

Now and Tomorrow, Excellence in Everything We Do

Departmental Occupational Health and Safety Program

Module I: Overview and Duties

Version 2.0

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1.1 INTRODUCTION

Employment and Social Development Canada (ESDC) (hereafter referred to as the Department) is committed to providing a healthy and safe workplace.

The Departmental Occupational Health and Safety (OHS) Program:

- helps eliminate hazards, reduce risks and prevent occupational injuries, incidents and violence within the Department;
- assigns responsibilities and duties to ensure that we are meeting our health and safety obligations; and
- provides the necessary tools to support the implementation and ongoing management of the Program.

The OHS Program includes:

- Module I: Overview and Duties
- Module II: Hazard Prevention Program
- Module III: Integrated Ergonomics Program
- Module IV: Workplace Violence Prevention Policy
- Module V: Training and Awareness
- Module VI: Reporting, Monitoring and Evaluation

As the foundation of the OHS Program, this module formalizes an OHS structure and assigns duties to better manage OHS matters within the Department, in accordance with the authorities and references listed in section 1.3.

Definitions relevant to the Departmental OHS Program are included in [Annex A](#).


1.2 SCOPE

This program module applies to all employees within the Department, including Service Canada, the Labour Program and all other service offerings managed within ESDC, as well as every person granted access to the workplace.

1.3 AUTHORITIES AND REFERENCES

The Departmental OHS Program was developed in accordance with the following:

- a) [Canada Labour Code, Part II](#)
- b) [Canada Occupational Health and Safety Regulations](#)
- c) [Safety and Health Committees and Representatives Regulations](#)

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- d) [National Joint Council OHS Directive](#)
 - e) [Treasury Board Secretariat Occupational Safety and Health Policy](#)
 - f) [ESDC Departmental OHS Policy](#)

1.4 RIGHTS

Under the *Canada Labour Code*, Part II, an employee has three basic rights:

1. The **Right to Know** about potential workplace hazards and to receive information, instruction, training and supervision to protect their health and safety;
2. The **Right to Participate** in identifying and correcting occupational health and safety concerns; and
3. The **Right to Refuse** dangerous work.

1.5 RESPONSIBILITIES

The responsibility to develop, maintain, support and monitor the Departmental OHS Program resides with the Assistant Deputy Minister (ADM) of Human Resources Services, with the participation of the Policy Health and Safety Committee (PHSC). The National OHS Office promotes, monitors and provides advice and guidance on the OHS Program at the national level.

The Human Resources Services Branch (HRSB) will designate, for each region/cluster, a Regional OHS Advisor (ROHSA). The ROHSA promotes, monitors and provides advice and guidance for his or her region on the Departmental OHS Program at the regional level.


The Structure for Managing OHS Matters is included in [Annex B](#).

1.6 DUTIES

Developing and maintaining a healthy and safe work environment is a responsibility that is shared between ESDC's employer representatives and all employees. The following individuals and groups play an essential role in the implementation of the Departmental OHS Program:

1.6.1 Regional Assistant Deputy Ministers (RADMs) / Assistant Deputy Ministers (ADMs)


For all areas within his or her authority, either individually or in cooperation with other ADMs functioning within the same region, an RADM/ADM:

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- a) ensures the health and safety of all employees within his or her administrative or geographic area of responsibility, regardless of an employee's reporting relationship;
 - b) allocates human and financial resources to implement and maintain the Departmental OHS Program at the regional and/or branch level;
 - c) establishes a Regional Health and Safety Advisory Committee (Regional Advisory Committee) in accordance with the [Guide for Regional Health and Safety Advisory Committees](#) and ensures that its members participate in the prescribed OHS [training and awareness](#) sessions;
 - d) at his or her discretion, co-chairs the Regional Advisory Committee or appoints an employer co-chair to act as his or her representative;
 - e) considers and makes decisions on recommendations made by the Regional Advisory Committee and responds accordingly;
 - f) appoints a [Management Lead](#) to be responsible for each workplace; and
 - g) consults with and reports to the Deputy Minister, through the ADM-HRSB, on regional OHS-related matters.

