



APPLICATION

- 13.1 This policy applies to all employees of the Staff of the Non-Public Funds, Canadian Forces (NPF), including employees who work for the organization in locations other than their regular workplace.
- 13.2 The principle of this policy extends to all persons entering into NPF workplaces, such as CAF members, DND employees, members of the general public, contractors and volunteers.

APPROVAL AUTHORITY

Chief Human Resources Officer (CHRO)

OPI

DHRPS

ENQUIRIES

- 13.3 All inquiries on the interpretation and application of this policy are to be directed to the HRM or the RMHR and when required, forwarded to the OPI.

DEFINITIONS

- 13.4 The following vocabulary is used throughout this policy:
 - a. Danger (Danger) is defined as any hazard, condition or activity that could reasonably be expected to be an imminent or serious threat to the life or health of a person exposed to it before the hazard or condition can be corrected or the activity altered.
 - b. Employee (Employé) for the purpose of, this policy, refers to all employees of NPF (including all types of employment defined in section 1.b.4 to 1.b.14 of ANNEX B to the introduction of NPF HRPOL).
 - c. Employer (Employeur) refers to the Staff of the Non-Public Funds, Canadian Forces (NPF) and includes any person who acts on behalf of the employer such as manager/supervisor, director, Division Heads and Chief Executive Officer (CEO).
 - d. Employer/Employee Representative (Représentant de l'employeur/des employés) for the purpose of this policy, refers to National Senior Employer Representative (NSER), Senior Local Employer Representative (SLER), Local Occupational Health and Safety Committee (LOHSC), Local Occupational Health and Safety Representative (LOHSR) and National Occupational Health and Safety Policy Committee (NOHSPC).
 - e. Hazard (Risque) means any practice, behaviour, substance, condition, or combination of these that can cause injury or illness to people, or damage to property.
 - f. Occupational Illness (Maladie professionnelle) is a health problem caused by exposure to a workplace health hazard.

- g. Person (Personne) refers to all employees of NPF as well as individuals with whom the employee may interact in the workplace, such as Canadian Armed Forces (CAF) members, Department of National Defence (DND) employees, members of the general public, contractors, and volunteers.
- h. Workplace (Lieu de travail) means any place where an employee is engaged in work for the employer. This includes the physical work location and the greater work environment, where work-related functions and other activities take place and work relationships exist such as when employees are on travel duty, attend conferences or any employer's sponsored activities or events.

POLICY PURPOSE

- 13.5 The purpose of this policy is to:
 - a. provide a framework that outlines the roles, responsibilities, and administrative requirements to ensure NPF compliance with relevant legislation; and
 - b. introduce guidelines to enable compliance with relevant legislation.

GENERAL POLICY

- 13.6 NPF is committed to providing a healthy and safe work environment for employees as well as for any persons present in the workplace.
- 13.7 NPF is dedicated to preventing occupational injuries and illnesses in its workplaces by integrating health and safety into all aspects of its activities.

EMPLOYEES' RIGHTS

THE RIGHT TO KNOW

- 13.8 Employees have the right to be informed of foreseeable and known hazards in the workplace and to be provided with the information, instructions, training and supervision necessary to protect their health and safety by any method that is readily available.

THE RIGHT TO PARTICIPATE

- 13.9 Employees have the right to participate as an OHS employer/employee representative, and in the identification and mitigation of OHS issues as soon as practicable.

THE RIGHT TO REFUSE

- 13.10 Employees have the right to refuse to work if there is reasonable cause to believe that the workplace or working conditions present a danger to the employee or others; more details provided on Refusal to Work section at 13.44 of this policy.

EMPLOYER/EMPLOYEES PARTNERSHIP

- 13.11 Every person in the workplace shares the responsibility for ensuring a safe working environment and successfully implementing and maintaining this policy. This partnership, based on cooperation between employers and employees, improves the overall understanding, prevention and resolution of OHS issues in the workplace.
- 13.12 Employees working with managers/supervisors combine their efforts to eliminate, mitigate or control hazards in the workplace. Employees are encouraged to discuss their concerns with their immediate manager/supervisor as soon as practicable in an attempt to resolve issues at the lowest possible level.
- 13.13 Employees and managers/supervisors may be requested to:
 - a. participate as an OHS employer/employee representative;
 - b. act as First Aid/CPR Attendant, Emergency Warden or Special Assistance Monitor.

