

THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL

BY-LAW NO. 2010-13

**Being a By-Law to adopt a
Health and Safety Handbook**

WHEREAS Section 25 of the Occupational Health and Safety Act sets out the standards and procedures employers must follow for its employees;

AND WHEREAS Section 28 of the Occupational Health and Safety Act sets out roles, responsibilities, training, requirements and basic rights of employees;

AND WHEREAS Council for the Corporation of the Township of Tudor and Cashel deems it important to establish a health and safety employee handbook for all employees.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF TUDOR AND CASHEL ENACTS AS FOLLOWS:**

- 1.** The Health and Safety Employee Handbook attached hereto as Schedule "A" is hereby approved and adopted.
- 2.** All By-Laws or parts of By-Laws heretofore passed inconsistent with the provisions of the attached Handbook are hereby repealed.
- 3.** This By-Law shall come into force and take effect immediately on the passing thereof.

READ A FIRST TIME, THIS 01ST DAY OF JUNE, 2010.

READ A SECOND TIME, THIS 01ST DAY OF JUNE, 2010.

READ A THIRD TIME AND FINALLY PASSED THIS 01ST DAY OF JUNE, 2010.

REEVE: WANDA DONALDSON

SEAL

**CLERK-TREASURER:
BERNICE CROCKER**

SCHEDULE "A"

TOWNSHIP

OF

TUDOR AND CASHEL

Health and Safety

Employee Handbook

Section 1: Workers Responsibilities

The purpose of this handbook is to ensure that all workers for Township of Tudor and Cashel comply with their specific requirements within the Health and Safety program.

These responsibilities include the Occupational Health and Safety Act, Industrial Regulations, WHMIS regulations, and specific company responsibilities identified in the Health and Safety program.

There “must” be an annual review of the handbook to ensure all workers of the Township of Tudor and Cashel understand their responsibilities.

Roles and Responsibilities

Duties of workers (Section 28 (1))

1. A worker shall,
 - work in compliance with the provisions of this Act and the regulations
 - use or wear the equipment, protective devices or clothing that the workers’ employer requires to be used or worn
 - report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
 - report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.

(Section 28 (2))

1. No worker shall,
 - remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately;
 - use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or
 - engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

Safety Responsibilities

1. Do not operate any equipment/machinery without proper instruction and authority to do so.
2. Horseplay and running will not be tolerated at any time.
3. All required Personal Protective Equipment will be worn at all times.
4. Do not remove any guard or protective equipment from any machine, device or thing.
5. Follow Safe Operating Procedures.
6. Smoking is not permitted inside the buildings...it is permitted outside in designated smoking areas only.
7. Proper lifting techniques will be followed at all times. If something is too heavy, ask for some help and notify your supervisor.

Employee Personal Protective Requirements

All staff will wear the required personal protective equipment while working for the Township of Tudor and Cashel.

The following table outlines the municipality's personal protective equipment requirements:

Personal Protective Equipment	Steel Toe Footwear	Safety Glasses
What is acceptable?	Green Triangle	CSA Approved (CSA A94.2)
Who must wear?	All staff where there is a potential injury to the foot.	All staff where there is a potential injury to the eye.
When must it be worn?	At all times when exposed to this hazard.	At all times when exposed to this hazard.
Who supplies?	The employee at the interview process will be asked to supply their own boots.	The employer will provide safety glasses.
Replacement Process	Every 2 years the company will supply 50% of the cost of a new pair.	As necessary safety glasses will be replaced.

Training for Protective Equipment

All staff will be trained in the use, maintenance and storage of all personal protective equipment (as required).

Records must be maintained by the Supervisor and Clerk/Treasurer or Administrative Assistant.

Basic Rights of Workers

The Occupational Health and Safety Act includes three basic rights for workers:

- 1. The right to know** – includes the right to be trained, supervised and informed about potential hazards. The employer has a responsibility to communicate with workers.
- 2. The right to participate** – workers have the right to identify workplace health and safety hazards and recommend solutions.
- 3. The right to refuse** - individual workers have the right to refuse “work that they believe is dangerous” (43 3) to their health and safety or that of another worker.

The Process to follow if you have reason to believe that you or others around you are not safe is as follows and is taken from Section 43 of the OHSA:

- Immediately report to your Supervisor.
- Your Supervisor is to investigate in the presence of you the worker and the Health and Safety Rep.
- Your Supervisor is to take corrective action.
- After the corrective action, if you believe it is still not safe, you can still refuse to work.