1.6.2 Management Leads

At each workplace for which he or she is responsible, a Management Lead:

- a) ensures the health and safety of employees by implementing the Departmental OHS Program;
- b) develops, advocates and implements measures to ensure a healthy and safe work environment;
- c) implements and monitors departmental OHS initiatives in consultation with the Workplace Health and Safety Committee (WHSC);
- d) ensures that all employees, including employees with managerial or supervisory responsibilities, participate in the prescribed OHS [training and awareness](#) sessions;
- e) assists managers, supervisors, team leaders and the WHSC or Health and Safety Representative (HSR) in conducting [hazardous occurrence investigations](#) when necessary;
- f) ensures that first aid attendants and emergency wardens are appointed and trained, and that emergency plans are in place;

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- g) ensures that each workplace is represented by a WHSC or a Health and Safety Representative (HSR), as required;
 - h) ensures that each WHSC member or HSR participates in the prescribed OHS training and awareness sessions;
 - i) represents the employer on the WHSC, if required;
 - j) ensures that adequate records are maintained and that reports are completed at the workplace level, in accordance with the departmental OHS [reporting requirements](#);
 - k) appoints, where possible, a [Site Lead](#) for workplaces where the Management Lead is not physically located;
 - l) consults with the RADM/ADM and/or the ROHSA on OHS-related matters;
 - m) reports to the RADM/ADM and/or the ROHSA on OHS-related matters;
 - n) ensures that WHSCs, where required, meet in accordance with subsection 135(10) of the *Canada Labour Code*, Part II;
 - o) ensures that workplace inspections are conducted in accordance with paragraphs 135(7)(k) and 136(5)(j) of the *Canada Labour Code*, Part II; and
 - p) considers and makes decisions on recommendations made by the WHSC or HSR.

1.6.3 Site Leads

At his or her workplace, a Site Lead may be asked to:

- a) ensure that the work environment is healthy and safe and that OHS tools are available to all;
- b) ensure the implementation of organizational initiatives, such as OHS and ergonomics initiatives;
- c) ensure that preventive and corrective OHS measures are implemented at the request of the Management Lead;
- d) coordinate and/or participate in the review of emergency and/or evacuation plans;
- e) ensure that adequate records are maintained and that reports are completed in accordance with the departmental OHS [reporting requirements](#); and
- f) report to the Management Lead on OHS-related matters.



1.6.4 Managers, Supervisors and Team Leaders


In accordance with his or her responsibilities under the *Canada Labour Code*, Part II; its regulations; and the National Joint Council OHS Directive, a manager, supervisor and/or team leader:

- a) applies the Departmental OHS Program within the scope of his or her authority;
- b) demonstrates due diligence when [dealing with OHS matters](#);
- c) understands an employee's [rights](#) and [obligations](#);
- d) advises employees of [hazards](#);
- e) identifies [OHS training needs](#) and incorporates them into employee learning plans;
- f) makes appropriate provisions (time and resources) for health and safety awareness and training sessions for his or her employees;
- g) consults with and reports to the Management Lead on OHS matters that are related to his or her employees and/or to the workplace;
- h) understands the functions and [duties](#) of the WHSC or the HSR;
- i) considers and takes necessary action on recommendations made by the WHSC or the HSR;
- j) investigates and reports workplace accidents in accordance with departmental requirements and [procedures](#); and
- k) complies with departmental OHS [reporting requirements](#).

1.6.5 Employees

All employees shall:

- a) know their OHS [rights](#) and [obligations](#);
- b) follow established policies, procedures and instructions;
- c) use prescribed safety material, equipment or devices;
- d) participate in the prescribed education, [training and awareness](#) initiatives;
- e) [report](#) actual or potential hazards in the workplace;

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- f) comply with the *Canada Labour Code*, Part II, its regulations, and the National Joint Council OHS Directive;
 - g) [raise OHS issues](#) with their manager, supervisor and/or team leader in accordance with section 127.1 of the *Canada Labour Code*, Part II, and departmental procedure; and
 - h) comply with the Departmental OHS Program's requirements.