OHS EMPLOYER/EMPLOYEE REPRESENTATIVES

- 13.14 Each Division will maintain at all NPF locations:
 - a. a SLER to serve as a lead for health and safety matters in the workplace. The senior manager of each Division at the location will normally be the SLER.
 - b. a LOHSC or a LOHSR to serve as a forum for joint labour management consultation to maintain, discuss and address OHS issues in the workplace.
 - i. Divisions with twenty (20) or more employees at the same NPF locations must have a LOHSC Divisions with less than twenty (20) employees at the same NPF locations must have a LOHSR.;
 - c. An appropriate number of First Aid/CPR attendants, emergency wardens and special assistant monitors to sustain the emergency response plan.
- 13.15 Each Division will appoint a NSER to serve as liaison between NPF National Environment, Health and Safety Manager, the SLERs and the Division Heads.
- 13.16 NPF will maintain a NOHSPC to serve as a forum for joint labour management consultation.
- 13.17 The OHS employer/employee representatives shall adhere to their respective guidelines and/or Terms of Reference.
- 13.18 The OHS employer/employee representatives are entitled to take the time required, during their regular working hours to perform any of the OHS duties as required by the employer. Manager/Supervisor shall agree to reasonable requests from OHS employer/employee representatives to engage in OHS related activities.

RELATIONSHIP WITH DND

- 13.19 NPF and DND have signed a joint statement of understanding. This cooperation is mutually beneficial and necessary to avoid duplication and confusion, as well as to capitalize on resources and expertise in OHS matters.
- 13.20 In the event of a hazardous occurrence that involves both NPF and DND/CAF employees or has the potential to involve employees from either organization, coordinated parallel investigations by both chains of command and the LOHSC/LOHSR may be conducted

OHS PREVENTION PROGRAM

- 13.21 [NPF OHS prevention program](#) is essential to support this policy and consists of safe work practices and procedures, guidelines, resources and tools.

- 13.22 Recognizing, assessing and controlling hazards is an integral part of an effective OHS prevention program.
- 13.23 Employees, managers/supervisors and OSH employer/employee representatives are actively involved in hazard recognition. NPF uses the following methods to recognize hazards. Other methods not listed may also be used to recognize hazards.
- a. Observations and worker concerns
 - b. Investigations and studies
 - c. Examining records and any relevant documentation
 - d. Hazard assessments
 - e. Inspections
- 13.24 All workplaces including offices, storage areas and maintenance areas need to be inspected monthly by the LOHSC/LOHSR. Areas that are not generally used as workplaces, such as parking facilities, cafeterias and locker rooms should also be inspected.
- 13.25 The employer may conduct additional inspections considering the following points:
- a. the number and scale of the processes, operations or tasks;
 - b. hazardous equipment requiring inspections at fixed intervals;
 - c. processes that pose a significant hazard, requiring separate and more frequent inspections;
 - d. the number of shifts, because work activities may vary from one shift to another; and/or
 - e. introduction of a new process or new machine in the workplace, requiring a special inspection.
- 13.26 The employer will address in a timely manner and in the following order, recognized hazards in accordance with the “Hierarchy of Controls” below:
- a. Elimination/substitution: Removing the hazard completely is the most effective method. If it is not possible, replacing the hazard with a lesser hazard. Carefully assessing the risks that the substitute may create.
 - b. Engineering: Making changes to a process, equipment or plant to reduce the hazard.
 - c. Administrative: Establishing policies and procedures to minimize the risks, such as but not limited to, scheduling tasks to limit exposure, posting hazard signs, restricting access, training employees.
 - d. Personal protective equipment (PPE): Providing a barrier between the wearer and the hazard. PPE items include, but are not limited to, respirators, safety goggles, blast shields, hard hats, hearing protectors, gloves, face shields, and footwear. They are the last means of defense.