- The next stage is that the Ministry of Labour Inspector will come in to investigate the work refusal.
- In the meantime you are to remain at work away for the unsafe area. Your Supervisor can assign other duties while you are awaiting the inspection.

The inspector will investigate and make their decision in writing and they will rule as follows:

1. Likely to endanger and will order corrective action, perhaps stop the work completely until contravention is corrected or they may rule 2.
2. Not likely to endanger and they are telling you that it is safe to go back to work.

Note: You can still refuse to work, but understand that the Supervisor can exercise disciplinary action, up to and including dismissal.

What happens next?

You can go to the Ontario Labour Relations Board and you can appeal the decision of the Inspector (must be appealed in 30 days of the event). They will hear the complaint and either uphold the decision of the Inspector or overturn the decision of the Inspector and a ruling will be made as a settlement. (Example: get your job back)

Note: The principle behind this process is to keep workers **safe**, it is not meant to be abused by either party.

Communication to All Employees

Written

Health and Safety Policy	Posted on health and safety bulletin board in the office
Health and Safety Employee Handbook	Each employee should be given a copy of their own
Site Inspections	Posted inspection schedule Posted completed inspection checklist Both posted to the health and safety bulletin board in the office
Health and Safety Bulletins	Posted on health and safety bulletin board in the office
Staff Meetings	Health and Safety will be on the agenda of all meetings Issues or concerns will be discussed Contact your Supervisor if immediate attention is required to an issue
Annual Performance Review	Each worker will have an annual performance appraisal to review with their roles and responsibilities as an employee of the Township of Tudor and Cashel The review will include but not be limited to individual job and health and safety performance

Training

All workers will receive training in their specific job requirements as deemed necessary by the Township of Tudor and Cashel along with the following:

Legislative Health and Safety Responsibilities

- Right to Refuse Work
- Right to participate
- Health and Safety Policy
- Early and Safe Return to Work Policy

WHMIS

Manual Materials Handling

New Employee Orientation

New Employee Orientation including the previous items along with

Employee Roles and Responsibilities

Standard Procedures for:

- Reporting Injury/illness
- Reporting Hazards
- Emergency Plan

Introduction to the Health and Safety Co-ordinator

In-house training will be conducted by each department supervisor or designated instructor.

All training will be reviewed and or updated at least annually.

Core Safety Rules Township of Tudor and Cashel

1. All employees will follow Personal Protective Equipment requirements in areas that require PPE including; safety glasses, hearing protection, safety boots, gloves and respirators etc.
2. When maintaining/cleaning machines/equipment thins lock-out/tag-out procedure shall be followed without exception.
3. No person who is incapable of performing his/her regular duties because of alcohol or any other drug that may impair abilities etc. enter or remain in the workplace or operate a vehicle.
4. No person shall remove or make ineffective any guard or protective device required.
5. No person shall remove, tamper with or misuse medical equipment.
6. No person shall engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.
7. No person shall load material handling equipment in excess of its rated load.
8. No person shall operate a lifting device in such a way that any part of the load passes over a worker.
9. Persons who are exposed to hazard of falling more than 3 meters (9.84 feet) shall wear a safety harness and lanyard tied off to an adequate fixed support.

The Township of Tudor and Cashel policies and procedures shall be followed by all employees.

Progressive Discipline Policy

Progressive Discipline: 1st Warning/Reprimand Verbal
2nd Warning/Reprimand Written
3rd Warning/Reprimand Suspension without pay
4th Warning/Reprimand Dismissal

The following conduct on the part of the employee may be cause for discipline up to and including dismissal from the Township of Tudor and Cashel.

1. Not following the Township of Tudor and Cashel Health and Safety Policy and Procedures, including the use of prescribed protective equipment.
2. Possession or consumption of alcohol on the Employer's premises, or project sites.
3. Being impaired by alcohol or narcotic drug or consumption of alcohol or narcotics while at work, performing work, including working with machines, devices or things. (i.e.: machinery, vehicles etc.)
4. Driving while impaired at work, performing work on duty.
5. Unprovoked assault during working hours. (Workplace Violence is strictly forbidden by the Township of Tudor and Cashel)
6. Willful damage to the premises of the Employer or of its equipment or the property of the workplace or article, things of other employees.
7. Theft of the property of the employer or the property of a fellow employee.
8. False statement on employment application form pertaining to medical history.
9. Falsification of time records.
10. Harassment of any type toward their peers or supervisor.