and ability to do so. This general duty is in addition to, and goes far beyond merely complying with the law.

- **Regulatory compliance -**

If you are charged with contravening the legislation, you cannot successfully defend yourself by saying that you did not intend to break the law or fail to comply. To defend yourself adequately, you must be able to show that you took every reasonable, practicable action to comply.

- **Reasonably practicable -**

What is "reasonably practicable" is determined by asking what a reasonable person, in the same

position and circumstance, would have done to prevent the incident. When making that determination, three main factors need to be taken into account:

- 1) foreseeability;
- 2) preventability; and
- 3) control.

- **Proactive -**

Due diligence requires you to take a proactive and systematic approach to safety and health. This can best be met within a workplace by establishing, implementing and maintaining a safety and health system that:

- ▶ identifies hazards
- ▶ assesses the risks associated with those hazards
- ▶ implements measures to eliminate or minimize those risks
- ▶ monitors each part of the system to ensure it is adequate and effective



## SECTION 2: Setting Up Your Safety and Health System

### PART 2. SAFETY AND HEALTH REPRESENTATIVE

In Manitoba, workplaces that regularly employ between 10-19 workers are required to have a worker safety and health representative.

A worker safety and health representative must be elected from the workers not associated with management. The worker representative is responsible for performing the same duties as a safety and health committee in a larger workplace (employing 20 or more workers).

A worker safety and health representative plays a key role in helping you develop, implement and monitor the safety and health system at your workplace. You may, therefore, choose to have a worker representative at your workplace even if you are not required by law.

#### DUTIES OF THE WORKER REPRESENTATIVE

The worker representative has a variety of responsibilities with respect to workplace safety and health, including:

- Inspect each part of the workplace and operations at regular time periods; inform the employer of any safety and health concerns identified during the inspection and make recommendations to remedy those concerns

- Review the safety of new equipment, materials or processes and make recommendations accordingly
- Investigate incidents and dangerous occurrences at the workplace whether injury occurs or not
- Obtain input from staff on safety and health matters

#### EMPLOYER'S ROLE

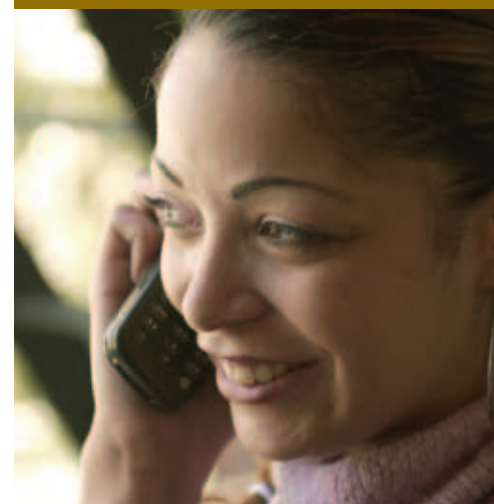
In order for the worker representative to be as efficient and effective as possible in this role, the employer must:

- Respond in writing to recommendations of the worker rep within 30 days, unless the recommendations have been implemented
- Advise the worker rep of planned introduction of new equipment, operating procedures, or new substances (including chemicals)
- Ensure the representative is trained to fulfill his/her duties (e.g. provide the worker rep two days paid educational leave annually for safety and health training courses/seminars).
- Allow the worker rep sufficient time (during regular working hours) to carry out his/her duties as a representative



## CHECKLIST

- Establish a fair process where a worker representative is elected by the workers he/she represents.
- Consult and cooperate with the worker representative on safety and health matters at the workplace.





## SECTION 2: Setting Up Your Safety and Health System

### PART 3. IDENTIFY AND CONTROL HAZARDS

One of the most important parts of your workplace safety and health system is an effective system to identify and control hazards. As an employer, it is your responsibility to know what hazards or potential hazards are present in your workplace that could cause harm to your employees.

You can help prevent workplace injuries and illnesses by setting up a system to:

1. **Spot the hazard** by identifying known and potential dangers to employees that could cause injury or health problems (e.g. chemicals, damaged or unguarded equipment, objects that could fall and strike someone, trip hazards, etc.) To be effective, your system must enable and encourage employees to bring forward concerns about hazards.

2. **Assess the risk** associated with each hazard. Determine whether workers are being exposed to the hazards you have identified and if the exposure is a risk to your worker's safety or health, the hazard must be controlled.

3. **Find a safer way** to carry out the task(s) at your workplace where hazards have been identified. The best method is to eliminate the hazards, however if this is not possible or practical, you must control them. In order of preference, you must take the following steps to address workplace hazards:

- Eliminate the hazard through redesign of the workplace, work process or the use of engineering controls.
  - Example: Change the work design (e.g. maintain supplies at lower heights, eliminating the need for employees to climb ladders).
- Control the hazard through redesign of the workplace, work process or the use of engineering controls.
  - Example: Change the work process (e.g. substitute a less toxic material in a work process).
- Put safe work procedures into action.
- Ensure workers use/wear personal protective equipment (e.g. safety eyewear, footwear and hearing protection).

#### 4. **Everyday**

Your employees are a valuable source of information about hazards and risks in the workplace. Take advantage of this by having your supervisors and experienced employees take the lead in identifying, assessing, and controlling hazards.

*For more about hazards, see Workplace Safety and Health's publication, A Guide to Setting up a Workplace Safety & Health Program at [www.safemanitoba.com/resources/guidelines](http://www.safemanitoba.com/resources/guidelines)*



## CHECKLIST

- Have you identified the hazards associated with each task your employees perform?
- Have you specified how to do these tasks safely?
- Have you developed safe work procedures?
- Have you developed a way of informing employees about hazards, their risks, and hazard controls?
- Have you assigned responsibilities to specific people for safety and health?
- Have you developed a system to identify and deal with emergencies?

## SECTION 2: Setting Up Your Safety and Health System

### CONTROL CHEMICAL AND BIOLOGICAL SUBSTANCES

If you have chemical or biological substances in the workplace, ensure that they are properly controlled. The following process will help you to achieve and maintain control of your hazardous substances:

1. Maintain an inventory of chemical and biological substances that may harm your employees when handled, used, stored, produced, or disposed of at your workplace.
2. Obtain hazard information on each of these substances. Use this information for employee training, to develop work procedures, and to conduct workplace monitoring and inspections.
3. Reduce workplace contamination and prevent exposure to any extent that could be harmful.
4. Develop and implement safe work procedures and processes.
5. Inform your employees about the hazards at the workplace and train them on using the required safe work procedures and processes.

6. Assign responsibilities to employees who order, purchase, and receive chemical and biological substances to ensure that adequate hazard information is obtained. A centralized or structured hazardous product ordering system (MSDS control system) may help to do this.

### CONTROL OF RISKS FOR MUSCULOSKELETAL INJURIES

The term ‘musculoskeletal injury’ (MSI) has received increased attention in recent years. This is not because it is a ‘new’ injury that has been discovered, it is because awareness of the issues causing the injury has increased among workers in Manitoba.