OHS INFORMATION AND COMMUNICATION

- 13.27 Each Division will maintain at all NPF locations a bulletin board to post required [OHS documents](#) accessible to all employees.
- 13.28 The employer will maintain an [online toolbox](#) dedicated to NPF OHS policy on the employer’s website.

EDUCATION AND TRAINING

- 13.29 All employees, managers/supervisors as well as the OHS employer/employee representatives will receive the appropriate OHS training to work safely and carry out their role in health and safety.

- 13.30 The [OHS Training page](#) contains some of the general training requirements for employees, manager/supervisors and OHS employer/employee representatives. Work specific training will be provided by the employer as needed.
- 13.31 Records of all training, whether work specific training and/or OHS general training, shall be maintained in the Human Resources (HR) employee's personnel file or in the Human Resources Information System (HRIS).

ACCIDENT/INCIDENT

- 13.32 The objective of accident/incident investigations and reporting are to correct and prevent the repetition of occupational illnesses and injuries, and to provide healthy and safe work environments to employees and other persons present in the workplace.
- 13.33 The accidents/incidents resulting in the following shall be reported, investigated and recorded using [SMAAT](#):
- a. death of a person (even if it appears to be from natural causes);
 - b. injury requiring first aid and/or medical care;
 - c. property or equipment damage; or
 - d. lost time.
- 13.34 An investigation of near misses/close calls (potential to cause injury or physical damage) should be conducted as well to reduce risks and the potential for harm.
- 13.35 The method for carrying out investigations and implementing corrective actions will vary according to the nature and extent of the accident/incident.
- 13.36 NPF shall report to the Federal Labour Program the incidents that meet the criteria listed in Annex A.

COMPLIANCE

- 13.37 Individuals who fail to meet their obligations concerning OHS may be subject to disciplinary measures or sanctions, in accordance with the NPF policies, procedures and/or collective agreements governing their employment.
- 13.38 Individuals will not be personally liable for anything done or omitted to be done in good faith when:
- a. assisting the employer, as requested by the employer;
 - b. providing first-aid; or
 - c. carrying out any emergency measures.
- 13.39 No individual shall be disciplined, penalized, dismissed, intimidated or suspended for complying with this policy, program, procedures or directives, or the applicable OHS legislation.
- 13.40 Individuals who contravene a provision of [Canada Labour Code part II para 148 \(1\)](#) are guilty of an offence.

COMPLAINT RESOLUTION PROCESS

- 13.41 NPF employees have the right to file a complaint when they believe their OHS rights have not been respected.
- 13.42 All complaints are encouraged to be handled at the lowest level possible, and to the satisfaction of both the complainant and the respondent.
- 13.43 Complaints are handled as per the Internal Complaint Resolution process at Annex B.

WORK REFUSAL PROCESS

- 13.44 NPF employees may refuse to use or operate a machine or thing, to work in a place or to perform an activity, if the employee while at work has reasonable cause to believe that:
 - a. the use or operation of the machine or thing constitutes a danger to the employee or to another employee; or
 - b. a condition exists in the workplace that constitutes a danger to the employee; or
 - c. the performance of the activity constitutes a danger to the employee or to another employee.
- 13.45 An employee wishing to exercise the right to refuse dangerous work shall immediately report the dangerous situation to their manager/supervisor.
- 13.46 Work refusals are handled as per the Work Refusal process at Annex C.
- 13.47 Employees who are affected by an OHS work refusal or stoppage of work are deemed, for the purpose of calculating earnings, to be at work during the refusal or stoppage until work resumes or until the end of the scheduled work period or shift, whichever occurs first.

EXPENDITURES

- 13.48 Expenses and operational hours incurred for health and safety matters will be dealt with as per Annex D.

