

HEALTH & SAFETY REPRESENTATIVE **GUIDEBOOK**

2023



CULTURED+HR

Practical Experience.
Passionate Leadership.

© 2023 *CulturedHR*

For use only by purchasers/HR Advantage subscribers and their workplace. Use outside of these parameters is a copyright violation. The content contained within is provided for general information purposes only and does not constitute legal or other professional advice. Users of this guide are advised to seek specific professional or employment law advice as needed. The information contained within is specific to legislation in the Province of Ontario.



Practical Experience.
Passionate Leadership.

HR is no small feat for a
small business owner to take on.

That's where we come in.

(We actually like this stuff.)

Founded in 2015, CulturedHR exclusively supports companies with up to 100 employees and brings practical experience and expertise of the best practices and legal requirements of employee relations for small businesses.

From recruitment to retention strategies, employment policies to procedures, negotiations and employment agreements, plus keeping on top of complicated, changing legislation – we take care of it so you can focus on your core business.

Our certified HR professionals take the time to get to know your business's goals and procedures to ensure we're building and supporting a corporate culture and HR strategy that's exactly right for your business.

Contact Us



We have strategically assembled a team of expert professionals to assist you with your HR needs. **We're like The Avengers, only for HR!** The team works collectively to craft a strategy that works for your company, utilizing up-to-date tools and software to cover all your bases, and maintain.

We're ready when you are.

Reach out to us any time and we'll be happy to find the best fit for your organization.

(519) 546-7743

info@culturedhr.com

Guelph, Ontario

CULTUREDHR

*Practical experience.
Passionate leadership.*

Contents

What are the General Duties of a Health and Safety Representative (HSR)?	4
What are the Employer’s Responsibilities to the HSR?	4
HSR and Hazard Management (R.A.C.E Model).....	5
How Does the HSR Make Recommendations to their Employer?	5
What Documents Can the HSR Request from their Employer?.....	6
Workplace Injuries and Reporting Requirements.....	6
Additional Resources	8



What are the General Duties of a Health and Safety Representative (HSR)?

1. Inspect the workplace **at least once a month** using a formalized Workplace Inspection Checklist; create a schedule for when the workplace will be inspected for the year.
2. Identify actual and potential workplace hazards; assist in completing a Risk Assessment.
3. Be consulted about all workplace health and safety testing, policies, programs, and training.
4. Make recommendations to the Employer about health and safety in the workplace.
5. Participate in the first and second stage work refusal investigations and inspect the workplace when there are critical injuries or a fatal accident:
 - First stage of work refusal: the HSR must be present during the employer's or supervisor's investigation of a work refusal.
 - Second stage of work refusal: if the issue is not resolved at the first stage, the employer, the worker, or a representative of one of them, must notify the Ministry of Labour.
6. Be available to accompany a Ministry of Labour inspector, or a Training and Skills Development inspector should they visit the premises for a physical inspection.
7. Manage the First Aid Record Binder and the First Aid Kit, replace items as needed.
 - Note: All employees should record in the binder and notify the HSR of any First Aid items that have been removed.
8. Ensure the Health and Safety Board in the workplace includes everything outlined here: <https://www.ontario.ca/page/posters-required-workplace>

What are the Employer's Responsibilities to the HSR?

Employers have a duty under the OHS Act to co-operate with the HSR to carry out their legislative functions. The Employer is required to:

1. Give the HSR notice of workplace testing.
2. Provide any information on workplace hazards to the HSR.
3. Provide workplace-specific training.
4. Report any workplace deaths, injuries and illnesses to the HSR.
5. Respond to the HSR's written recommendations in writing. The response needs to include a timeline showing when the hazard will be fixed or reasons for disagreeing with the HSR's recommendations. Either way, the Employer must respond to the HSR in writing within 21 days.
6. Pay the HSR while they are performing HSR duties.



7. Ensure the HSR available to assist the Ministry of Labour inspector during an inspection of the workplace and provide the HSR copies of all written orders and reports issued by the Inspector (if any).

HSR and Hazard Management (R.A.C.E Model)

The Health and Safety Representative should follow the R.A.C.E. model when managing hazards in the workplace.