In addition, the requirement for employers to assess and control risks for MSIs is not new - it has always been a part of the employer’s general, overall risk assessment at the workplace.



## CHECKLIST

- Have you prepared an inventory of chemical and biological substances?
- Do you have a material safety data sheet (MSDS) control system?
- Are MSDSs readily available to employees?
- Are records of worker training kept?
- If required, do you keep a plan for control of infectious substances?







## CHECKLIST

The best way to assess the risk(s) in your workplace for musculoskeletal injury (MSI) is to talk with your employees. Try using these three simple questions to find and control risks for MSI:

- **Do you feel sore or tired at the end of the day?** If sore, where? (e.g. the back of the arm, the lower back, behind the knees, etc.)
- **Why do you think you are sore?** (specific movements? repetitive lifting, holding tools, etc.)
- **Is there anything you can recommend to reduce your pain or fatigue?** (This is usually the best place to start when looking for a solution.)

## SO WHAT EXACTLY IS A MUSCULOSKELETAL INJURY?

### Definition:

An injury or disorder of the muscles, tendons, ligaments, joints, nerves, blood vessels or related soft tissue including a sprain, strain or inflammation.

### Cause:

The physical demands of the action, task, movement, or job exceeds the capability of the body.

### Physical

#### Demands include:

- **Poor postures -**  
positions of the arms, upper body, back and lower legs that increase the strain to bones, muscles, nerves, ligaments and other soft tissue. These positions involve bending, twisting, awkward motions and over reaching.
- **A forceful exertion -**  
an action having the potential to overload the body tissues (e.g. manually transferring a patient from a wheelchair to a bed, carrying a heavy item up stairs, etc.)
- **A repetitive motion -**  
any action performed for extended periods with little, or no variation in the muscles groups used (e.g. working the same station on an assembly line; using a knife to perform the same cut in a kitchen all day, etc.)
- **Vibration -**  
an action (when a hand tool or heavy machine shakes repetitively) causing the muscles to tighten and circulation to decrease. Vibration can occur in the hand/arm or in the whole body depending on the source of the vibration (e.g. using an impact gun, working with a grinder, working on/near large machines, etc.)

- **Compression -**

an action causing the soft tissue of the body to compress, decreasing circulation and therefore disrupting nerve and muscle function (e.g. resting the elbows / forearms on a table top, using a tool that is too short / small for the hand, leaning on a sharp edge, etc.)

It is the combination of physical demands that increases the risk of injury.

Although the term (MSI) itself may sound complicated, a common misconception among employers is that prevention of these injuries will 'break the bank.' On the contrary, many employers have put simple control methods in place at no cost to the business (e.g. rotating tasks on a daily basis to reduce 'repetitive strain', etc.). While this is not possible in all cases, the financial impact on a business that takes steps to control MSIs is considerably less than if these injuries go unchecked.

*For more information/resources on MSIs and implementing controls to reduce the risk of injuries, contact Workplace Safety and Health (see **Appendix E**). You can also access the Small Business Ergonomic Case Studies report at: [www.mflohc.mb.ca](http://www.mflohc.mb.ca) or [www.safemanitoba.com](http://www.safemanitoba.com).*



## PREVENTING VIOLENCE AND HARASSMENT AT THE WORKPLACE

As an employer, you must determine if the potential exists for violent acts or threats of violence against your employees. You are required to make every effort to identify potential sources of violence and implement procedures to eliminate or minimize risk to your workers.

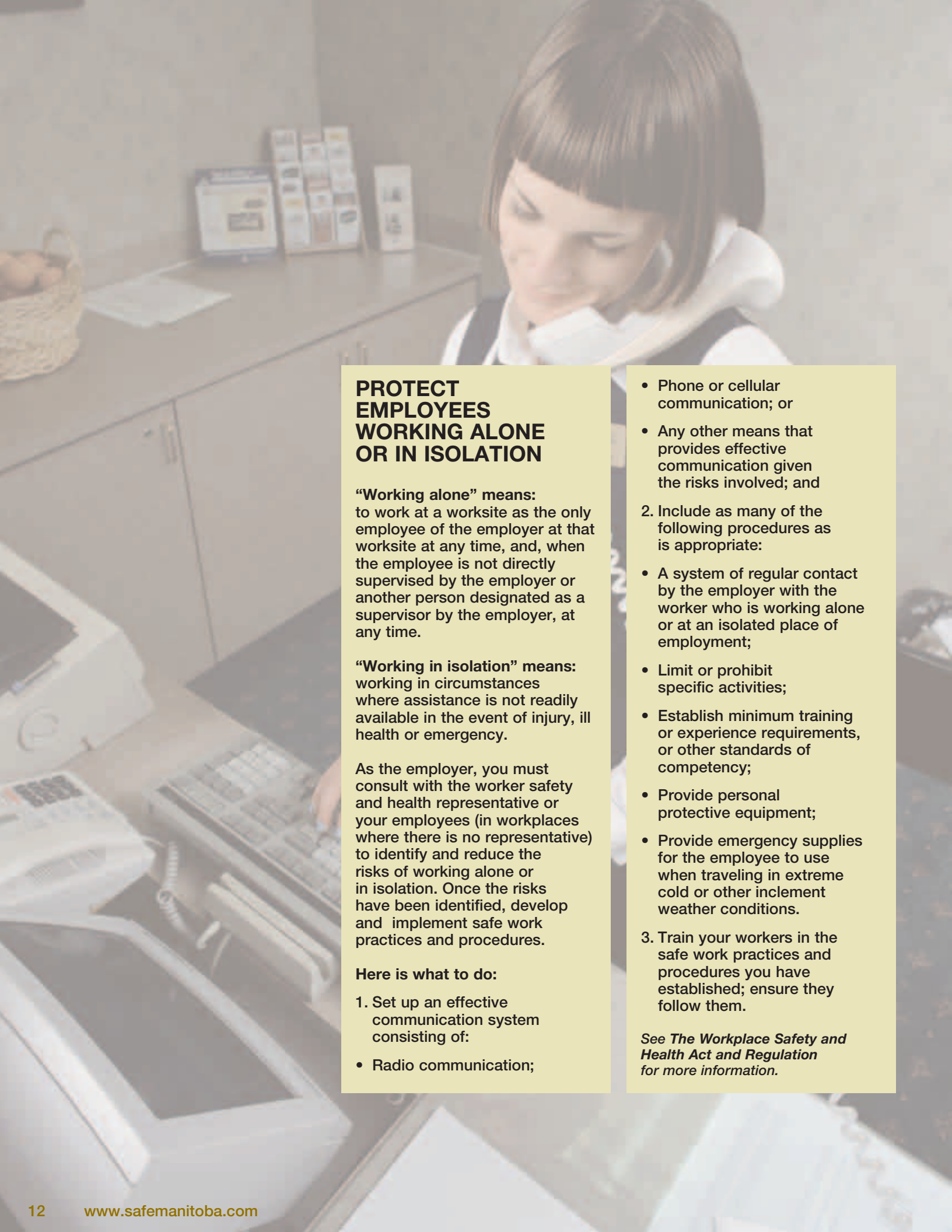
The requirements under Part 11 of the Workplace Safety and Health Regulation – Violence in the Workplace apply to any workplace where a risk assessment identifies a risk of violence to a worker, and all workplaces which:

- Provide any of the following services:
  - a) Healthcare, as described in section 11.8
  - b) Pharmaceutical-dispensing
  - c) Education
  - d) Financial
  - e) Police, corrections or other law enforcement
  - f) Security
  - g) Crisis counselling and intervention
  - h) Public transportation, if the workplace is a taxicab or a transit bus
- Remain open to the public for retail sales between the hours of 11 p.m. and 6 a.m.
- Qualify as licensed premises under The Liquor Control Act.