AUTHORITIES

- 13.49 The levels of accountability are as follows:
 - a. The CEO is responsible for providing the leadership and commitment to a healthy and safe work environment.
 - b. CHRO is responsible for:
 - i. providing strategic advice and guidance on the OHS policy to the organization;
 - ii. developing and maintaining OHS policy to ensure legislative compliance;
 - iii. ensuring implementation, monitoring, analysis and compliance of OHS policy;
 - iv. providing strategic planning, coordination and organizational support to the National OHS Policy Committee (NOHSPC).
 - c. Division Heads are responsible for:
 - i. implementing this policy, in response to the needs of their respective Division by providing work specific training, safety leadership and direction;
 - ii. ensuring overall safety compliance of their division;
 - iii. ensuring all employees have received information, awareness and training; and
 - iv. ensuring that sufficient resources are available to prevent and resolve safety issues in a timely manner

- d. Managers/supervisors are responsible for:
 - i. implementing this policy and program under their own jurisdiction in response to the needs of their respective work unit by providing work specific training, safety leadership, and direction;
 - ii. ensuring persons under their authority are made aware of and comply with all applicable requirements and procedures adherent to this policy;
 - iii. supporting and approving reasonable time away for OHS related activities and training;
 - iv. ensuring any hazards, work refusals, and/or workplace incidents of which they become aware are reported, investigated, and recorded and that appropriate corrective actions are taken;
 - v. taking interim measures to mitigate hazards while awaiting a response; and
 - vi. informing SLER of any OHS occurrences.
- e. Employees and any persons entering into NPF workplaces are responsible for:
 - i. complying with this policy;
 - ii. promoting and maintaining a healthy and safe work environment;
 - iii. taking reasonable and necessary precautions to ensure health and safety of themselves and others;
 - iv. using safety materials, equipment, devices and clothing provided by the employer as required;
 - v. reporting all known or foreseeable hazards, occupational injuries or illnesses, any OHS issues or any violation to this policy to their Manager/Supervisor; and
 - vi. cooperating with LOHSC/LOHSR, SLERs and Federal Minister of Labour's delegate.
- f. The NSERs are responsible for:
 - i. distributing directives, reports, and awareness to the SLERs;
 - ii. monitoring overall safety compliance of their division; and
 - iii. informing and recommending course of action to Division Head on OHS incidents that could have a significant impact on the division/organization such as, but not limited to, refusals to work, accidents of serious nature, incidents involving emergency services and gross non-compliance with this policy.
- g. The SLERs are responsible for:
 - i. maintaining a LOHSC/LOHSR as prescribed;
 - ii. maintaining a OHS bulletin board as prescribed,
 - iii. providing advice and information to guide managers/supervisors attempting to resolve OHS matters;
 - iv. responding to unresolved OHS issues from LOHSC/LOHSR and Manager/Supervisor;
 - v. ensuring the LOHSC/LOHSR performs monthly workplace inspection;
 - vi. ensuring accidents/incidents are investigated with assistance of a designated member of LOHSC/LOHSR who represents the employee;
 - vii. liaising with LOHSC/LOHSR before implementing changes to OHS program;
 - viii. keeping records of OHS activities such as inspection, investigation, issues, complaints, hazard assessments;

- ix. completing and submitting required reports;
 - x. communicating with the Federal Minister of Labour, when required;
 - xi. monitoring compliance of this policy; and
 - xii. informing NSER of any important OHS occurrences
- h. The NOHSPC is responsible for maintaining oversight over this policy
- i. LOHSC and LOHSR are responsible for:
- i. participating in OHS meetings, inquiries, investigations, studies and inspections, and
 - ii. reporting to the SLER any unresolved OHS issues.
- j. NPF National Environment Health and Safety Manager is responsible for:
- i. providing guidance to management and Human Resources staff on the application, management, noncompliance and other matters affecting this policy;
 - ii. monitoring the application of this policy;
 - iii. providing advice to the SLER during the investigation of accidents/incidents, complaints or work refusal;
 - iv. completing and submitting the Employer's Annual Hazardous Occurrence Report (Lab 1009 – Electronic file); and
 - v. making recommendations for changes to policy based on the evolution of relevant legislation.
- k. HRMs and RMHRs are responsible for providing advice and guidance to managers/supervisors on this policy.

