



January, 2015

To: Physical Plant Staff

From: Rod Berscheid, Assistant Director, Physical Plant

Subject: **Safety and Health Rights, Duties and Responsibilities**

The following are the rights, duties and responsibilities of workers, Physical Plant Local Area Safety Committee members, prime contractors and contractors.

WORKER RIGHTS

- The **Right to Know** about hazards in the workplace, and what precautions must be taken to prevent injuries or illness from these hazards.
- The **Right to Participate** in safety and health activities at the workplace, including involvement in the Physical Plant Local Area Safety and Health Committee.
- The **Right to Refuse** any task that the worker has reasonable grounds to believe is dangerous to his or her safety and health or the safety and health of other persons.
- Workers carrying out duties or exercising rights as set out under the *Workplace Safety and Health Act* or *Regulation* are **protected from discriminatory action**.

Managers/Supervisors Responsibilities: will ensure that;

- Staff are provided with such information, instruction, supervision and training to enable them to safely carry out their duties.
- Facilities are in place to provide for staff consultation and communication.
- Risk assessments are carried out on work activities that may present a significant risk to staff, and suitable control measures are devised and implemented.
- Accidents, incidents and ill-health arising out of work are reported, recorded and investigated where necessary.
- Work areas are regularly inspected and monitored for unsafe conditions.

- Health and safety arrangements are regularly monitored and reviewed for effectiveness.
- Physical Plant policies, practices and procedures are implemented.
- Where managers have responsibilities for premises, risks relating to both employees and non-employees are adequately controlled.

WORKER RESPONSIBILITIES

Every individual at the workplace has a personal and shared responsibility to prevent occupational injuries and illness.

Worker responsibilities include:

- Taking reasonable care to protect themselves and others who may be affected by their actions or omissions.
- Report / Take action with unsafe conditions
- Report incidents
- Proper use of safety equipment, clothing and devices.
- Cooperating with the Physical Plant Local Area Safety and Health Committee.
- Cooperating with other person regarding workplace safety and health matters.

PHYSICAL PLANT LOCAL AREA SAFETY AND HEALTH (PPLASH) COMMITTEE RESPONSIBILITIES

- PPLASH performs a complementary function to the University of Manitoba's Workplace Health and Safety Advisory Committee (WHSAC) addressing operational safety and health concerns on a topic specific or local basis.
- PPLASH shall function in accordance with the Act and Regulations established by the Workplace Safety and Health Division (WSHD), Manitoba Labour and Immigration Department.
- PPLASH acts to identify and makes recommendations to resolve safety and health issues at the Physical Plant; making safety and health recommendations to the employer on behalf of the worker.
- Participating in developing and promoting safety and health precautions; as well as education and training programs.
- Conducting regular workplace inspections and participating in safety and health investigations.

- PPLASH shall function in accordance within the CAW 3007 Collective Agreement and current by-laws.

DUTIES OF PRIME CONTRACTORS

Requirement for prime contractor

- There shall be a prime contractor for a construction project if more than one employer or self-employed person is involved in work at the construction project site at the same time.
- Prime contractor for construction project
- The prime contractor for a construction project is
 - a) the person who enters into a contract to serve as the prime contractor with the owner of the construction project site; or
 - b) if there is no contract referred to in clause (a), or if that contract is not in effect, the owner of the construction project site.

Duties of prime contractor

The prime contractor for a construction project shall

- ensure, so far as is reasonably practicable, that every person involved in work on the project complies with this Act and the regulations;
- co-ordinate, organize and oversee the performance of all work at the construction project site and conduct his or her own activities in such a way as to ensure, so far as is reasonably practicable, that no person is exposed to risks to his or her safety or health arising out of, or in connection with activities at the construction project site;
- co-operate with any other person exercising a duty imposed by this Act or the regulations; and comply with this Act and the regulations.

DUTIES OF CONTRACTORS

Duties of contractors

- Ensure, so far as is reasonably practicable,
 1. that every workplace where an employer, employer's worker or self-employed person works pursuant to a contract with the contractor, and
 2. that every work process or procedure performed at a workplace by an employer, employer's worker or self-employed person pursuant to a contract with the contractor, that is not in the direct and complete control of that employer or self-employed person does not create a risk to the safety or health of any person;
- If the contractor is involved in work on a construction project that has a prime contractor, advise the prime contractor of the name of every employer or self-employed person with whom the contractor has contracted to perform work on the project;
- Co-operate with any other person exercising a duty imposed by this Act or the regulations; and
- Comply with this Act and the regulations.

References:

Workplace Safety and Health Act and Regulation
 Safe Work Manitoba "Everyone's Responsibility"
 Physical Plant Local Area Safety and Health Committee "Terms of Reference"