See **Appendix C** for a sample *Violence Prevention Policy and Procedures*.

As an employer, you must also have a policy and procedure in place to address harassment complaints at the workplace, based on human rights grounds (e.g. age, race, gender) or forms of harassment also known as “bullying”. It should be clear that reasonable, day-to-day actions by management, including discipline, are not considered to be a form of harassment.

See **Appendix D** for a sample *Harassment Prevention Policy and Procedures* and the pamphlet “*Understanding Manitoba’s New Requirements for Preventing Harassment at Work*” on [www.safemanitoba.com](http://www.safemanitoba.com).



## **PROTECT EMPLOYEES WORKING ALONE OR IN ISOLATION**

**“Working alone” means:**  
to work at a worksite as the only employee of the employer at that worksite at any time, and, when the employee is not directly supervised by the employer or another person designated as a supervisor by the employer, at any time.

**“Working in isolation” means:**  
working in circumstances where assistance is not readily available in the event of injury, ill health or emergency.

As the employer, you must consult with the worker safety and health representative or your employees (in workplaces where there is no representative) to identify and reduce the risks of working alone or in isolation. Once the risks have been identified, develop and implement safe work practices and procedures.

**Here is what to do:**

1. Set up an effective communication system consisting of:

- Radio communication;

- Phone or cellular communication; or
  - Any other means that provides effective communication given the risks involved; and
2. Include as many of the following procedures as is appropriate:
- A system of regular contact by the employer with the worker who is working alone or at an isolated place of employment;
  - Limit or prohibit specific activities;
  - Establish minimum training or experience requirements, or other standards of competency;
  - Provide personal protective equipment;
  - Provide emergency supplies for the employee to use when traveling in extreme cold or other inclement weather conditions.
3. Train your workers in the safe work practices and procedures you have established; ensure they follow them.

*See **The Workplace Safety and Health Act and Regulation** for more information.*



## SECTION 2: Setting Up Your Safety and Health System

### PART 4. PREPARE FOR EMERGENCIES

Planning and preparing in advance for emergencies is important. Prepare a list of possible emergencies and establish a set of procedures to respond to each emergency.

We suggest that you develop a short, written emergency plan and provide copies to everyone who may have to deal with an emergency at your workplace. This will prevent confusion over 'who does what' in the event an emergency occurs. To develop your plan:

1. List possible emergencies.
2. Consider the consequences of each potential emergency at your workplace. Think about what could go wrong at remote work sites.
3. What will activate your emergency response plans, such as declaring an emergency, evacuating employees, calling emergency personnel, initiating rescues, and tending to casualties?
4. Who will carry out each part of your emergency plans? State everyone's duties and responsibilities, and identify the training they need to do the job.
5. Identify the resources required. These resources include the personnel and equipment needed to deal with each emergency. Consider the location of your workplace, existing resources, and the nature of each emergency.
6. Include a fire safety plan.
7. Include emergency procedures to deal with an accumulation, spill, or leak of hazardous chemical or biological substances.



## CHECKLIST

- Have you identified situations that could produce emergencies?
- Have you identified people and resources you need to deal with them?
- Have you developed a written fire safety plan and a plan to deal with chemical spills (where needed)?
- Have you identified emergency training requirements?



## FIRST AID

You must provide a certain level of first aid preparedness depending on:

- The number of employees at the workplace at any time
- How hazardous the work performed is
- The distance to a medical facility

*See the Workplace Safety and Health Regulation on First Aid for a complete description of first aid requirements at: [www.safemanitoba.com/compliance](http://www.safemanitoba.com/compliance).*

*Check your local listings for First Aid training providers.*



## CHECKLIST

- Does everyone know (and understand) their responsibilities?
- Do you hold each of your employees accountable?



## SECTION 2: Setting Up Your Safety and Health System

### PART 5. ASSIGN RESPONSIBILITIES

Remember that the law holds everyone responsible for safety and health in the workplace. The greater the authority, the greater the responsibility. Therefore, as the employer you have the greatest degree of responsibility.

Assign responsibility (and accountability) for safety and health to individual supervisors/managers and employees just as you assign other responsibilities.

State who is responsible for what actions as clearly and specifically as possible. For example, identify who is authorized to order safety equipment, require machine maintenance, or mobilize resources to ensure that a task is done safely. Check to see that each individual is carrying out their responsibilities as assigned.

Ensure your supervisors/managers know their safety and health duties and responsibilities. Hold them accountable for their safety and health performance just as you would for their work in other areas.

Remember, in order to carry out their responsibilities, your supervisors/managers and employees must:

- Know what their responsibilities are
- Have the necessary authority to carry them out
- Have the necessary skill, training, and experience to carry them out

Let your employees know that you are concerned about their safety and health at work by taking the lead role in resolving safety and health concerns. It is important to make safety and health part of your workplace culture. For example:

- Talk about safety and health at meetings and in conversations with your supervisors/managers and employees
- Immediately investigate workplace incidents and refusals to work
- Promptly correct problems and let employees know what you've done
- Provide supervisors/managers and employees with feedback on their safety and health performance

## SECTION 2:

# Setting Up Your Safety and Health System

### PART 6. INSPECT YOUR WORKPLACE

Workplace inspections are one of the most common and effective tools for identifying and correcting problems before they cause injuries and illnesses. Inspections should also be used to draw attention to and encourage good safety and health practices. In general, there are two types of inspections: informal inspections and formal, planned inspections.

#### **Formal inspections -**

These are planned, regularly scheduled 'walk throughs' or examinations of:

- A workplace
- Selected work areas
- Particular hazards, machinery, tools, equipment and work practices

#### **Informal inspections -**

May spot potential problems, but are limited in that they are not systematic or focused. These really boil down to conscious awareness of safety and health hazards and controls as people do their daily jobs, as well as monitoring your employees' safe work practices.

Worker safety and health representatives, supervisors, managers, maintenance personnel, safety professionals and others can carry out inspections. As a general rule, the responsibility for each type of inspection should fall on those who are most knowledgeable and for whom it is most practical to do the inspection. This is where it is important to ensure that anyone given inspection responsibility has, or receives, the training they need to fulfill their responsibilities. As for frequency of inspections, both types (informal and planned) should be done on a regular basis, however some kinds of inspections will need to be done more frequently than others (e.g. pre-use equipment checks, etc.).

Following an inspection, meet with the persons who carried it out and decide how to correct any problems that were found.