REFERENCES

13.50 The following legislation and regulations are relevant to the content of this policy:

- *Canada Labour Code Part II*
- *Canada Occupational Health and Safety Regulations*
- *Policy Committees, Work Place Committees and Health and Safety Representatives Regulations*
- *Government Employees Compensation Act (GECA)*
- Applicable Provincial Workers Compensation acts
- *Privacy Act*
- *Criminal Code*

13.51 The following legislation and regulations are relevant to the content of this policy:

- Discipline Policy
- Employment Accommodation Policy
- Leave Policy
- Return to Work Policy

ANNEXES AND APPENDICES

13.52 The attachments listed below are part of the present policy:

- Annex A – List of Federal Labour Program Reporting Requirements
- Annex B – Internal Complaint Resolution Process
- Annex C – Work Refusal Process
- Annex D – Expenditures

ANNEX 13-A

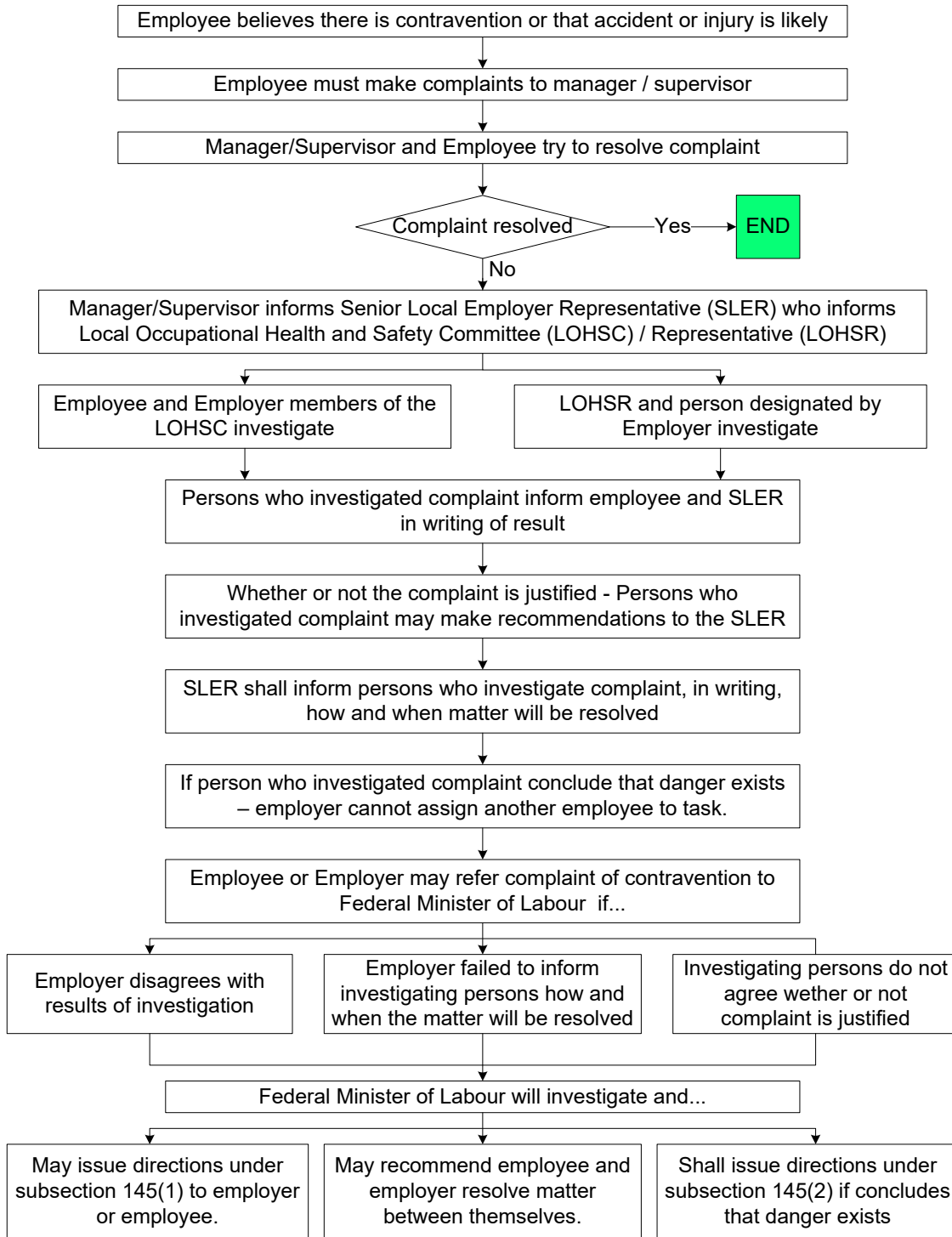
LIST OF FEDERAL LABOUR PROGRAM REPORTING REQUIREMENTS