1.6.6 Committees and Representatives

1.6.6.1 Policy Health and Safety Committee (PHSC)

In addition to complying with subsections 134.1(4) and 135.1(1) through 135.2(2) of the *Canada Labour Code*, Part II; the National Joint Council OHS Directive, Part XX; and the Committee's Terms of Reference, the PHSC:


- a) considers OHS matters of national impact, recommendations from Regional Advisory Committees and unresolved matters at the regional level;
- b) participates in the development, implementation and monitoring of the Departmental OHS Policy and Program;
- c) consults the National OHS Office for advice and guidance on OHS-related matters;
- d) consults and informs the Regional Advisory Committee co-chairs on regional OHS-related matters;
- e) reports to the Deputy Minister, through the ADM-HRSB, on the overall effectiveness of the Departmental OHS Program; and
- f) makes recommendations to the Deputy Minister, through the ADM-HRSB, on national OHS matters.

1.6.6.2 Regional Health and Safety Advisory Committees (Regional Advisory Committees)

Regional Advisory Committees are established under this module of the Departmental OHS Program to assist the PHSC in meeting its obligations within the region it is established to represent.

A Regional Advisory Committee is not a policy committee, nor recognized under the *Canada Labour Code* or the National Joint Council's OHS Directive.


In addition to complying with the Departmental OHS Program and its components, as well as the Committee's Terms of Reference, the Regional Advisory Committee:

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- a) assists the PHSC in carrying out its duties as defined in this module and the [Guide for Regional Health and Safety Advisory Committees](#);
 - b) aligns with the structure of the region it represents, which may include more than one province or territory;
 - c) consults the ROHSA on regional and workplace OHS-related matters;
 - d) provides leadership to and consults with WHSCs and HSRs on regional and workplace OHS matters;
 - e) considers unresolved workplace OHS matters within their region;
 - f) considers OHS matters that have a regional impact and makes recommendations to the appropriate ADM;
 - g) participates in the implementation and monitoring of the Departmental OHS Policy and Program;
 - h) recommends to the PHSC and/or the ROHSA modifications or additions to the Departmental OHS Policy or Program if required;
 - i) consults, informs and reports to the PHSC co-chairs on regional OHS-related matters;
 - j) reports to the RADM and the PHSC on the regional effectiveness of the Departmental OHS Program; and
 - k) escalates unresolved regional matters or matters of a national impact to the PHSC co-chairs and informs the ROHSA and seeks assistance when necessary.

1.6.6.3 Workplace Health and Safety Committees (WHSCs) or Health and Safety Representatives (HSRs)

In addition to complying with subsection 135(7) or 136(5) of the *Canada Labour Code*, Part II; the *Safety and Health Committees and Representatives Regulations*; the National Joint Council OHS Directive, Part XX; and the Committee's Terms of Reference, the WHSC or HSR:

- a) consults the ROHSA for advice and guidance on workplace OHS-related matters;
- b) makes recommendations to managers/supervisors and to the Management Lead on workplace-related matters;
- c) makes recommendations to the Regional Advisory Committees co-chairs on matters that cannot be resolved at the workplace level or that have a regional impact;
- d) maintains adequate records and completes reports in accordance with the OHS reporting requirements; and

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- e) conducts workplace inspections in accordance with departmental procedures and tools, and paragraphs 135(7)(k) and 136(5)(j) of the *Canada Labour Code*, Part II.

WHSC members or HSRs may also be asked to:

- f) ensure that OHS tools are available to all;
- g) assist and support the implementation of departmental OHS initiatives;
- h) verify whether preventive and corrective OHS measures are being implemented;
- i) participate in the review of emergency and/or evacuation plans;
- j) monitor whether adequate records are being maintained and whether reports are being completed in accordance with the OHS reporting requirements; and
- k) report back to the Management Lead on OHS-related matters.