## CHECKLIST

- Have you told your employees what will be inspected (work areas, equipment, tools, procedures, practices, etc.), by whom, and how frequently?
- Do you regularly inspect work procedures and production processes?
- Have you told your employees what inspection records must be produced to ensure accountability?
- Do you have a system for promptly correcting defects found during each inspection?
- Do you know what type(s) of training is required for those who carry out inspections?





## CHECKLIST

- Do you keep records of staff orientation?
- Do you keep records of training required by law (e.g. training required for forklift operators, etc.)?
- Do you keep records of crew talks?
- Do you clearly assign responsibilities for training?
- Do you keep records of training provided to the worker safety and health representative? \*

\* A worker safety and health representative is required in workplaces where between 10 - 19 employees are regularly employed.



## SECTION 2: Setting Up Your Safety and Health System

### PART 7. COMMUNICATION AND TRAINING

Occupational safety and health education and training is critical to a safe and healthy workplace. Decide what orientation and training you will provide to your employees and when. For example, employees and supervisors need to know what you expect of them and what their legal safety and health responsibilities are.

Start new employees, as well as employees transferred from other work areas, with a solid orientation. Cover information relevant to their safety and health, including: emergency procedures, first aid facilities, any restricted areas, precautions required to protect employees from hazards, and any other safety and health procedures, plans, policies, and programs applying to the employee.

Training is also needed when new equipment, processes, or procedures are introduced into the workplace, or when there are instances of unacceptable safety and health performance.

#### What to include in your employee training:

- Education about workplace hazards and training on safe work practices and procedures
- Specific matters in the workplace safety and health regulation applying to the employee's work (e.g. safe lifting procedures, WHMIS, the use of personal protective equipment, etc.)

- Safety and health plans, policies, and programs required by law, including plans for handling infectious material and working alone situations
- Legislative safety and health requirements that apply to the employee's job, including information on employees' rights and responsibilities under the Act

#### What to include in supervisor training:

Supervisors play an important role in preventing workplace injuries and illnesses. Therefore, they need all of the instruction given to workers, plus the following training:

- Applicable sections of the Act and regulation, including their roles, duties and responsibilities for workplace safety and health
- Safe handling, use, storage, production, and disposal of chemical/biological substances
- The need for personal protective equipment, how to use it safely and its limitations
- Emergency procedures
- Coaching and motivation
- Any other matters pertaining to the safety and health of employees under their direction

**Workplace Safety and Health** offers a variety of safety and health training programs, including training for supervisors, free of charge.



## **PROTECTING YOUNG / NEW EMPLOYEES**

Statistics show that almost 50 per cent of injuries occur in the first year of a new job. For this reason, young employees aged 15 to 24, as well as new employees, are more likely to be hurt in their first year of employment than more experienced employees. You can reduce the risks to young and new employees by providing them with appropriate orientation, and showing them safe work procedures.

### **1. TELL YOUNG / NEW EMPLOYEES ABOUT:**

- Anything that could affect their safety and health at your workplace
- Their rights and responsibilities under the legislation (WSH Act)
- How they will be involved in safety and health activities in your business (identify the worker safety and health representative)
- Workplace requirements, including any safety and health procedures, plans, policies, and programs

### **2. TRAIN THEM ON:**

- Safe work procedures, including the use and limitations of any personal protective equipment (PPE) they must use
- What to do if there is a fire or other emergency

- What to do (who to see and where to go) if they need first aid
- Any prohibited or restricted areas, tools, equipment, and machinery
- What hazards exist in the workplace and in their jobs
- How to protect themselves from those hazards
- What to do and who to talk to if they have a safety and health concern (identify the worker safety and health representative)

### **3. MAKE SURE THEY:**

- Have competent supervision to ensure they work safely
- Follow your requirements (e.g. work rules and safe work procedures)
- Comply with legislation
- Ask when in doubt about anything to do with their job/task



## CHECKLIST

- Do you have Child Employment Permits for all workers under 16?
- Does your workplace meet all conditions set out on the permit?



## SECTION 2: Setting Up Your Safety and Health System

### EMPLOYMENT STANDARDS REQUIREMENTS FOR YOUNG EMPLOYEES

Manitoba protects child employees by placing restrictions on when and where they can work. Children are not allowed to work in certain jobs and industries and, depending on their age, cannot work alone or during specific hours.

Children under the age of 16 cannot work without a child employment permit. A permit will not be issued for work that is likely to harm the safety, health or well-being of the child.

#### RESTRICTED HOURS AND PLACES OF WORK

Employees under 16 years old are not allowed to work at all between the hours of 11 p.m. and 6 a.m. and can work no more than 20 hours per week during the school year.

Children under 16 years old are prohibited from working:

- on a construction site
- in industrial or manufacturing processes
- drilling or servicing rigs
- on scaffolds or swing stages
- pruning, repairing, maintaining, or removing trees

Employees under 18 years old are not allowed to work alone between the hours of 11 p.m. and 6 a.m. without specific approval from Employment Standards and cannot work in the following industries:

- forestry
- saw or pulp mills
- confined spaces
- underground in mines or on the face of open pit quarries
- asbestos abatement and removal

#### CHILD EMPLOYMENT PERMITS

All children under 16 years old must have a valid Child Employment Permit before they can begin work. The permit is issued by Employment Standards and specifies the workplace and job duties that have been approved for the child. Conditions may be included on the permit where necessary.

Employment Standards must be notified of any changes to information on the permit to verify that the work is still suitable.

Children working in Manitoba have the same rights and responsibilities as adult employees. Under The Employment Standards Code, minimum standards apply to all workers regardless of age, including general holidays, vacations, minimum wage, wages for reporting to work and notice periods upon termination.

*For more information, visit Employment Standards at [www.gov.mb.ca/labour/standards](http://www.gov.mb.ca/labour/standards) or call (204) 945-3352 or 1-800-821-4307 (toll-free).*



## SECTION 2: Setting Up Your Safety and Health System

### PART 8. CONTRACTORS AND SELF-EMPLOYED PERSONS - SELECTING; EVALUATING; AND MONITORING

If you contract with an outside company or self-employed person to do certain work at your workplace, and you direct their activities, you become a 'contractor' under Manitoba's *Workplace Safety and Health Act*.

Your prevention efforts at the workplace can quickly be undone if you do not have a well thought out system in place to deal with the safety and health risks associated with the work of these outside companies or self-employed persons with whom you contract.

#### YOUR SYSTEM SHOULD INCLUDE:

1. Criteria for evaluating and selecting contracted employers or self-employed persons. Your standards should include evidence of good safety and health management and performance.
2. *An effective system of communication and information exchange in which you provide contracted employers or self-employed persons with information that they need to do the job safely, and they provide similar information to you.*
3. A method of clearly stating who is responsible for what.

4. *Ensure that relevant safety and health requirements of your company are applied to contracted employers or self-employed persons.*
5. *A process to monitor contracted employers or self-employed persons to ensure they meet the safety and health requirements of the contract.*

#### WHAT ABOUT 'CONSTRUCTION PROJECTS?'

If you are undertaking a construction project which involves more than one employer or self-employed person, there must be a 'prime contractor' in charge of overseeing all activities undertaken by the contracted employers for the project.