- A.1 The Employer shall report the following as per prescribed timelines and requirements.
- A.2 Serious Injury:
- a. death of an employee (even if it appears to be from natural causes);
 - b. permanent disabling injury of an employee, or temporary disabling injury of two or more employees from the same occurrence; or
 - c. permanent impairment of a body function of an employee.
 - i. Must be reported by the manager or supervisor within twenty-four hours (24hrs) by contacting the [Employment and Social Development Canada \(ESDC\) Regional Office Health and Safety \(HS\) Officer](#); and
 - ii. the [Hazardous Occurrence Investigation Report \(HOIR Lab1070b\)](#) must be completed and submitted by the the Senior Local Employer Representative (SLER) within fourteen (14) calendar days to ESDC Regional Office HS Officer.
- A.3 Moderate Injury:
- a. Temporary disabling injury;
 - b. loss of consciousness: from an electric shock or a toxic or oxygen deficient atmosphere; or
 - c. revival or other emergency procedures.
 - i. the [Hazardous Occurrence Investigation Report \(HOIRLab1070b\)](#) must be completed and submitted by the SLER within fourteen (14) calendar days to ESDC Regional Office HS Officer.
- A.4 Any Occupational Injury/Illness that:
- a. requires medical treatment provided by a health care professional; or
 - b. results in loss time.
 - i. The appropriate provincial Worker's Compensation Board ([WCB forms](#)) must be submitted by the local Human Resources Office within three (3) calendar days to the Federal Workers Compensation Service.
- A.5 Other Incidents (Even if no injury is sustained) such as:
- a. explosion;
 - b. damages to a boiler that results in a fire or rupture of the boiler; or
 - c. damages to an elevating device that renders it unusable.
 - i. Must be reported by the manager or supervisor within twenty-four hours (24hrs) by contacting the [ESDC Regional Office HS Officer](#); and
 - ii. the [Hazardous Occurrence Investigation Report \(HOIR-Lab1070b\)](#) must be completed and submitted by the SLER within seventy-two hours (72hrs) to ESDC Regional Office HS Officer.

