## 

## DUTY OF PERSONS DIRECTING WORK

[Organization Name] recognizes its obligation to keep its employees safe from harm. It further understands that people who supervise or direct the work of others have a legal duty to keep those workers safe from harm. [Organization Name] will educate and train all persons directing work to ensure they understand their obligations under the law to protect fellow workers.

SCOPE

As per the Canadian Centre for Occupational Health and Safety (CCOHS), the provisions of section 217.1 of the *Criminal Code of Canada* affect all organizations and individuals who direct the work of others, anywhere in Canada.

DEFINITIONS

“Person directing work” means any one who undertakes, or has the authority, to direct how another person does work or performs a task according to section 217.1 of the *Criminal Code of Canada*. It not only applies to persons with a title of supervisor or manager, but anyone acting in that capacity, even temporarily.

POLICY

[Organization Name] understands that the *Criminal Code of Canada* has been amended and people who direct the work of others have a legal duty to take reasonable steps to ensure the safety of workers and the public. This means they can be held criminally responsible for failing to take reasonable steps to prevent bodily harm to the person whose work they are directing, or any other person, arising from that work or task.

Employer Responsibilities

[Organization Name] will take every precaution reasonable in the circumstances for the protection of workers from illness and injury. This includes:

* Keeping a safe and well-maintained workplace
* Providing information and training about the hazards the workplace, proper safety equipment, and competent supervision

Further, [Organization Name] will uphold all rights all employees have under the *Occupational Health and Safety Act* of PEI, including:

1. The right to know about information and issues that affect their workplace health and safety.
2. The right to participate in their workplace safety by reporting unsafe or unhealthy work conditions, or joining your joint occupational health and safety committee.
3. The right to refuse unsafe or unhealthy work.

Supervisor Responsibilities

The *Occupational Health and Safety Act* sets out certain specific duties for workplace supervisors. A supervisor must:

* Ensure that all employees are informed of the policy and are advised of their rights and
* responsibilities.
* Provide leadership in the prevention of occupational illness/injury in their workplaces by fostering a culture of safety.
* Be knowledgeable about the work processes, the hazards involved and actively seek out emerging hazards.
* Conduct regular checks and audits of the workplace to identify potential hazards.
* Ensure prompt and appropriate action is taken when hazards are identified.
* Ensure that equipment and machinery is properly used and maintained.
* Ensure all employees receive information, instruction and training and are competent with work processes and equipment.
* Ensure all employees are informed of the hazards involved with the worker and the control
* measures for the hazards.
* Ensure the appropriate personal protective equipment is provided, maintained and readily available for employees.
* Provide supervision that is adequate for the level of hazard.
* Performance management and/or discipline employees who do not wear personal protective equipment or do not follow safe work procedures.
* Participate in and /or conduct accident/incidents investigation as required and review, implement, and communicate the follow up on progressive discipline to prevent reoccurrences.
* Following any workplace injury, provide information to healthcare workers regarding the resources that are available for counselling/emotional support.
* Maintain records of training and performance management or discipline related to occupational health and safety issues.
* Understand and enforce Health PEI OH&S policies as well as the OH&S Act and Regulations.

Employee Responsibilities

Employees must comply with their duties under the *Occupational Health and Safety Act* to:

* Report unsafe conditions and all injuries to [Organization Name].
* Ask for training if needed.
* Cooperate with your health and safety representative or committee.
* Take every reasonable precaution to protect their own occupational health and safety and that of other persons at or near the workplace.
* Participate in information, instruction and training sessions about work processes, the hazards involved and the control measures for the hazards.
* Apply the principles outlined in the information, instruction and training provided to their work.
* Follow established safe work procedures.
* Wear or use personal protective equipment, as required.
* Report any hazards, unsafe conditions or unsafe acts to the supervisor.
* Comply with the OH&S Act and Regulations.