#### THE PRIME CONTRACTOR IS RESPONSIBLE FOR:

- Setting up an effective system to ensure everyone involved in work on the project meets their legal safety and health duties
- Co-ordinating, organizing and monitoring work on the project to ensure reasonable and practical precautions are in place to control safety and health hazards
- Co-ordinating the safety and health systems/programs of contracted employers
- If you do not designate a prime contractor, you as project owner assume the responsibility of prime contractor



## CHECKLIST

- Do you have criteria for selecting and evaluating contracted employers or self-employed persons?
- Do you have procedures for monitoring contracted employers or self-employed persons?





## CHECKLIST

- Have you assigned responsibilities for conducting investigations?
- Do you have procedures for conducting investigations?
- Do you keep incident investigation reports?
- Do you keep records of corrective action and follow-up measures taken to ensure the action is effective?



## SECTION 2: Setting Up Your Safety and Health System

### PART 9. INVESTIGATE INCIDENTS

Investigating things that go wrong at the workplace provides valuable information needed to prevent similar incidents in the future. That is why the law requires you to investigate incidents, dangerous occurrences (including near misses) and refusals to work.

#### Concerns -

Address employees' concerns as soon as possible to protect their safety and health. This may also prevent concerns from becoming refusals to work.

#### Refusals -

Every employee has a right to refuse work (Act, section 43(1)) if he or she believes on reasonable grounds that the work is dangerous to his or her safety and health. Talk to your employees and supervisors about refusals, covering:

1. Who should be notified about a refusal
2. How the refusing worker will be informed about his or her rights and responsibilities
3. Who will investigate the refusal. If the refusal can't be resolved internally, Workplace Safety and Health should be contacted
4. How employees who might be asked to take over the duties of the refusing employee will be informed of their rights and responsibilities
5. Who will take corrective action and follow-up

**To investigate** an incident, dangerous occurrence, or refusal, use a systematic method that fits the needs of your workplace. Your investigation procedure should help find the root cause of each incident. The cause(s) of an incident can often be found by asking: who + what + where + when + how...for each key event in the incident. Use the following steps:

#### 1. Analyse the incident factors

- Ask why each event happened
- Evaluate the role of every factor involved (people, materials, systems, weather, etc)
- Visit the scene. Take photographs, make drawings, interview witnesses and review documents

*(continued on next page)*

## SECTION 2: Setting Up Your Safety and Health System

### PART 9. INVESTIGATE INCIDENTS

*(continued)*

#### 2. Find the direct, indirect, and root causes

**Direct cause(s)** usually occur immediately before the incident. For example, a direct cause may be a collapsing jack that dropped a car onto an employee.

**Indirect cause(s)** set the stage for an incident and can include: lack of training and supervision; inadequate tools, equipment, and materials; departures from safe work procedures.

**Root cause(s)** allow indirect and direct causes to develop.

#### 3. Write a report recommending corrective action

Prepare a report describing what happened (use photos/ drawing to illustrate key points). Recommend corrective action, including both short and long-term controls to prevent something similar from happening again. The employer should take appropriate corrective action based on the report. The corrective action should be audited for effectiveness.

### PART 10. INVOLVE YOUR EMPLOYEES

An effective workplace safety and health system needs employee commitment and participation. All employees need to be involved in your efforts to prevent injuries and occupational illness. This is especially important in small organizations where there may not be the same access to professional safety and health expertise as there is in many large organizations. If your employees understand that their input is valued, they are more likely to support the system.

#### You can involve your employees by:

- Ensuring a worker safety and health representative is elected if your workplace has between 10 - 19 employees
- Regularly consulting your employees where a committee or representative is not required
- Requesting feedback from your employees on safe work procedures



## CHECKLIST

- Do you hold regular (e.g. monthly) meetings with your employees to talk about safety and health?
- Do you discuss inspection and incident reports at your meetings?
- Do you discuss new work procedures, equipment, and other safety issues?
- Do you talk about employee concerns at meetings and during everyday contacts?
- Do you keep a record of meetings with employees and track progress on unresolved concerns?



## CHECKLIST

- Do you have a clear, effective process to evaluate and improve your safety and health system?



## SECTION 2: Setting Up Your Safety and Health System

### PART 11. REVIEW AND IMPROVE YOUR SAFETY AND HEALTH SYSTEM

Review your safety and health system regularly (at least every three years), just as you would review other business activities. Ask your employees to suggest improvements and help you to find and correct problems.

New technologies, production methods, and/or problems may require you to revise employee training, change supervisory/management practices, reassign responsibilities, or conduct inspections differently. Defects may be identified through inspections, systematic audits, or investigations of incidents and dangerous occurrences.

The entire system does not have to be evaluated at once. You may wish to evaluate your system one element at a time. The objective of the review procedure is to ensure that your system works properly and controls new hazards.

For additional information, reference Workplace Safety and Health publications, **“A Guide to Setting Up a Safety and Health Program,”** and **“Elements of a Safety and Health Program”** at: [www.safemanitoba.com/resources](http://www.safemanitoba.com/resources).



# APPENDICES

## APPENDIX A: Sample Safety and Health Policy

### WORKPLACE SAFETY AND HEALTH POLICY STATEMENT

ABC Company is committed to providing a safe and healthy work environment for all workers. Supervisors and management are committed to doing everything possible to prevent injuries and to maintain a healthy work environment.

To this end:

- The company is committed to maintain a workplace safety and health program/system to ensure the goals of this policy.
- Every person in the company must integrate good workplace safety and health practices into their daily activities.
- All employees are required to support the workplace safety and health system.
- Managers are responsible for enhancing safety and health consciousness.
- Supervisors must ensure their employees are trained in safety and health work procedures to obtain optimal output without incident and injuries.
- All employees are accountable for implementing this program.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
CEO

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Operations Manager

## APPENDIX B: Sample Working Alone Policy

### WORKING ALONE POLICY

Effective Date:

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#### Definition of Working Alone

“...‘**working alone**’ means the performance of any work function by a worker who is the only worker for that employer at that workplace at any time; and is not directly supervised by his or her employer, or another person designated as a supervisor by his or her employer, at any time.”

#### Company’s Commitment

ABC Company is committed to ensuring the safety and health of all employees in working alone situations. Supervisors and management have conducted a review of the working alone situations which exist in the company, and have established a Working Alone plan intended to minimize risks to persons working alone.

### WORKING ALONE PLAN

#### WORKING ALONE CONDITIONS OR CIRCUMSTANCES:

##### A.0 OFFICE WORK

- (i) Regular Working Hours
- (ii) Overtime Status

#### A.1 IDENTIFICATION OF RISKS

##### (i) Regular Working Hours:

There does not appear to be any situations by which staff works alone during regular working hours.

##### (ii) Overtime Status:

- Strangers entering the building complex, and in particular, the office area where a person may be working overtime.
- Concerns with respect to safe evacuation of building in case of emergency (fire).