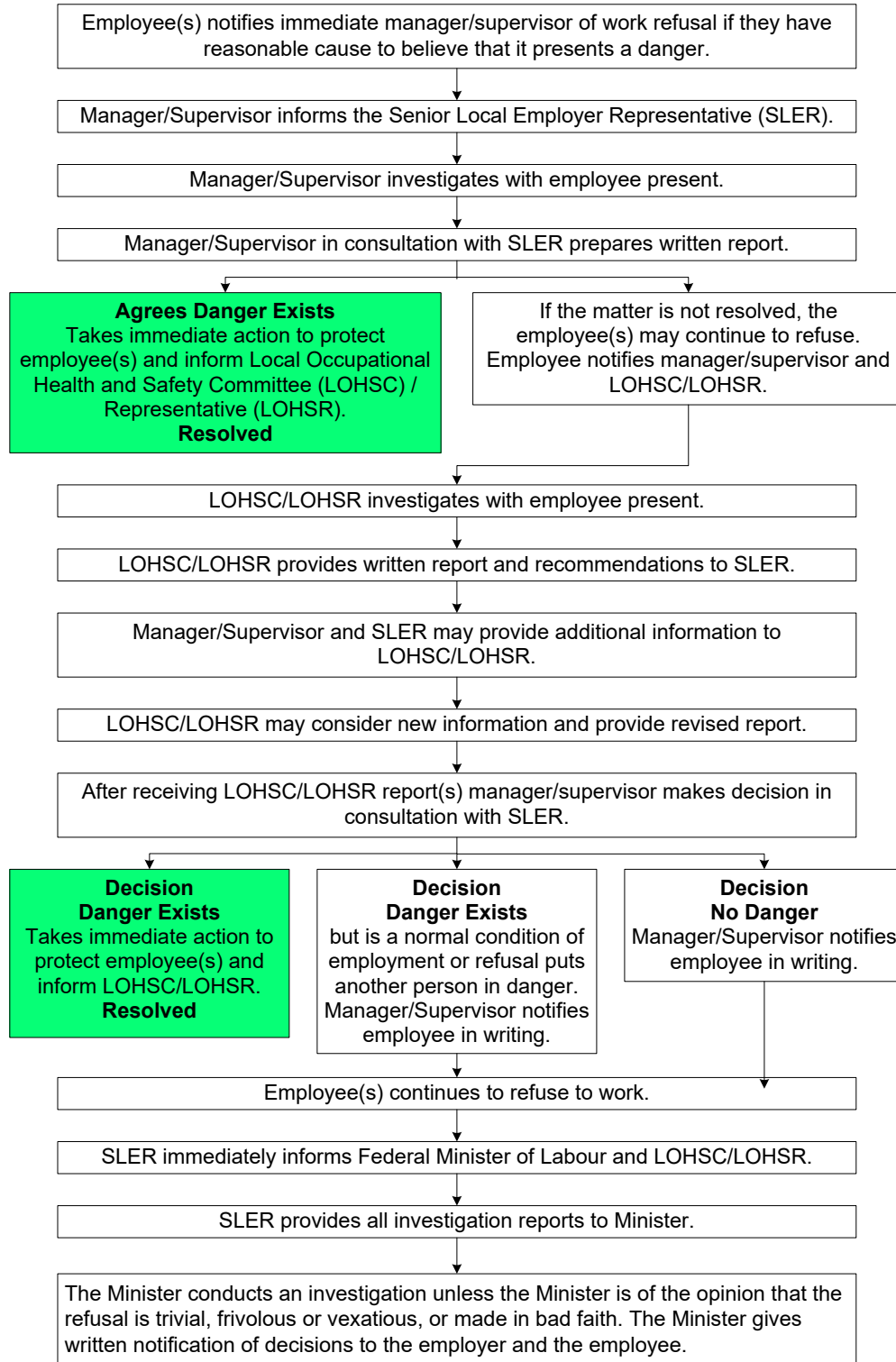
A.6 Annual Reports

- a. Summary of OHS Committee Activities;
 - i. The [Workplace Committee Report \(Lab1058\)](#) must be submitted by the SLER by March 1 of every year to [ESDC Regional Office HS Officer](#).
- b. Summary of Employer Workforce and Incidents
 - i. The Employer's Annual Hazardous Occurrence Report (Lab 1009 - Electronic file) must be submitted by the NPF National Environment, Health and Safety Manager Office by March 1 of every year to ESDC.

INTERNAL COMPLAINT RESOLUTION PROCESS



WORK REFUSAL PROCESS



ANNEX 13-D

EXPENDITURES

- D.1 Any of the following Employer paid expenditures must be approved by management with appropriate delegated authority prior to engaging in OHS related activity and/or expenditures.
- a. OHS Committees and Representatives duties as required by the employer;
 - b. OHS training;
 - c. hazard recognition, assessment, and control (e.g. Air quality testing, ergonomic assessment, required personal protective equipment);
 - d. first aid kit and its replenishment; and
 - e. transportation of an ill or injured employee from the workplace to a medical care facility.

Note: Prior approval must not delay emergency care.