Recognize	<ul style="list-style-type: none"> • Makes observations. • Talk to employees. • Review documents. • Conduct workplace inspections.
Assess	<ul style="list-style-type: none"> • Compare hazard to industry standard. • Identify how an individual may be harmed. • What is the probability that the hazard is going to cause harm? • How severe is the hazard? • Hazard priority.
Control	<ul style="list-style-type: none"> • Can the hazard be controlled at the source? • Along the path? • At the worker?
Evaluate	<ul style="list-style-type: none"> • Is the individual working as expected? • Has the hazard been communicated to affected individual(s)? • Has fixing the hazard created a new hazard? • Are there reduced complaints, injuries, and illnesses now that the hazard has been properly addressed?

How Does the HSR Make Recommendations to their Employer?

1. In writing (Include the date the recommendation to the Employer was made). The Employer will then have 21 days to respond in writing.
2. Follow the R.A.C.E Model.
3. Provide the Employer with various options for improvement (including cost options), if possible.
4. A recommended timeframe for action by the Employer.



What Documents Can the HSR Request from their Employer?

1. Training records
2. Policies and procedures
3. Past hazard and investigation reports
4. Inspection logs
5. Manufacturer’s specifications/manuals

Workplace Injuries and Reporting Requirements

First Aid	Example	Reporting Requirements
An injury or a sudden illness that gets immediate care.	<ul style="list-style-type: none"> • Disinfecting a cut and applying a bandage. • Helping a worker who is choking. • Helping a worker who is suffering from heat stress. 	Record first aid occurrence and treatment in record book.

Disabling Injury or Medical Attention	Example	Reporting Requirements
<u>Disabling injuries:</u> serious workplace injury that disables a worker from doing their work.	<ul style="list-style-type: none"> • A back injury from lifting a heavy piece of equipment. 	Written notice to the Ministry of Labour (MOL) and HSR within 4 days of the occurrence containing the required information. Also, WSIB Form 7 reporting requirements, if applicable.
<u>Medical attention occurrences:</u> Injuries that are non-disabling that result in visits to a doctor or other healthcare providers to diagnose and prescribe medical care.	<ul style="list-style-type: none"> • Physiotherapy for a neck injury from awkward posture working at the computer. • A cut that requires stitches. • Medical follow-up to a needle stick injury. 	Written notice to the MOL and HSR within 4 days of the occurrence containing the required information. Also, WSIB Form 7 reporting requirements, if applicable.

Occupational Illness	Example	Reporting Requirement
<p>A condition that results from workplace exposures to physical, chemical, or biological agents.</p>	<ul style="list-style-type: none"> • Occupational asthma from ongoing exposure to latex. • Skin sensitization from long-term exposure to a chemical. 	<ul style="list-style-type: none"> • Written notice to the MOL and HSR within 4 days of being notified by the worker of the illness containing the required information. • Also, WSIB Form 7 reporting requirements, if applicable.

Critical Injury or Fatality	Example	Reporting Requirements
<p>An injury of a serious nature that:</p> <ul style="list-style-type: none"> • places life in jeopardy, • produces unconsciousness, • results in substantial loss of blood, • involves the fracture of a leg or arm but not a finger or toe. • involves the amputation of a leg, arm, hand, or foot but not a finger or toe, • consists of burns to a major portion of the body, or • causes the loss of sight in an eye. 	<ul style="list-style-type: none"> • Worker killed in a motor vehicle collision. • Corrosive chemical cleaner splashes in the eye resulting in vision loss. • Breaking a leg after falling off a chair. 	<ul style="list-style-type: none"> • Immediate notice by telephone or other direct method to the MOL and HSR. • Written notice to the MOL within 48 hours containing the required information. • WSIB Form 7 reporting requirements, if applicable.

Additional Resources

Guides for Health and Safety Committees and Representatives

[https://www.ontario.ca/page/guide-health-and-safety-committees-and-representatives#:~:text=Subsection%209\(6\)%20of%20the,are%2050%20or%20more%20workers.](https://www.ontario.ca/page/guide-health-and-safety-committees-and-representatives#:~:text=Subsection%209(6)%20of%20the,are%2050%20or%20more%20workers.)

Occupational Health and Safety Act

<https://www.ontario.ca/laws/statute/90o01>

Ministry of Labour

<https://www.labour.gov.on.ca/english/hs/>

Reporting Workplace Incidents and Illnesses

<https://www.ontario.ca/page/reporting-workplace-incidents-and-illnesses>