#### A.2 RISK REDUCTION METHODS

##### (i) Regular Working Hours:

No working alone situation exists during regular working hours.

##### (ii) Overtime Status:

- No personnel will work alone outside regular working hours, including weekends or stat holidays without pre authorization of their supervisor or manager.
- When authorized overtime is necessary there will be an emphasis placed on ensuring that at least two (2) workers are in the office to reduce the possibility of having a person in a working alone situation.
- Where it is not practicable to have two (2) persons in the office working overtime a mutually agreed system of communication shall be established between the person working overtime and their immediate supervisor.

#### B.0 BUSINESS OPERATIONS AWAY FROM OFFICE (FIELD PERSONNEL)

- (i) Within Boundaries of Home Office (city, town, etc.)
- (ii) Outside Boundaries

#### B.1 IDENTIFICATION OF RISKS

##### (i) Within the Boundaries of Home Office:

(Within the Perimeter Highway)

- Field personnel may encounter risks during their routine activities. Personnel must be knowledgeable about not approaching any situation by which their safety or health may be at risk without taking all necessary precautions.

##### (ii) Outside boundaries of Perimeter Highway:

- Vehicle breakdown
- Inclement weather (particularly winter)
- Risks associated with remote travel (communication availability)

## APPENDIX B: Sample Working Alone Policy *(continued)*

### B.2 RISK REDUCTION METHODS

No personnel will work alone in the office outside regular working hours, including weekends or stat holidays without pre authorization of their supervisor or manager.

- (i) Field personnel will exercise their judgment and expertise before approaching any risk related situation and will take all necessary precautions including use of personal protective equipment. Field staff must ensure they utilize the appropriate personal protective equipment that may be required to deal with a particular situation. Individual cell phones must be operational at all times during work hours and approved overtime hours.
- (ii)
  - (a) If a worker is going into an area where they wish for someone to keep in contact with them they will initiate a phone-in system with their supervisor or manager. They will mutually agree on the times for contact and the steps to be taken should contact not be made at the specified times. The contact person must know where the worker will be located, the company name, and a contact phone number or person if possible.
  - (b) To ensure the safety and health of all workers working alone all persons working alone are required to contact the receptionist at ABC Company each morning at the beginning of their shift. The worker shall report their anticipated itinerary for that day. Should this change during the day the changes are to be communicated to the receptionist. The receptionist will record this information in the sign out book located in the reception area.
  - (ii) Outside Boundaries: Emphasis is to be placed on personnel's knowledge of proper protection when encountering risks associated with job function. Unforeseen vehicle breakdown or inclement weather is significant during out of boundary travel.
    - Inaccessible means of communication for obtaining emergency response.
    - ABC Company has reacted to the above concerns by the following methods:
  - (a) Emergency Survival kits are available to all personnel who normally work in rural/remote areas. A spare Emergency survival kit is available at the company office for persons who believe that their travels may place them in a precarious situation whereby such equipment is of the utmost importance. Survival winter clothing in various sizes is located in the company office.
  - (b) Cellular telephones are provided for personnel who normally work in rural/remote areas.
  - (c) Persons who may be required to travel and work in remote areas are trained in survival techniques.
  - (d) Field personnel are trained and understand their legal occupational safety and health rights, including their right to refuse to work.
  - (e) If a worker is going into an area where they wish for someone to keep in contact with them, they will initiate a phone-in system either with their supervisor or manager. They will mutually agree on the times for contact and the steps to be taken should contact not be made at the specified times. The contact person must know where the worker will be located, the company name, and a contact phone number or person if possible.
  - (f) To ensure the safety and health of all workers working alone all persons working alone are required to contact the receptionist at ABC Company each morning at the beginning of their shift. The worker shall report their anticipated itinerary for that day. Should this change during the day the changes are to be communicated to the receptionist. The receptionist will record this information in the sign out book located in the reception area.



## APPENDIX C: Sample Workplace Violence Policy and Procedures

### VIOLENCE PREVENTION POLICY

Effective Date:

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#### Definition of Violence

“...‘**violence**’ means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury.”

The definition refers to the conduct of all people who come into contact with employees while performing their work duties. This includes fellow employees and any member of the public, and includes threats delivered by phone, mail, e-mail and fax, as well as those made in person. In the definition, “injury” refers to physical injury or mental trauma suffered as a result of violence.

#### Company’s Commitment

ABC Company recognizes that the potential exists for violent acts or threats of violence against its employees. Supervisors and management will make every effort to identify potential sources of violence and have implemented procedures to eliminate or minimize risk. The company acknowledges its responsibility to support and assist employees subjected to such violence. All employees will be made aware of the potential hazards of violence and the appropriate action to protect themselves. In addition, management is responsible for training employees who are at higher risk of coming into contact with hostile, angry or potentially violent individuals to deal with the situation.

#### Employee’s Commitment

All employees will take reasonable steps to minimize risk for themselves and others. All employees will follow established procedures to minimize the risk of violence and will report incidents to their supervisor as soon as possible, as outlined in this policy.

#### III Risk Assessment

- A hazard risk assessment attempts to gauge the probability and severity of potential incidents and dangerous occurrences. All staff who have contact with the public may, from time to time, deal with angry clients; however, these situations do not necessarily constitute a risk of violence.
- A hazard risk assessment was conducted through informal interviews with various employees. Discussions included job functions, incident experience, similar industry trends and existing policies, procedures or systems.

#### II Availability of Violence Prevention Policy Document

- Management will ensure that the policy is readily available to all employees.

## APPENDIX C: Sample Workplace Violence Policy and Procedures *(continued)*

The following identifies the various categories of job functions and their risk potential:

### Field Staff -

There is a potential for verbal threats and physical violence from irate clients that can occur at the office or remote worksites. Staff may be especially vulnerable at remote worksites as they are usually alone. These positions therefore carry a higher risk of violence, particularly for female staff.

### Administrative Staff -

There is some potential for threats and physical violence from irate clients. Employees in these positions include ..... who deal directly with the public and could potentially be exposed to violent situations, although they face a lower overall risk of violence.

### Management -

There is a potential for threats or violence from irate clients as management may be required to assist in “mediating” an explosive situation.

### IV Procedures to Inform/Train Staff

Information to be provided to all staff.

All staff shall be informed about the requirements of the company’s Violence Prevention Policy, including:

- Procedures on how to minimize the risk of violence;
- Procedures on how to react appropriately to violent situations that may occur;

- Specific procedures and security measures that the company has implemented (Duress alarms - reception area)
- Specifics on how to report incidents of violence;
- Details on the follow-up investigation of a reported incident; and
- Details on the type of post-incident trauma assistance that is available to the victim.

### Additional training for staff at greater risk

The company head will be responsible for training staff in higher-risk positions and administrative support staff, including new employees or existing staff who are transferred to these positions, on how to deal with the situation. This will be conducted as part of the job-orientation process and will include:

- notifying them on the risk of violence related to their position;
- specific company policy and procedures on how to minimize the risk of violence;
- procedures to diffuse hostility before it escalates into violence; and
- procedures to deal with threats or actual incidents of violence, including reporting.