1.6.7 Enabling Functions


1.6.7.1 National Occupational Health and Safety Office

- a) promotes, monitors and provides advice and guidance on the Departmental OHS Program at the national level;
- b) provides information, advice and recommendations to senior management, the PHSC and the ROHSA on the *Canada Labour Code*, Part II, its regulations, the National Joint Council OHS Directive, and the Departmental OHS Policy and Program;
- c) provides the prescribed reports to the ADM-HRSB, the Labour Program and the Treasury Board Secretariat on OHS-related matters;
- d) liaises with regulatory agencies and other government departments on all health and safety matters; and
- e) provides secretarial support to the PHSC.

1.6.7.2 Regional Occupational Health and Safety Advisors (ROHSAs)

For his or her region, the ROHSA:

- a) promotes, monitors and provides advice and guidance on the Departmental OHS Program at the regional level;

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- b) provides information, advice and recommendations to regional and local management, the Regional Advisory Committees, the WHSC, and the HSR on the *Canada Labour Code*, Part II, its regulations, the National Joint Council OHS Directive, and the Departmental OHS Policy and Program;
 - c) liaises between the region and the National OHS Office;
 - d) monitors whether adequate records are being maintained at the regional and workplace levels in accordance with the OHS reporting requirements; and
 - e) provides the prescribed reports to the National OHS Office and the Labour Program on OHS-related matters.

1.7 TOOLS

Guidelines, procedures, templates and related tools will be developed to support the Departmental OHS Program and enable a healthy and safe workplace. OHS tools will be made available through the [national OHS intranet](#) site.

1.8 ENQUIRIES

Questions regarding this module or its interpretation must be directed to the ROHSA. ROHSAs who require clarification regarding this program module must contact the National OHS Office.

1.9 CONSULTATION

This Departmental OHS Program module was developed in consultation with the Policy Health and Safety Committee and other internal stakeholders.

1.10 MONITORING AND EVALUATION

This program module will be monitored through regular reporting and data collection methods and with the participation of the PHSC, Regional Advisory Committees and WHSCs, management, employees and OHS advisors.

1.11 EFFECTIVE AND REVIEW DATES

This program module takes effect on June 17, 2014, and replaces previous departmental information on managing OHS. This module will be reviewed every three (3) years, or as required, to ensure consistency with changes to OHS-related legislation, regulations and directives.



ANNEX A: DEFINITIONS

a) Employee

A person employed in the public service within Employment and Social Development Canada, including Service Canada, the Labour Program and all other service offerings managed within the ESDC portfolio.

b) Employer

A person who employs one or more employees, including an employer's organization, and any person who acts on behalf of an employer. This consists of any person who acts in a supervisory or managerial capacity on behalf of Employment and Social Development Canada, including Service Canada, the Labour Program and all other service offerings managed within the ESDC portfolio, and encompasses all senior management officials, directors, managers, team leaders, supervisors, management leads and site leads.

c) Health and Safety Representative (HSR)

A person who is appointed as a health and safety representative under section 136 of the *Canada Labour Code*, Part II.

d) Management Lead

A management representative, appointed in writing by the Regional Assistant Deputy Minister (ADM) or ADM, who is assigned as the lead authority for all health and safety related matters for one or more workplaces.

e) Policy Health and Safety Committee (PHSC)

A committee established under subsection 134.1(1) of the *Canada Labour Code*, Part II.

f) Regional Health and Safety Advisory Committee (Regional Advisory Committee)

A regional advisory committee established under the Departmental OHS Program structure to assist the PHSC in carrying out its duties and provide leadership on health and safety matters within the region it represents.

g) Site Lead

Where there is no Management Lead in the workplace, a Site Lead will be appointed in writing by the Management Lead to perform on-site duties, in support of occupational health and safety in the workplace. The Site Lead must have the authority to exercise some or all managerial responsibilities.

h) Workplace

Any place where an employee is engaged in work for the employee's employer (*Canada Labour Code*, Part II).

i) Workplace Health and Safety Committee (WHSC)

A committee established under section 135 of the *Canada Labour Code*, Part II.

ANNEX B: STRUCTURE FOR MANAGING OHS MATTERS