The company head will ensure that new employees entering into these positions receive a copy of the company’s violence prevention policy and the company’s violence prevention procedures immediately. Staff beginning work in a higher-risk position will be adequately supervised until the required violence prevention policy and procedure training is given. The company head will ensure that no employee is missed, and that affected staff are updated on changes to the policy and procedures.

### V Actions to Minimize Risk

A number of preventative measures are in place to minimize risks, including security equipment, controlled access to entrances, and mobile phones for field staff. Administrative controls include working alone provisions, money handling controls, and training. The company is continually looking for better ways to improve the security and the personal safety of all employees.

Each employee must comply with existing security provisions to ensure the personal safety of all employees.

### VI Company-wide Procedures

General Security Provisions / principles apply to all employees.

## APPENDIX C: Sample Workplace Violence Policy and Procedures *(continued)*

### Threats of Violence

1. Threats of violence in person or on the phone are not acceptable.

Etc....

### Telephone Security Procedures

- If an employee receives a threatening phone call, use the "Call Trace" feature once the call has ended. Etc.

### Actual Incident of Violence

1. Employees should take all reasonable steps to protect their personal safety and remove themselves from the situation.
2. In the office, help should be summoned by using the pre-arranged distress signal or any other appropriate means, such as Duress alarm system or panic buttons.
3. The supervisor or the next available management employee must be notified immediately.
4. If a physical assault occurs, the supervisor/manager must contact the police (911).

If an incident occurs outside the workplace, the employee shall follow the specific company Working Alone Plan.

### Notification of Employees at Risk

When violence occurs, the following steps shall be taken:

1. The Division head will advise staff who are at risk of violence, and will review current security procedures to minimize risk.

Etc.

### VII Procedures to Report Violent Incidents

1. Report all incidents of threats and attempted or actual violence to your immediate supervisor.

Etc.

### VIII Recommendation to Seek Medical Aid

1. Any employee who has been a victim of violence will be; a) encouraged to seek medical attention; b) given the opportunity to be examined by his/her physician; and c) provided with transportation if needed.

Etc.

### IX Investigating Violent Incidents

1. The company head will review all incidents that are reasonably expected to escalate into actual violence in the future. The current procedures in place will be reviewed and additional steps may be taken to prevent the escalation to actual violence.

2. The Division company head will investigate all reported incidents of actual violence. The existing procedures will be reviewed and revised as necessary to prevent a reoccurrence.

Etc.

- X Review of the Violence Prevention Policy

The Policy statement must be reviewed and, where necessary, revised every three (3) years and whenever there is a change of circumstances that may affect the health or safety of the employees.

\_\_\_\_\_ will co-ordinate a review (current year) and regular subsequent reviews of the violence prevention policy.

Recommendations will be presented to company management for review and action.

In addition to the guidelines outlined in the review policy, any employee may at any time bring forward recommendations to company head.

## APPENDIX D: Sample Harassment Prevention Policy and Procedures

Manitoba Family Services and Labour – Workplace Safety and Health (WSH) developed this sample to assist employers in developing their own workplace policy.

This sample is also included in the *Guideline for Preventing Harassment and Violence in the Workplace*.

Employers must develop and implement a written harassment prevention policy in consultation with the workplace safety and health committee or representative. If there is no committee or representative, the employees should be consulted.

A copy of the final policy must be posted in a prominent location at the workplace.

### HARASSMENT PREVENTION POLICY FOR:

#### Company Commitment

At \_\_\_\_\_, we are committed to providing a safe and respectful work environment for all staff and customers. No one may be harassed and no one has the right to harass anyone else, at work or in any situation related to employment with this organization.

This policy is a step toward ensuring that our workplace is a respectful and safe place for all of us, free from harassment.

#### What is Harassment?

There are two main types of harassment. One type includes inappropriate conduct in any form about a person's:

- age, race
- creed, religion
- sex, sexual orientation
- marital status, family status, economic status
- political belief, association or activity
- disability, size, weight, physical appearance
- nationality, ancestry or place of origin

A second main type relates to what is sometimes referred to as “bullying” behaviour that may involve:

- repeated humiliation or intimidation that adversely affects a worker's psychological or physical well-being
- a single instance so serious that it has a lasting, harmful effect on a worker

Harassment may be written, verbal, physical, a gesture or display, or any combination of these. It may happen only once, but often happens repeatedly.

#### What is not harassment?

Reasonable, actions by managers or supervisors to help manage, guide or direct workers or the workplace are not harassment. Appropriate employee performance reviews, counselling or discipline by a supervisor or manager is not harassment.

#### Employee Rights and Responsibilities

Employees are entitled to work free of harassment at \_\_\_\_\_.

Employees have the responsibility to treat each other with respect. We ask that any employee who experiences harassment or sees another person harassed reports it to the appropriate person at \_\_\_\_\_.

Employees are responsible to co-operate in the investigation of a harassment complaint. Anyone who investigates or gives evidence in a complaint investigation is asked to keep details confidential until the investigation is complete.

All employees have the right to file a complaint with the Manitoba Human Rights Commission.

#### Employer Responsibilities

Management at \_\_\_\_\_ must ensure, as much as possible, that no employee is harassed in the workplace.

Management will take corrective action with anyone under their direction who harasses another person.



## APPENDIX D: Sample Harassment Prevention Policy and Procedures *(continued)*

Management will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is:

- necessary to investigate the complaint
- a part of taking corrective action
- required by law

The harassment prevention policy at \_\_\_\_\_ does not discourage or prevent anyone from exercising their legal rights.

\_\_\_\_\_, its managers and supervisors are responsible for keeping a safe work environment, free of harassment. If you are a manager and you become aware of harassment you must do everything in your power to stop it, whether or not a complaint is made.

Courts presume that employers and managers are responsible for being aware of harassment in their organization and may penalize them accordingly. Managers who ignore harassment leave themselves and their employer open to legal consequences, and will be disciplined at \_\_\_\_\_.

### Procedures Applying to Complaints of Harassment

If you are harassed, the first thing to do is tell the person harassing you to stop, if you feel comfortable doing that. You can do this in person or in writing. If you feel unable to deal with him or her directly, you can speak to your supervisor or \_\_\_\_\_

\_\_\_\_\_ (identify a specific manager or designated member of a harassment committee).

There may be informal ways to handle your complaint. Your supervisor may

speak to the harasser. Your supervisor may also arrange for mediation, in which a neutral third party helps the people involved reach an acceptable solution. If the informal route does not succeed or is not appropriate,

\_\_\_\_\_ supports its employees in filing a formal complaint.

The complaint will be investigated thoroughly and promptly by an independent party (either within the organization or outside of it) trained to investigate such matters. When the investigation is complete, the investigator will provide a written report for management.

\_\_\_\_\_ (identify appropriate company manager) will inform the person who filed the complaint and the harasser of any remedies or disciplinary action.

### Corrective Action for Harassers

Employees who harass another person will be subject to corrective action by the employer. In most cases, the harasser will also be required to attend workplace behaviour training.

If the investigation does not find evidence to support the complaint, no record will be kept in the file of the alleged harasser. When the investigation finds harassment occurred, the incident and the corrective action will be recorded in the harasser's personnel file.

### Confidentiality

The company and its managers will not identify a complainant, an alleged harasser or any circumstances about a complaint, to anyone, except:

- when it is necessary in investigating the complaint
- if it is part of disciplinary action
- where required by law

### Retaliation

Anyone who retaliates in any way against a person who has complained of harassment, given evidence in a harassment investigation or been found guilty of harassment, will be considered to have committed harassment and will be subject to corrective actions described previously.

### Education

\_\_\_\_\_ commits to making sure all of its employees and managers learn about harassment and the company's harassment policy.

### Monitoring

\_\_\_\_\_ will monitor this policy and make adjustments whenever necessary. If you have any concerns with this policy, please bring them to the attention of \_\_\_\_\_ (identify appropriate manager).

### Note:

In keeping with the requirements of *The Human Rights Code*, it is practical for employers to include remedies for harassed workers in the workplace policy. The policy could include the following remedies:

## APPENDIX D: Sample Harassment Prevention Policy and Procedures *(continued)*

### Remedies for the Harassed Worker

Employees who have been harassed may be entitled to one or more of the following remedies, depending on the severity of the harassment and its effects:

- an oral or written apology from the harasser and \_\_\_\_\_ (company name)
- compensation for any lost wages
- a job or promotion that was denied because of the harassment
- compensation for any lost employment benefits, such as sick leave
- compensation for hurt feelings
- a commitment they will not be transferred, or have a transfer reversed, unless they choose to move

No record of the complaint, investigation or decision will go in the employee's personnel file if the complaint was made in good faith. Any unfavourable work review or comments that were placed

For a copy of the **Guideline for Preventing Violence and Harassment in the Workplace** go to [www.safemanitoba.com](http://www.safemanitoba.com) or contact Workplace Safety and Health at: 204-945-3446 in Winnipeg or toll free in Manitoba 1-866-888-8186.

# APPENDIX E: Sample Workplace Safety and Health Checklist




# Sample

## WORKPLACE SAFETY AND HEALTH CHECKLIST

Area(s) inspected: \_\_\_\_\_

Date of inspection: \_\_\_\_\_ Shift: \_\_\_\_\_

Inspected by: \_\_\_\_\_

	<b>Personal Protective Equipment (PPE)</b> (check what applies)	comments/ not names			
	Safety glasses worn in mandatory / designated areas Employees not in compliance:				
	Hearing protection worn in mandatory / designated areas Employees not in compliance:				
	Safety footwear worn in mandatory / designated areas Employees not in compliance:				
	Half masks / respirators worn in mandatory / designated areas Employees not in compliance:				
	Gloves worn and/or accessible for hazardous job tasks Employees not in compliance:				
	<b>Chemical and Biological Hazards</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Containers are labelled to meet legal requirements?				
	Labels are easy to read?				
	Contents in container is what is on the label?				
	<b>Health &amp; Wellness</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Ergonomic fit (employee to workstation)				
	Evidence of safe lifting techniques				
	Evidence of safe material handling				
	Stretching exercises being performed				

# APPENDIX E: Sample Workplace Safety and Health Checklist *(continued)*

# Sample

## WORKPLACE SAFETY AND HEALTH CHECKLIST

Area(s) inspected: \_\_\_\_\_

Date of inspection \_\_\_\_\_ Shift: \_\_\_\_\_

Inspected by: \_\_\_\_\_

<input checked="" type="checkbox"/>	<b>Work Area</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Floor (ie. slippery, pot holes, uneven)				
	Area cleanliness (ie. garbage, clutter)				
	Product/material piled neatly and safely				
<input checked="" type="checkbox"/>	<b>Tools and Equipment</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Work station tools used/stored safely				
	Proper tool(s) being used for job task				
	Ladders condition of & stored properly				
<input checked="" type="checkbox"/>	<b>Employee Facilities</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Washroom clean and fixtures functional				
	Water coolers clean and stocked				
	Eating areas clean and tidy				
<input checked="" type="checkbox"/>	<b>Building &amp; Maintenance</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Work station lighting				
	Ventilation in paint shop, other fume areas				
	Door locks, if required, are functional				
	Danger signage is visible where required				
	Stairways, aisles are open to traffic				



# APPENDIX E: Sample Workplace Safety and Health Checklist *(continued)*





# Sample

## WORKPLACE SAFETY AND HEALTH CHECKLIST

Area(s) inspected: \_\_\_\_\_

Date of inspection \_\_\_\_\_ Shift: \_\_\_\_\_

Inspected by: \_\_\_\_\_

	<b>Electrical</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Electrical hand tools 3 prong grounded				
	Faulty insulation on wires				
	Exposed wires in traffic and/or work areas				
	Covers on plug receptors, breaker panels				
	Electrical motors are clean				
	<b>Machinery &amp; Equipment</b> (check what applies)	condition okay	attention required	identified & fixed	comment / task assigned to
	Clean				
	Functional guards are in place				
	Emergency stop switches accessible and working				
	Oil leaks or other obvious signs				
	Training Sheets, Emergency Stop / Machine Guarding posters in place				
	<b>First-Aid</b> (if applicable)	condition okay	attention required	identified & fixed	comment / task assigned to
	Basic first aid supplies for area				
	Plumbed eye wash station accessible, clean, functional, water temp., signage				
	Bottle eye wash station clean, condition of water, signage				
	<b>Evacuation</b>	condition okay	attention required	identified & fixed	comment / task assigned to
	Pathway to fire exit door is clear and fire exit door is not obstructed on either side				
	Area fire extinguisher signage, accessible, pressure level, position of pin, due date				
	Fire pull stations signage and accessible				
	Fire hose nozzles firmly attached, no water in hose and racked neatly				

## **APPENDIX F: Occupational Safety and Health Resources**

### **MANITOBA FAMILY SERVICES AND LABOUR**

**Workplace Safety and Health**  
204-945-3446  
or Toll Free 1-866-888-8186  
[www.safemanitoba.com](http://www.safemanitoba.com)

### **WORKERS COMPENSATION BOARD OF MANITOBA**

204-954-4321  
or Toll Free 1-800-362-3340  
[www.wcb.mb.ca](http://www.wcb.mb.ca)

### **MFL OCCUPATIONAL SAFETY AND HEALTH CENTRE**

204-949-0811  
or Toll Free 1-888-843-1229  
[www.mflohc.mb.ca](http://www.mflohc.mb.ca)

### **THE WINNIPEG CHAMBER OF COMMERCE**

204-942-3011  
[www.winnipeg-chamber.com](http://www.winnipeg-chamber.com)

### **CANADIAN FEDERATION OF INDEPENDENT BUSINESS**

204-982-0817  
[www.cfib.ca](http://www.cfib.ca)

### **SAFE MANITOBA**

204-957-SAFE  
or Toll Free 1-866-929-SAFE  
[www.safemanitoba.com](http://www.safemanitoba.com)



## Safety & Health Guide for Small Businesses

